



Rhode Island Marine Fisheries Council

3 Fort Wetherill Road Jamestown, Rhode Island 02835

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

RIMFC: Robert Ballou, *Chairman*; Travis Barao; Andy Dangelo; Katie Eagan; Jason Jarvis; David Monti, *Vice Chair*; Christopher Rein; Michael Rice, Ph.D.; Mike Roderick

MEETING NOTICE RI MARINE FISHERIES COUNCIL

March 2, 2020 – 6:00 PM

URI Narragansett Bay Campus, Coastal Institute Building, Corless Auditorium
South Ferry Road, Narragansett, RI

AGENDA

Agenda item	Recommended action(s)	ePacket Attachment(s)
1. Tonight's agenda	Approval of agenda.	• Tonight's meeting agenda.
2. Meeting minutes from last meeting	Approval of meeting minutes.	• Draft minutes from meeting on 12/2/2019.
3. Public comment	Discussion and/or recommendations for future action.	N/A
4. <u>Introduction of new Deputy Director Jason McNamee: J. McNamee</u>	FYI	N/A

<p>5. February 10 public hearing items: <i>J. McNamee</i></p>	<p>Provide recommendations to the Director regarding proposed regulations.</p>	<ul style="list-style-type: none"> • Public notice • Noticed summary • Hearing powerpoint • Noticed rule <ul style="list-style-type: none"> ○ Rec. Black sea bass ○ Rec. Scup ○ Rec. Summer flounder ○ Comm. Summer flounder ○ Rec. Striped Bass ○ Comm. Striped bass General Category ○ Comm. Striped bass Floating Fish Traps ○ Rec. Tautog ○ Comm. Tautog ○ Rec. Bluefish ○ Comm. Monkfish ○ Commercial state-waters Skate wings • Hearing comments (link to YouTube) • Written comments received <ul style="list-style-type: none"> ○ Rec. Striped Bass ○ Comm. Striped Bass ○ Tautog/Other
<p>6. RI Saltwater Recreational Fishing License Program Report: <i>J. Lake</i></p>	<p>Approval of report for submittal to the General Assembly.</p>	<ul style="list-style-type: none"> • Draft Report • RIGL 20-2.2-10 (link)
<p>7. RIMFC Annual Report: <i>B. Ballou</i></p>	<p>Approval of report for submittal to the General Assembly.</p>	<ul style="list-style-type: none"> • Draft Report • RIGL 20-3.2-10 (link)
<p>8. FYI:</p> <ul style="list-style-type: none"> • <u>Commercial Licensing Legislative Re-structuring Initiative:</u> <i>J. McNamee</i> 	<p>FYI-Update</p>	<ul style="list-style-type: none"> • White Paper
<p>9. Any other matters</p>		
<p>10. Adjourn</p>		

All RIMFC Meetings are open to the public

To be posted to Sec. of State Open Meetings on February 24, 2020



Rhode Island Marine Fisheries Council

3 Fort Wetherill Road Jamestown, Rhode Island 02835

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

MEETING SUMMARY

December 2, 2019

Chairperson: *D. Monti*

RIMFC members present: *T. Barao, M. Roderick, A. Dangelo, K. Eagan, J. Jarvis, M. Rice, J. Jarvis*

Division: *J. McNamee, C. McManus, J. Lake, J. Livermore, N. Costa, N. Ares, C. Parkins, A. Williams, R. Balouskus, C. Truesdale, P. Duhamel*

DEM Legal: *C. Hoefsmit*

Public: Approximately a dozen persons in attendance.

1. **Approval of the Agenda:** The Chair offered a revision to the agenda to move the order of the hearing items (agenda item 8). Hearing no objections or requests for additional modifications, the agenda was approved by consent.
2. **Approval of minutes from meeting on October 15, 2019:** The Chair inquired as to any proposed modifications or objections to adopting the minutes. Hearing none, the minutes were approved by consent.
3. **Public comments regarding any other matters not on agenda:** *K. Murgo* voiced concern regarding a commercial viability aquaculture application currently before CRMC that will be addressed at a meeting on December 10th, but is not before the Council as a commercial viability application. Mr. Murgo requested Council support to object to the application due to significant conflicts with commercial fisheries. He offered that he docks his vessel nearby and has extensive knowledge of the waters in the area of the application. He offered that the area supports year round commercial quahogging, fish and whelk potting, and is regularly utilized in the fall by whelk fishermen from Portsmouth, Bristol and Newport. He offered that blue mussel beds at Carr point attracts scup and black sea bass that are targeted by fish potters including himself. He offered that an existing lease site already reduces the area available to other uses and the addition of another lease further restricts area available for other uses. He offered that mobile gear is prohibited in the area which makes it attractive to fixed gear fisheries. Due to his concerns described he offered that the proposed site is particularly unsuitable for an aquaculture lease. *J. Livermore* explained the current process where commercial viability applications don't go before the Council for review, but would if expanding to a full lease application. The Council offered support but did not offer a specific recommendation on the matter.

T. Mulvey requested support for the removal of the EEZ between Block Island and the mainland, that DEM should approach RI congressmen to address the matter.

4. **Responses to public comments made last meeting:** *J. McNamee* offered responses to comments made last meeting: Regarding the EEZ and transiting between Block Island and the mainland; aggregate possession limits for monkfish and skate to be addressed at a subsequent public hearing in the spring; and that a link has been added to the Division's webpage regarding coastal shark identification.
5. **Shellfish Advisory Panel Meeting (10/23/2019) Minutes:** *K. Eagan* provided a brief overview of the meeting. *D. Monti* inquired as to any objections to approving the minutes; hearing none the minutes were approved by consent.
6. **Aquaculture lease application 2019-01-063:** *K. Eagan* provided a brief overview of the application as discussion that occurred on October 23rd. Motion made by *M. Rice* to recommend to the Director that this aquaculture lease application is consistent with competing uses engaged in the exploitation of the marine fisheries; 2nd by *C. Rein*. The motion passed 7 - 0.
7. **2020 Sector Management Plan:** *J. McNamee* offered that the plan was updated with Council recommendations made last meeting, and is now considered complete and ready for submission to the General Assembly pursuant to statute. *D. Monti* inquired as to any objections to approving the plan; hearing none the plan was approved by consent.
8. **November 12 public hearing items:**
 - Remove provision that specifies quota management for tautog overharvest, as the summer subperiod referenced no longer exists in rule (Part 1, section 1.6(A)(1)(b)(2)): **Motion made by *C. Rein* to recommend to the Director to adopt the amendment as proposed; 2nd by *M. Rice*. The motion passed 7-0.**
 - Establish rule for a high grading prohibition (Part 1, section 1.6(H)): **Motion made by *J. Jarvis* recommend to the Director to not adopt the provision proposed by the Division; 2nd *A. Dangelo*. The motion passed 6-1 (*T. Barao* opposed).**
 - 2020 Commercial Management of Black Sea Bass (Part 3, section 3.7.2(A) and (B)): Motion made by *M. Rice* to recommend to the Director the adoption of status quo, with the exception of increasing the Jan. 1 – April 30 sub-period possession limit to 750 pounds/vessel/week; 2nd by *M. Roderick*. Upon conclusion of ensuing discussion, the motion was withdrawn. **Motion then made by *J. Jarvis* to recommend to the Director the adoption of status quo; 2nd by *M. Roderick*. The motion passed 7-0.**
 - 2020 Commercial Management of Scup (Part 3, section 3.8.2(A) and (B)): **Motion made by *M. Rice* to recommend to the Director to maintain status quo; 2nd by *A. Dangelo*. The motion passed 7-0.**
 - 2020 Commercial Management of Summer Flounder (Part 3, section 3.10.2): **Motion made by *C. Rein* to recommend to the Director to adopt a new date for the opening the Summer Flounder Aggregate**

- Landing Program, on the Sunday of the first full week in January, to increase the starting possession limit in the Jan. 1 – April 30 sub-period to 1,000 lbs/vsl/week, and to increase the starting possession limit in the May 1 –Sept. 15 sub-period to 100 lbs/day; 2nd by M. Rice. The motion passes 7-0.
- 2020 Commercial Management of Bluefish (Part 3, section 3.18.2): **Motion made by J. Jarvis to recommend to the Director to adopt increasing the minimum size to 18 inches, and to decrease the starting possession limit in the May 1 – 2nd Saturday in November sub-period from 8,000 lbs/week to 6,000 lbs/week; 2nd by K. Eagan. The motion passed 7-0.**
 - 2020 Commercial Management of Menhaden (Part 3, section 3.22.2): **Motion made by A. Dangelo to recommend to the Director to maintain status quo; 2nd by M. Rice. The motion passed 7-0.**
 - Proposed prohibition of Ocean pout in state waters (Part 3, proposed new section 3.32): **Motion made by M. Rice to recommend to the Director to prohibit the harvest, landing, or possession of Ocean pout in the marine waters of Rhode Island; 2nd by M. Roderick. The motion passed 7-0.**
 - Proposed prohibition of Atlantic wolffish (Part 3, proposed new section 3.33): **Motion made by C. Rein to recommend to the Director to prohibit the harvest, landing, or possession of Atlantic wolffish in the marine waters of Rhode Island; 2nd by A. Dangelo. The motion passed 7-0.**
 - Continuation of “Part 12 - Research Pilot Aggregate Program” regulations: **Motion made by C. Rein to recommend to the Director to continue the Research Pilot Aggregate Program regulation in effect through calendar year 2021; 2nd by M. Rice. The motion passed 7-0.**
 - Proposed new adoption “Part 13 - Cooperative Multi-State Possession and Landing Pilot Program for Summer Flounder”: **Motion made by C. Rein to recommend to the Director adoption of the new regulation “Part 13 - Cooperative Multi-State Possession and Landing Pilot Program for Summer Flounder” as proposed by the Division; 2nd by J. Jarvis. The motion passed 7-0.**
 - Proposed adoption of a whelk pot tagging program (Part 4, proposed new section 4.18): **Motion made by M. Rice to recommend to the Director to adopt the Whelk Pot Tagging Program as proposed by the Division, however that routine loss tags be increased to 15%, and that the valid date of tags be changed to April 1 through March 31; 2nd by K. Eagan. The motion passed 7-0.**

9. **Meeting adjournment:** The meeting was adjourned by consent at approximately 7:38pm.

The full video recording of the meeting is available at the DEM YouTube channel [here](#). Individual agenda items and their times can be viewed by expanding the “SHOW MORE” tab.

**RHODE ISLAND GOVERNMENT REGISTER
PUBLIC NOTICE OF PROPOSED RULEMAKING**

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Title of Rule: Finfish (250-RICR-90-00-3)

Rule Identifier: 250-RICR-90-00-3

Rulemaking Action: Proposed Amendment

Important Dates:

Date of Public Notice: 01/23/2020

Hearing Date: 02/10/2020

End of Public Comment: 02/23/2020

Authority for this Rulemaking:

R.I. Gen. Laws Title 20, R.I. Gen. Laws Chapters 42-17.1, 42-17.6, and 42-17.7, and in accordance with R.I. Gen. Laws Chapter 42-35-18(b)(5), Administrative Procedures Act, as amended

Summary of Rulemaking Action:

Please see "Summary of Proposed Rule" provided as supporting documentation with this notice

Additional Information and Comments:

All interested parties are invited to request additional information or submit written or oral comments concerning the proposed amendment until February 23, 2020 by contacting the appropriate party at the address listed below:

Peter Duhamel
Department of Environmental Management
3 Fort Wetherill Road
Jamestown, RI 02835
peter.duhamel@dem.ri.gov

Public Hearing:

A public hearing, in accordance with R.I. Gen. Laws § 42-35-2.8, to consider the proposed amendment shall be held on February 10, 2020 at 6:00 pm at URI Bay Campus, Corless Auditorium, South Ferry Road, Narragansett, RI 02882 at which time and place all persons interested therein will be heard. The seating capacity of the room will be enforced and therefore the number of persons participating in the hearing may be limited at any given time by the hearing officer, in order to comply with safety and fire codes.

The place of the public hearing is accessible to individuals who are handicapped. If communication assistance (readers/interpreters/captioners) is needed, or any other accommodation to ensure equal participation, please call 401-423-1927 or RI Relay 711 at least three (3) business days prior to the meeting so arrangements can be made to provide such assistance at no cost to the person requesting.

Regulatory Analysis Summary and Supporting Documentation:

In the development of the proposed amendment consideration was given to: (1) alternative approaches; (2) overlap or duplication with other statutory and regulatory provisions; and (3) significant economic impact on small business. No alternative approach, duplication, or overlap was identified based upon available information.

For full regulatory analysis or supporting documentation see agency contact person above.

Summary of Proposed Rule
Part 3 – Finfish (250-RICR-90-00-3)
Public Hearing February 10, 2020

Note: Proposed language is identified as red, underline; language proposed for deletion is identified as ~~red-stricken~~.

1. **2020 Recreational Black sea bass management (section 3.7.1):** No amendments have been proposed, however this section is open for comment.
2. **2020 recreational Scup management (section 3.8.1):** No amendments have been proposed, however this section is open for comment.
3. **2020 recreational Striped bass management (section 3.9.1):** The noticed amendment represents the ASMFC Regional Conservation Equivalency (CE) Option B proposal and the ASMFC Rhode Island CE Option C proposal as summarized in the tables below. At the time of noticing, these options are still awaiting approval by the ASMFC Striped Bass Management Board (Board) as an FMP amendment. Neither proposal can be implemented unless approved by the Board. ASMFC Regional CE Option B will only be implemented if all three states included in the regional proposal (Rhode Island, Connecticut, and New York) agree to adopt the rule. Please note that the current minimum size of 28” is not consistent with the FMP and is therefore not an option for consideration. Noticed options 1 and 2, as well as other options under consideration, are as follows:

Noticed option 1 (ASMFC Regional CE Option B proposal):

Option	Mode	<u>Min./Max. Size</u>	Season	Poss. limit
<u>B</u>	<u>All Modes</u>	<u>30” – < 40”</u>	Jan. 1 – Dec. 31	1 fish/person/day

Noticed option 2 (ASMFC Rhode Island CE Option C proposal):

Option	Mode	<u>Min./Max. Size</u>	Season	Poss. limit
<u>C</u>	<u>Private/Shore</u>	<u>32” – < 40”</u>	Jan. 1 – Dec. 31	1 fish/person/day
	<u>For-Hire</u>	<u>30” – < 40”</u>		

One additional ASMFC Rhode Island CE proposal under consideration for adoption that is also awaiting approval from the Board, but not noticed, is as follows:

Additional Options not Noticed:

(ASMFC CE proposal)

Option	Mode	<u>Min./Max. Size</u>	Season	Poss. limit
<u>B</u>	<u>All Modes</u>	<u>32" – < 40"</u>	Jan. 1 – Dec. 31	1 fish/person/day

If none of the above CE options are approved by the ASMFC board, the following option is provided as consistent with the Addendum VI to the Striped Bass Fishery Management Plan:

(ASMFC Addendum VI consistency proposal)

<u>Min./Max. Size</u>	Season	Poss. limit
<u>28" – < 35"</u>	Jan. 1 – Dec. 31	1 fish/person/day

4. **2020 commercial Striped bass general category management (section 3.9.2(A)):** The noticed amendments include changes to the sub-period allocations, the days closed to the commercial harvest of striped bass, and the daily possession limit. These changes are proposed as a means to better manage the fishery and prevent harvest overages due to an 18% reduction in quota for 2020:

Noticed Option 1:

Min. size	Season	Allocation	Poss. limit	Closed Days
34"	May 20 – June 30	70 <u>60</u> %	5 fish/person/day	<u>Thurs.</u> , Fri. & Sat.
	July 1 – Dec. 31	30 <u>40</u> %	5 fish/person/day	<u>Thurs.</u> , Fri. & Sat.

Noticed Option 2:

Min. size	Season	Allocation	Poss. limit	Closed Days
34"	May 20 – June 30	70%	5 <u>4</u> fish/person/day	Fri. & Sat.
	July 1 – Dec. 31	30%	5 <u>4</u> fish/person/day	Fri. & Sat.

Additional Option not Noticed:

Min. size	Season	Allocation	Poss. limit	Closed Days
34"	May 20 – June 30	70%	5 <u>3</u> fish/person/day	<u>Thurs.</u> , Fri. & Sat.
	July 1 – Dec. 31	30%	5 <u>3</u> fish/person/day	<u>Thurs.</u> , Fri. & Sat.

5. **2020 commercial Striped bass Floating fish trap management (section 3.9.2(B)):** No amendments have been proposed, however this section is open for comment.

6. **2020 recreational Summer flounder management (section 3.10.1):** No amendments have been proposed, however this section is open for comment.
7. **2020 commercial Summer flounder management (section 3.10.2(B)(1)(c)(3)):** Codify in rule the possession limit change from 1,000 lbs/vessel/week to 2,000 lbs/vessel/bi-week that was effectuated on January 15, 2020 via authority established pursuant to R.I. Gen. Laws § 20-1-12.1.
8. **2020 recreational Tautog management (section 3.11.1):** No amendments have been proposed, however this section is open for comment.
9. **2020 Commercial Tautog management (section 3.11.2):** The noticed amendments are as follows:

Noticed Option 1:

Min. size	Season	Allocation	Poss. limit
16"	April 1 – May 31	50 <u>35%</u>	10 fish/vsl/day
	June 1 – October 14 <u>July 31</u>		Closed
	<u>Aug. 1 – Sept. 15</u>	<u>15%</u>	<u>10 fish/vsl/day</u>
	Sept. 16 – Oct. 14		Closed
	Oct. 15 – Dec. 31	50%	10 fish/vsl/day

Noticed Option 2:

Min. size	Season	Allocation	Poss. limit
16"	April 1 – May 31	50 <u>42.5%</u>	10 fish/vsl/day
	June 1 – October 14 <u>July 31</u>		Closed
	<u>Aug. 1 – Sept. 15</u>	<u>15%</u>	<u>10 fish/vsl/day</u>
	Sept. 16 – Oct. 14		Closed
	Oct. 15 – Dec. 31	50 <u>42.5%</u>	10 fish/vsl/day

10. **2020 recreational Bluefish management (section 3.18.1):** Noticed option 1 (ASMFC/MAFMC management proposal) and option 2 (ASMFC Regional Conservation Equivalency (CE) proposal) are summarized in the tables below. At the time of noticing, noticed option 2 is still awaiting approval by the ASMFC Bluefish Technical Committee (TC) and Management Board (Board) as an FMP amendment. Noticed option 2 can only be implemented if approved by the TC and Board and if both states included in the regional proposal (Rhode Island and Connecticut) agree to adopt the rule. Please note that the current

bag limit of 15 fish/day is not consistent with the FMP and is therefore not an option for consideration. The noticed options are as follows:

Noticed option 1 (MAFMC/ASMFC management proposal):

Mode	Min. size	Season	Poss. limit
<u>Private/Shore</u>	N/A	Jan. 1 – Dec. 31	<u>3 fish/day</u>
<u>For-hire</u>			<u>5 fish/day</u>

Noticed option 2 (ASMFC Regional CE proposal):

Mode	Min./Max. Size	Season	Poss. limit
<u>Private</u>	N/A	Jan. 1 – Dec. 31	<u>3 fish/day</u>
<u>For-hire</u>			<u>5 fish/day</u>
<u>Shore</u>	$\leq 12''$ $\geq 12''$	<u>Jan. 1 – Dec. 31</u>	<u>6 fish/day</u> <u>2 fish/day</u>

11. **Commercial Monkfish management (section 3.23.2):** The noticed amendment represents a weekly possession limit of 5 times the current daily limit. Analyses suggested that under some scenarios a weekly aggregate equal to 7 times the daily could result total landings that would trigger a possession limit reduction (per section 3.23.2.C(2)):

Noticed proposal:

Min. size	Season	Poss. limit
17" total or 11" tail length	May 1 – April 30	700 <u>4,900</u> lbs tail weight/day or 2,037 <u>14,259</u> lbs whole weight/vsl/ day <u>week</u>

12. **Commercial state waters Skate wing management (section 3.26.2(B)):** The FMP proposed specifications for the next fishing season beginning May 1, 2020 provides for an increase in the possession limit from 2,600 to 3,000 lbs/vessel/day for season 1 and from 4,100 to 5,000 lbs/vessel/day for season 2 (of the federal fishery). The current regulation is based on 7 times the season 1 possession limit. The proposed (noticed) change represents a weekly limit equal to 5 times the proposed season 2 daily limit:

Noticed proposal:

Min. size	Season	Poss. limit
N/A	May 1 – April 30	18,200 <u>25,000</u> lbs wings/week

Additional proposals that have been submitted (equal to 7 times the proposed (FMP) season 2 daily possession limit):

Additional Option not Noticed:

Min. size	Season	Poss. limit
N/A	May 1 – April 30	18,200 <u>35,000</u> lbs wings/week

13. Please note there are several non-substantive clarifications proposed throughout the rule.

RI DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Division of Marine Fisheries

Public Hearing

February 10, 2020



Public Hearing Rules of Engagement



- The purpose of the hearing is to afford interested parties an opportunity to submit data, opinions, comments, and/or arguments on specific amendments being proposed, and/or to offer how the proposed amendment can be changed to minimize the impact on those affected while still achieving goals.
- The hearing is not a forum for discussing, debating, arguing, or otherwise having dialogue. Clarifying questions only may be asked.
- Five (5) minutes will be allowed per person per hearing item. A follow-up comment may be made after all other persons have had an opportunity to speak. Persons not recognized by the hearing officer are requested to refrain from talking while a speaker is recognized.
- Persons providing comments are strongly encouraged to read all proposed rules. DMF staff is available to discuss proposals to assist in your preparation.



Black Sea Bass - 2020 Recreational Management

2020 Management: No amendments have been proposed, status quo is the only ASMFC compliant option for 2020.

Current management:

Min. size	Season	Poss. limit
15"	Jan. 1 – June 23	Closed
	June 24 – Aug. 31	3 fish/day
	Sept. 1 – Dec. 31	7 fish/day

Scup - 2020 Recreational Management



2020 Management: No amendments have been proposed, status quo is the only ASMFC compliant option for 2020.

Current management:

Sector	Min. size	Season	Poss. limit
Gen. rec.	9"	Jan. 1 – Dec. 31	30 fish/day
Party/ Charter	9"	Jan. 1 – Aug. 31	30 fish/day
		Sept. 1 – Oct. 31	50 fish/day
		Nov. 1 – Dec. 31	30 fish/day
Special Shore	8"	Jan. 1 – Dec. 31	30 fish/day

Summer Flounder - 2020 Recreational Management



2020 Management: No amendments have been proposed, status quo is the only ASMFC compliant option for 2020.

Current management:

Sector	Min. size	Season	Poss. limit
Gen. Rec.	19"	May 3 – Dec. 31	6 fish/day
Special Shore	19" (2 fish may be 17")	May 3 – Dec. 31	6 fish/day

Summer Flounder - 2020 Commercial Management – Aggregate Landing Program possession limit



Season	Poss. limit
Sunday of the first full week in January through April 30	1,000 lbs/vessel/week <u>2,000 lbs/vessel/bi-week</u>

Note: This change was effectuated on January 15, 2020 via authority established pursuant to R.I. Gen. Laws § 20-1-12.1 (i.e., listserve provided, dedicated phone line and website updated)

Striped Bass – 2020 Recreational Management



Noticed Option 1 (ASMFC Regional CE Option B proposal):

Mode	<u>Min./Max. Size</u>	Season	Poss. limit
<u>All Modes</u>	<u>30" – < 40"</u>	Jan. 1 – Dec. 31	1 fish/person/day

Noticed Option 2 (ASMFC Rhode Island CE Option C proposal):

Mode	<u>Min./Max. Size</u>	Season	Poss. limit
<u>Private/Shore</u>	<u>32" – < 40"</u>	Jan. 1 – Dec. 31	1 fish/person/day
<u>For-hire</u>	<u>30" – < 40"</u>		

Additional Option not noticed (ASMFC CE proposal):

Mode	<u>Min./Max. Size</u>	Season	Poss. limit
<u>All Modes</u>	<u>32" – < 40"</u>	Jan. 1 – Dec. 31	1 fish/person/day

ASMFC Addendum VI consistency proposal:

<u>Min./Max. Size</u>	Season	Poss. limit
<u>28" – < 35"</u>	Jan. 1 – Dec. 31	1 fish/person/day

Striped Bass – 2020 Commercial General Category Management



Noticed Option 1:

Min. size	Season	Allocation	Poss. limit	Closed Days
34"	May 20 – June 30	70 <u>60</u> %	5 fish/person/day	<u>Thurs.</u> , Fri. & Sat.
	July 1 – Dec. 31	30 <u>40</u> %	5 fish/person/day	<u>Thurs.</u> , Fri. & Sat.

Noticed Option 2:

Min. size	Season	Allocation	Poss. limit	Closed Days
34"	May 20 – June 30	70%	5 <u>4</u> fish/person/day	Fri. & Sat.
	July 1 – Dec. 31	30%	5 <u>4</u> fish/person/day	Fri. & Sat.

Additional Option Not Noticed:

Min. size	Season	Allocation	Poss. limit	Closed Days
34"	May 20 – June 30	70%	5 <u>3</u> fish/person/day	<u>Thurs.</u> , Fri. & Sat.
	July 1 – Dec. 31	30%	5 <u>3</u> fish/person/day	<u>Thurs.</u> , Fri. & Sat.

Striped Bass – 2020 Commercial Floating Fish Trap Management



2020 Management: No amendments have been proposed.

Current management:

Min. size	Season	Poss. limit
26"	April 1 - Dec. 31	Unlimited; 70% trigger - 500 lbs/licensee/day

Tautog - 2020 Recreational Management



2020 Management: No amendments have been proposed, status quo is the only ASMFC compliant option for 2020.

Current management:

Min. size	Season	Poss. limit*
16"	Jan. 1 – March 31	Closed
	April 1 – May 31	3 fish/day
	June 1 – July 31	Closed
	Aug. 1 – Oct. 14	3 fish/day
	Oct. 15 – Dec. 31	5 fish/day

* 10 fish/vessel maximum, P/C vessels exempt

Tautog - 2020 Commercial Management



Noticed Option 1:

Min. size	Season	Allocation	Poss. limit
16"	April 1 – May 31	50 <u>35%</u>	10 fish/vsl/day
	June 1 – October 14 <u>July 31</u>		Closed
	<u>Aug. 1 – Sept. 15</u>	<u>15%</u>	<u>10 fish/vsl/day</u>
	Sept. 16 – Oct. 14		Closed
	Oct. 15 – Dec. 31	50%	10 fish/vsl/day

Noticed Option 2:

Min. size	Season	Allocation	Poss. limit
16"	April 1 – May 31	50 <u>42.5%</u>	10 fish/vsl/day
	June 1 – October 14 <u>July 31</u>		Closed
	<u>Aug. 1 – Sept. 15</u>	<u>15%</u>	<u>10 fish/vsl/day</u>
	Sept. 16 – Oct. 14		Closed
	Oct. 15 – Dec. 31	50 <u>42.5%</u>	10 fish/vsl/day

Bluefish - 2020 Recreational Management



Noticed Option 1 (MAFMC/ASMFC management proposal):

Mode	Min. size	Season	Current Poss. Limit	<u>Proposed Poss. limit</u>
<u>Private/Shore</u>	N/A	Jan. 1 – Dec. 31	15 fish/day	<u>3 fish/day</u>
<u>For-hire</u>				<u>5 fish/day</u>

Noticed Option 2 (ASMFC Regional CE proposal):

Mode	Min. size	Season	Current Poss. Limit	<u>Proposed Poss. limit</u>
<u>Private</u>	N/A	Jan. 1 – Dec. 31	15 fish/day	<u>3 fish/day</u>
<u>For-hire</u>				<u>5 fish/day</u>
<u>Shore</u>	<u>≤ 12"</u>	Jan. 1 – Dec. 31	15 fish/day	<u>6 fish/day</u>
	<u>≥ 12"</u>			<u>2 fish/day</u>

Monkfish - 2020 Commercial Management



Noticed proposal:

Min. size	Season	Poss. limit
17" total or 11" tail length	May 1 – April 30	<u>4,900</u> lbs tail weight/ <u>14,259</u> lbs whole weight/vsl/ <u>week</u>

State-waters Commercial Skate Wing Management



Noticed proposal:

Min. size	Season	Poss. limit
N/A	May 1 – April 30	18,200 <u>25,000</u> wings/week

Additional Option Not Noticed:

Min. size	Season	Poss. limit
N/A	May 1 – April 30	18,200 <u>35,000</u> wings/week

End of Slides!



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Public Hearing
February 10, 2020

Proposed/annotated amendments

Note: Proposed new language is identified as red, underline; proposed language to be deleted is identified as ~~red-stricken~~.

250-RICR-90-00-3

TITLE 250 – DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

CHAPTER 90 – MARINE FISHERIES

SUBCHAPTER 00 – N/A

PART 3 – Finfish

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3.1 Purpose

The purpose of these Rules and Regulations is to manage the marine resources of Rhode Island.

3.2 Authority

These rules and regulations are promulgated pursuant to R.I. Gen. Laws Title 20, R.I. Gen. Laws Chapters 42-17.1, 42-17.6, and 42-17.7, and in accordance with R.I. Gen. Laws § 42-35-18(b)(5), Administrative Procedures Act, as amended.

3.3 Application

The terms and provisions of these Rules and Regulations shall be liberally construed to permit the Department to effectuate the purposes of state law, goals, and policies.

3.4 Definitions

See Rhode Island Marine Fisheries Regulations, Part 1 of this Subchapter.

3.5 Severability

If any provision of these Rules and Regulations, or the application thereof to any person or circumstances, is held invalid by a court of competent jurisdiction, the validity of the remainder of the Rules and Regulations shall not be affected thereby.

3.6 Superseded Rules and Regulations

On the effective date of these Rules and Regulations, all previous Rules and Regulations, and any policies regarding the administration and enforcement of these regulations shall be superseded. However, any enforcement action taken by, or application submitted to, the Department prior to the effective date of these Rules and Regulations shall be governed by the Rules and Regulations in effect at the time the enforcement action was taken, or application filed.

3.7 Black Sea Bass

3.7.1 Recreational

- A. Minimum size: Fifteen inches (15"). Minimum size measurement for black sea bass does not include the tendril located on the caudal (tail) fin.
- B. Seasons and possession limits:
 - 1. January 1 through June 23: Closed.

2. June 24 through August 31: Three (3) fish per person per calendar day.
3. September 1 through December 31: Seven (7) fish per person per calendar day.

3.7.2 Commercial

- A. Minimum size: Eleven inches (11”).
- B. Seasons, allocations, and possession limits:
 1. January 1 through April 30:
 - a. Allocation: Twenty-five percent (25%) of the quota.
 - b. Possession limit: Five hundred (500) pounds per vessel per week.
 2. May 1 through June 30:
 - a. Allocation: Twenty-five percent (25%) of the quota.
 - b. Possession limit: Fifty (50) pounds per vessel per calendar day.
 3. July 1 through July 31:
 - a. Allocation: Nineteen and a half percent (19.5%) of the quota.
 - b. Possession limit: Fifty (50) pounds per vessel per calendar day.
 4. August 1 through September 14: Closed.
 5. September 15 through October 31:
 - a. Allocation: Nineteen and a half percent (19.5%) of the quota.
 - b. Possession limit: Fifty (50) pounds per vessel per calendar day.
 6. November 1 through December 31:
 - a. Allocation: Eleven percent (11%) of the quota.
 - b. Possession limit: Fifty (50) pounds per vessel per calendar day.
- C. Trawl vessel gear restrictions - minimum mesh size: Owners or operators of otter trawl vessels possessing greater than five hundred (500) pounds of black sea bass from January 1 through March 31; or greater than one hundred (100) pounds of black sea bass from April 1 through December 31, may only fish with nets that have a minimum mesh size of four and one-half (4.5) inches diamond mesh (inside measure) applied throughout the codend for at least seventy-five

(75) continuous meshes forward of the terminus of the net; or, for trawl nets with codends (including an extension) less than seventy-five (75) meshes, the trawl net must have a minimum mesh size of four and one-half (4.5) inches diamond mesh throughout.

D. Black sea bass pot construction

1. All black sea bass pots must be constructed with two escape openings in the parlor portion of the pot. Openings may be circular, rectangular, or square, and must be a minimum of two and one half inch (2.5") diameter if circular, one and three eighths inch (1- 3/8") X five and three quarters inch (5-3/4") if rectangular, two inches (2") X two inches (2") if square. Escape vents must be attached with biodegradable fasteners which allow vents or panels to fall away from the trap after loss.
2. The hinges or fasteners of one panel or door must be made of one of the following degradable materials:
 - a. Un-treated hemp, jute, or cotton string three sixteenths inches (3/16") (4.8mm) or smaller;
 - b. Magnesium alloy, timed float releases (pop-up devices) or similar magnesium alloy fasteners;
 - c. Un-galvanized or uncoated iron wire of three thirty seconds inches (3/32") .094" (2.4mm) or smaller; or
 - d. If "bungee" cord or other elasticized material is used to fasten the top, it must be secured to the trap with a degradable hog ring.

3.8 Scup

3.8.1 Recreational

- A. Minimum size: Nine inches (9").
- B. Season: January 1 through December 31.
- C. Possession limit: Thirty (30) fish per person per calendar day.
- D. Special shore angling sites:
 1. Locations: India Point Park, Providence; Conimicut Park, Warwick; Rocky Point, Warwick; Stone Bridge, Tiverton; East and West Walls (Harbor of Refuge), Narragansett; Fort Wetherill, Jamestown; and Fort Adams, Newport:
 2. Minimum size: Eight inches (8").

3. Season: January 1 through December 31.
 4. Possession limit: Thirty (30) fish per person per calendar day.
- E. Licensed Party and Charter vessels seasons and possession limit:
1. January 1 through August 31: Thirty (30) fish per person per calendar day.
 2. September 1 through October 31: Fifty (50) fish per person per calendar day.
 3. November 1 through December 31: Thirty (30) fish per person per calendar day.

3.8.2 Commercial

- A. Minimum size: Nine inches (9").
- B. Seasons, quotas and possession limit:
1. January 1 through April 30 (federal Winter I) possession limit: Fifty thousand (50,000) pounds per vessel per calendar day, decreasing to one thousand (1,000) pounds per vessel per calendar day once eighty percent (80%) of the federal Winter I coastwide Scup quota has been harvested as determined by NOAA Fisheries.
 2. May 1 through September 30: The State quota for this sub-period will be divided as follows:
 - a. General Category (gear types other than floating fish traps): Forty percent (40%).
 - (1) Possession limit: Ten thousand (10,000) pounds per vessel per calendar week. ~~When the Summer sub-period quota has been harvested as determined by the DEM, the fishery will close.~~
 - b. Floating fish trap: Sixty percent (60%).
 - (1) During years in which the federal Winter I coastwide Scup quota is exhausted prior to April 15, the floating fish trap quota will be available on April 15. During years in which the federal Winter I coastwide Scup quota is not exhausted prior to April 15, the floating fish trap quota will be available on May 1.
 - (2) If the DEM estimates that the floating fish trap sector will not fully utilize its scup allocation prior to the end of the Summer-

Fall sub-period, beginning on June 15, the DEM may transfer the floating fish trap sector allocation to the general category sector. DEM will consult with the floating fish trap operators or their designee prior to enacting any allocation transfer, and will maintain written correspondence in the form of a letter on file as proof of said consultation.

- (3) If the DEM estimates that the floating fish trap sector has a reasonable likelihood of utilizing its quota prior to the end of the sub-period, a portion of any unused allocation that was transferred to the general category sector may be transferred back to the floating fish trap sector. Any quota that was transferred from the general category sector to the floating fish trap sector shall not exceed the amount that may have been transferred from the floating fish trap sector to the general category sector.
- (4) Reporting: Floating fish trap operators shall report landings of scup to SAFIS every Monday, Wednesday, and Friday, of every week that the trap is in operation. If there is non-compliance with this reporting requirement, the Floating Fish Trap operators will be notified and will default to the following program:
 - (AA) April 15 through September 30: During those years in which the federal Winter I coastwide scup quota is exhausted prior to April 15, the floating fish trap quota will be available on April 15. The possession limit will be twenty-five (25,000) pounds per floating fish trap per calendar day. Once ninety percent (90%) of the sub-period allocation is projected to be harvested, the possession limit will be five thousand (5,000) pounds per fish trap licensee per calendar day until one hundred percent (100%) of the quota has been harvested.
 - (BB) May 1 through September 30: During those years in which the federal Winter I coastwide scup quota is not exhausted prior to April 15, the floating fish trap quota will be available on May 1. The possession limit will be twenty-five thousand (25,000) pounds per floating fish operator per calendar day. Once ninety percent (90%) of the sub-period allocation is projected to be harvested, the possession limit will be five thousand (5,000) pounds per fish trap licensee per calendar day until one hundred percent (100%) of the quota has been harvested.

(CC) Floating Fish trap operator: For purposes of this section, a fish trap operator shall refer to a resident person or resident corporation currently issued a permit pursuant to R.I. Gen. Laws § 20-5-2. The maximum possession limit per floating fish trap licensee shall be the amount set forth above regardless of the number of authorized trap locations, the number of vessels or the number of licensed fishermen who may be working for or may enter into contract with the floating fish trap operator. While engaged in the operation of a fish trap, any licensed fisherman that may be working for or may enter into contract with the floating fish trap operator waives any individual right to possess scup pursuant to a possession limit set out in these regulations.

3. October 1 – December 31 (federal Winter II): Two thousand (2,000) pounds per vessel per calendar day, decreasing to five hundred (500) pounds per vessel per calendar day once seventy percent (70%) of the federal Winter II coastwide Scup quota has been harvested as determined by NOAA Fisheries.

C. Trawl vessel gear restrictions - minimum mesh size: Owners or operators of otter trawl vessels possessing greater than one thousand (1,000) pounds of scup from October 1 through April 14; or greater than two thousand (2,000) pounds of scup from April 15 through June 15; or greater than two hundred (200) pounds of scup from June 16 through September 30, may only fish with nets that have a minimum mesh size of five ~~(5)~~ inches (5") diamond (inside measure) or square mesh with a minimum length of seventy-five (75) meshes from the terminus of the net. For nets with less than seventy-five (75) mesh cod ends, the entire net will be five ~~(5)~~ inch (5") minimum size diamond or square mesh.

D. Scup pots:

1. Pot limits: Each person utilizing pots in the scup fishery shall be permitted to fish up to one hundred fifty (150) pots regardless of the number of licenses on board the vessel.
2. Pot construction - escape vents: All scup pots must be constructed with escape openings. Openings may be circular, rectangular, or square, and must be a minimum of three and one tenth inch (3.1") diameter, two and one quarter inch (2-1/4") X five and three quarter inch (5-3/4") if rectangular or may be constructed of two and one quarter inch (2-1/4") X two and one quarter inch (2-1/4") wire mesh. Escape vents must be attached with biodegradable fasteners which allow vents or panels to fall away from the trap after loss.

3. The hinges or fasteners of one panel or door must be made of one of the following degradable materials:
 - a. Un-treated hemp, jute, or cotton string three sixteenth inches (3/16") or smaller;
 - b. Magnesium alloy, timed float releases (pop-up devices) or similar magnesium alloy fasteners;
 - c. Un-galvanized or uncoated iron wire of three thirty seconds inches (3/32") .094" or smaller; or
 - d. If "bungee" cord or other elasticized material is used to fasten the top, it must be secured to the trap with a degradable hog ring.

3.9 Striped Bass

3.9.1 Recreational

OPTION 1: Change in minimum/maximum size limit proposal (section 3.9.1).

A. Minimum size: ~~Twenty-eight inches (28")~~ Thirty inches (30") in total length.

B. Maximum size: Less than forty inches (40") in total length.

~~BC.~~ Season: January 1 through December 31.

~~CD.~~ Possession limit: One (1) fish per person per day.

~~DE.~~ Any person recreationally harvesting a striped bass thirty-four inches (34") or larger shall at the time of harvest have the right pectoral fin removed at a point as close to the body of the fish as possible.

OPTION 2: Change in minimum/maximum size limit and split mode proposal (section 3.9.1).

A. Minimum size: ~~Twenty-eight inches (28")~~ Thirty-two inches (32") in total length.

B. Maximum size: Less than forty inches (40") in total length.

~~BC.~~ Season: January 1 through December 31.

~~CD.~~ Possession limit: One (1) fish per person per day.

~~DE.~~ Any person recreationally harvesting a striped bass thirty-four inches (34") or larger shall at the time of harvest have the right pectoral fin removed at a point as close to the body of the fish as possible

F. Licensed Party and Charter vessels minimum and maximum size:

1. Minimum size: Thirty inches (30") in total length.

2. Maximum size: Less than forty inches (40") in total length.

3.9.2 Commercial

OPTION 1: Proposed change in sub-period allocations and days closed to harvest (section 3.9.2).

A. General Category:

1. Minimum size: Thirty-four inches (34") or greater in total length.
2. Allocation: Sixty-one percent (61%) of the annual Rhode Island commercial quota.
3. Seasons and possession limits
 - a. January 1 through May 19: Closed.
 - b. May 20 through June 30:
 - (1) Allocation: ~~Seventy~~ Sixty percent (~~70~~ 60%) of the general category quota.
 - (2) Possession limit: Five (5) fish per person per calendar day, or if fishing from a vessel, five (5) fish per vessel per calendar day.
 - (3) The fishery will be closed in each calendar week on Thursday, Friday and Saturday during this sub period. There will be no commercial possession or sale of Striped bass on these days for general category commercial fishermen.
 - ~~(4) — The sub-period will close once seventy percent (70%) of the general category quota is projected to be harvested if prior to June 30.~~
 - c. July 1 through December 31:
 - (1) Allocation: ~~Thirty~~ Forty percent (~~30~~ 40%) of the general category quota.
 - (2) Possession limit: Five (5) fish per person per calendar day, or if fishing from a vessel, five (5) fish per vessel per calendar day.

(3) The fishery will be closed in each calendar week on Thursday, Friday and Saturday during this sub period. There will be no commercial possession or sale of Striped bass on these days for general category commercial fishermen.

~~(4) The sub-period will close when thirty percent (30%) of the general category quota is projected to be harvested.~~

~~(5) If DEM determines that the quota will be exceeded or will not be met before the end of the fall season, DEM may adjust that catch rate accordingly on or after September 15 annually.~~

34. If DEM estimates that the floating fish trap sector will not fully utilize its Striped bass allocation prior to the end of the season, the DEM may transfer all or a portion of the floating fish trap sector allocation into the general category fishery. DEM will consult with the floating fish trap licensees or their designee prior to enacting any such transfer, and will maintain written correspondence of this consultation.

45. Floating fish trap allocation that has been transferred to the general category fishery in accordance with § 3.9.2(A)(34) of this Part may be transferred back to the floating fish trap fishery. Any allocation transferred back to the floating fish trap fishery shall not exceed the amount of the original transfer.

OPTION 2: Proposed change in possession limit (section 3.9.2).

A. General Category:

1. Minimum size: Thirty-four inches (34") or greater in total length.
2. Allocation: Sixty-one percent (61%) of the annual Rhode Island commercial quota.
3. Seasons and possession limits
 - a. January 1 through May 19: Closed.
 - b. May 20 through June 30:
 - (1) Allocation: Seventy percent (70%) of the general category quota.
 - (2) Possession limit: ~~Five (5)~~ Four (4) fish per person per calendar day, or if fishing from a vessel, ~~five (5)~~ four (4) fish per vessel per calendar day.

(3) The fishery will be closed in each calendar week on Friday and Saturday during this sub period. There will be no commercial possession or sale of Striped bass on these days for general category commercial fishermen.

~~(4) The sub-period will close once seventy percent (70%) of the general category quota is projected to be harvested if prior to June 30.~~

c. July 1 through December 31:

(1) Allocation: Thirty percent (30%) of the general category quota.

(2) Possession limit: ~~Five (5)~~ Four (4) fish per person per calendar day, or if fishing from a vessel, ~~five (5)~~ four (4) fish per vessel per calendar day.

(3) The fishery will be closed in each calendar week on Friday and Saturday during this sub period. There will be no commercial possession or sale of Striped bass on these days for general category commercial fishermen.

~~(4) The sub-period will close when thirty percent (30%) of the general category quota is projected to be harvested.~~

~~(5) If DEM determines that the quota will be exceeded or will not be met before the end of the fall season, DEM may adjust that catch rate accordingly on or after September 15 annually.~~

34. If DEM estimates that the floating fish trap sector will not fully utilize its Striped bass allocation prior to the end of the season, the DEM may transfer all or a portion of the floating fish trap sector allocation into the general category fishery. DEM will consult with the floating fish trap licensees or their designee prior to enacting any such transfer, and will maintain written correspondence of this consultation.

45. Floating fish trap allocation that has been transferred to the general category fishery in accordance with § 3.9.2(A)(34) of this Part may be transferred back to the floating fish trap fishery. Any allocation transferred back to the floating fish trap fishery shall not exceed the amount of the original transfer.

B. Floating Fish Traps:

1. Floating fish trap operators must be permitted pursuant to RIMFR "General Equipment Provisions," [Part 6](#) of this Subchapter.

2. Allocation: During a single calendar year, the floating fish trap quota shall not be more than thirty-nine percent (39%) of the annual Rhode Island commercial quota.
3. Minimum size: Twenty-six inches (26") in total length.
4. Season: April 1 through December 31.
5. Possession limit: Unlimited. Once seventy percent (70%) of the seasonal allocation is projected to be harvested the possession limit shall be five hundred (500) pounds per floating fish trap licensee per calendar day.

~~6. When DEM has determined that the annual quota allocated to floating fish traps has been reached, the fishery will terminate.~~

76. Reporting: All floating fish trap operators shall keep daily records of striped bass landings and report landings to SAFIS every Monday, Wednesday, and Friday, of every week that the trap is in operation.

87. If the floating fish trap operators are found to be out of compliance with the reporting requirements, the operators will be notified, and default to following program:

- a. April 1 through December 31: One hundred percent (100%) of the floating fish trap quota shall be available during this sub-period. Once ~~eighty~~ seventy percent (~~80~~ 70%) of the seasonal allocation is projected to be harvested the possession limit shall be five hundred (500) pounds per floating fish trap licensee per calendar day.

C. Gillnet prohibition for Striped bass: No person shall take or possess any striped bass while gillnetting, or while hauling a gill net.

D. Hybrid Striped Bass Cultured Striped Bass:

1. Aquaculture-reared striped bass or hybrid striped bass brought into Rhode Island for sale or resale, which is wholly or partially processed, except for cultured striped bass or hybrid Striped bass from a fish farm or processor which are a fully processed and packaged product whether fresh or frozen, shall have affixed to it a tag identifying it as an aquaculture product.
2. Packages, containers, and each fish or fish product containing aquaculture products shall be tagged or labeled with a uniform series of 14-digit numbers and letters as shown in the example below:

MD	= State of origin
123	= Permit number (producing state issued permit number)

0889	= Month and year of shipment
A1234	= Species ID and number of product

3. Each fish or fish product shall have affixed to it a tag bearing the same information listed in § 3.9.2(D)(2) of this Part.
 4. The sale of this product shall be accompanied by a receipt showing:
 - a. the date of sale;
 - b. name, address, and permit number of the aquaculture facility;
 - c. numbers and species of Striped bass sold;
 - d. name of purchaser.
 5. Fish shipped in the round and filleted by the seller, shall have the tag removed and wrapped in with the fillets when sold.
 6. The consignee of each subsequent sale shall retain a copy of the bill of lading or similar accountable document for one (1) year, and make it available to the Department upon request.
- E. Commercial Striped Bass Tags: Each individual Striped bass shall be immediately marked with tags available from DEM. No Striped bass may be sold unless it has been properly identified with such tag. DEM may designate tagging agents as appropriate. All designated tagging agents shall keep and maintain the required forms and reports specified by DEM. All tag reports and unused tags must be returned to DEM by January 1st of the following year. Failure to return reports and unused tags may result in the tagging agent becoming ineligible to receive striped bass tags in the future.

3.10 Summer Flounder

3.10.1 Recreational

- A. Minimum size: Nineteen inches (19”).
- B. Season: May 3 through December 31.
- C. Possession limit: Six (6) fish.
- D. Special shore angling sites:
 1. Special shore angling site locations: India Point Park, Providence; Conimicut Park, Warwick; Rocky Point, Warwick; Stone Bridge, Tiverton;

East and West Walls (Harbor of Refuge), Narragansett; Fort Wetherill, Jamestown; and Fort Adams, Newport.

2. Minimum size: Seventeen inches (17"). This applies to only two (2) fish of the allowed total possession limit.
3. Season: May 3 through December 31.
4. Possession Limit: Six (6) fish. The minimum size of two (2) of the six (6) fish may be seventeen inches (17"). The remaining four (4) fish shall be nineteen inches (19").

3.10.2 Commercial

- A. Minimum size: Fourteen inches (14").
- B. Seasons, allocations, and possession limits:
 1. January 1 through April 30:
 - a. ~~Target a~~Allocation: Fifty-four percent (54%) of the annual quota.
 - b. Possession limit between January 1 and the start of the Winter sub-period of the Aggregate Landing Program, ~~annually~~:
 - (1) Vessels that possess a valid RI Summer Flounder Exemption Certificate (Exemption Certificate): One hundred (100) pounds per vessel per calendar day.
 - (2) Vessels that do not possess a valid Exemption Certificate: One hundred (100) pounds per vessel per calendar day.
 - c. Possession limit during the Winter sub-period of the Aggregate Landing Program, ~~annually~~:
 - (1) Vessels not permitted in the Aggregate Landing Program but which possess a valid Exemption Certificate: One hundred (100) pounds per vessel per calendar day. ~~When ninety percent (90%) of the Winter sub-period quota has been harvested as determined by the DEM, the possession limit per vessel shall be one hundred (100) pounds per calendar day.~~
 - (2) Vessels that do not possess a valid Exemption Certificate: One hundred (100) pounds per vessel per calendar day. ~~When ninety percent (90%) of the Winter sub-period quota has been harvested as determined by the DEM, the~~

~~possession limit per vessel shall be one hundred (100) pounds per calendar day.~~

- (3) Aggregate Landing Program: ~~One thousand (1,000)~~ Two thousand (2,000) pounds per vessel per bi-week. The bi-weekly periods shall be specified in the Aggregate Landing Permit. ~~When ninety percent (90%) of the Winter sub-period quota has been harvested as determined by the DEM, the Aggregate Landing Program will terminate, and the possession limit shall be one hundred (100) pounds per vessel per calendar day.~~

(4) The Aggregate Landing Program will terminate when ninety percent (90%) of the Winter sub-period quota has been harvested and the possession limit shall be one hundred (100) pounds per vessel per calendar day.

2. May 1 through September 15:
- a. ~~Target a~~Allocation: Thirty-five (35%) of the annual quota.
 - b. Possession limit:
 - (1) Vessels that possess a valid Exemption Certificate: One hundred (100) pounds per vessel per calendar day.
 - (2) Vessels that do not possess a valid Exemption Certificate: One hundred (100) pounds per vessel per calendar day.
3. September 16 through December 31:
- a. ~~Target a~~Allocation: Eleven percent (11%) of the annual quota.
 - b. Possession limit:
 - (1) Vessels that possess a valid Exemption Certificate: One hundred (100) pounds per vessel per calendar day.
 - (2) Vessels that do not possess a valid Exemption Certificate: One hundred (100) pounds per vessel per calendar day.

C. Aggregate Landing Program:

1. Sub-periods:
- a. Winter: Beginning on the Sunday of the first full week in January through April 30 ~~annually~~, or until ninety percent (90%) of the

Winter sub-period quota has been harvested as determined by the DEM.

2. Eligibility: An applicant vessel shall be considered eligible for a permit to participate in the Aggregate Landing Program by demonstrating to the satisfaction of the DEM and the Division of Law Enforcement each of the following:
 - a. The vessel, if harvesting Summer flounder from federal waters, possesses a valid federal Summer Flounder Moratorium Permit and RI Summer Flounder Exemption Certificate (Exemption Certificate);
 - b. The vessel's operator, if harvesting exclusively in State waters, holds a valid RI commercial fishing license to harvest or land summer flounder and possesses a valid Exemption Certificate;
 - c. The vessel's operator has not been assessed a criminal or administrative penalty in the past three years for a violation of this section or not more than one marine fisheries violation.
3. Application: Application for an Aggregate Landing Program Permit shall be made on forms as prescribed by the Director.
4. Non-compliance with the provisions of these regulations or the permit agreement shall subject both the owner and the operator to revocation of enrollment and participation in the commercial fisheries for remainder of the sub-period or the subsequent sub-period. If for any reason a sub-period does not exist by regulation, the privilege of the owner(s) and operator(s) to commercially harvest fish shall be suspended for the same calendar time period as described in the current sub-period upon adjudication.

D. Rhode Island Summer Flounder Exemption Certificate:

1. Application: Applicants shall provide each of the following:
 - a. A copy of the operator's valid current Rhode Island commercial fishing license or non-resident landing license, and Federal Fluke Permit if the summer flounder is to be taken in the EEZ;
 - b. A completed notarized application;
 - c. Proof that the vessel meets the requirements set out in this section;
 - d. Provide a completed notarized waiver authorizing the Department to access records verifying that this vessel and operator meet the criteria set forth in this section; and

- e. A copy of the vessel's U.S. Coast Guard documentation papers or state issued boat registration certificate proving ownership of the vessel.
2. Eligibility: DEM will issue an Exemption Certificate for a vessel if the owner of the vessel or his/her representative applies to DEM prior to January 1, 1997, for the issuance of such a certificate and demonstrates to the satisfaction of the Director that:
- a. The operator of the vessel possesses a valid Rhode Island commercial fishing license to land Summer flounder up to the amount permitted by these regulations; and
 - b. The subject vessel meets any of the following criteria:
 - (1) The vessel was operated by a person who possessed a valid Rhode Island commercial fishing license and landed and sold in excess of one pound of summer flounder to a Rhode Island licensed dealer during the period from January 1, 1987, through December 31, 1992;
 - (2) The vessel fished exclusively in the Exclusive Economic Zone (EEZ) and landed and sold in excess of one pound of summer flounder to a licensed Rhode Island licensed dealer sometime during the period January 1, 1987, through December 31, 1992. The Department may require additional supporting documents including but not limited to the ship's logs, ice and fuel slips;
 - (3) The vessel replaces a vessel which was operated by a person who possessed a valid Rhode Island commercial fishing license, and the vessel being replaced landed and sold in excess of one pound of summer flounder to a Rhode Island licensed dealer during the period from January 1, 1987, through December 31, 1992, and if the vessel being replaced was lost by sinking or was otherwise destroyed, the replaced vessel is required to have been owned by the applicant at the time of the loss;
 - (4) The vessel replaces a vessel which fished exclusively in the EEZ and landed and sold in excess of one pound of summer flounder to a Rhode Island licensed dealer, during the period January 1, 1987, through December 31, 1992, and if the vessel being replaced was lost by sinking or was otherwise destroyed, the replaced vessel is required to have been owned by the applicant at the time of the loss.

- (5) If the vessel is replacing a vessel that was lost by sinking or was otherwise destroyed, documentation must be presented from a licensed insurance company, U.S. Coast Guard report, or some other valid evidence of ownership to the satisfaction of the Director.
3. Transfer of an Exemption Certificate: An Exemption Certificate issued by the DEM is only valid the vessel to which it is issued. A vessel may be sold with all certificates, permits (state and federal) and history transferred together or without the certificates, permits (state and federal) and history for purposes of replacing the vessel. In instances when a vessel owner retains all certificates, permits, and history they must be applied to a replacement vessel owned by said individual within ninety (90) days.
 - a. Change in ownership: An Exemption Certificate is presumed to transfer with the vessel whenever it is bought, sold, or otherwise transferred, unless there is a written agreement, signed by the transferor/seller and transferee/buyer, or other credible written evidence, verifying that the transferor/seller is retaining the vessel's fishing and permit history for purposes of replacing the vessel. Individuals who purchase a vessel issued an Exemption Certificate must supply credible written evidence verifying that they are the full owner of said vessel. Vessel ownership will be determined solely by an issued and valid (unexpired) US Coast Guard documentation or state registration.
 - b. Replacement Vessels: A vessel owner wishing to transfer an Exemption Certificate must provide proof to the satisfaction of the DEM that the applicant vessel is replacing a vessel and that said certificate is only applicable to the vessel for which the Exemption Certificate has been transferred.
 - (1) The vessel owner must supply credible written evidence verifying that the transferor/seller is retaining the vessel's Exemption Certificate for purposes of replacing the vessel. If a vessel owner elects to sever the Exemption Certificate from a vessel, the Exemption Certificate may be transferred only to another vessel fully owned by said vessel owner. Proof of full ownership of both vessels is required. Vessel ownership will be determined solely by an issued and valid (unexpired) U.S. Coast Guard documentation or state registration.
 - (2) Vessel permits (state and federal), Exemption Certificates, and fishing history cannot be split.

- (3) An Exemption Certificate may not be combined to create larger replacements vessels.
- (4) The replacement vessel may not exceed a ten percent (10%) increase in length overall (LOA), a ten percent (10%) increase in gross registered tonnage (GRT) or net tonnage (NT), or a twenty percent (20%) increase in horsepower of the vessel's baseline specifications, as applicable.
- (5) Vessel baseline specifications: The vessel baseline specifications in this section are the respective specifications (length, gross registered tonnage, net tonnage, horsepower) of the vessel that was initially issued an Exemption Certificate.
- (6) A vessel may be upgraded, whether through refitting or replacement, and be eligible to retain an Exemption Certificate, only if the upgrade complies with the following:
 - (AA) The vessel's horsepower may be increased only once, whether through refitting or replacement. Such an increase may not exceed twenty percent (20%) of the horsepower of the vessel's baseline specifications, as applicable.
 - (BB) The vessel's length, GRT, and NT may be increased only once, whether through refitting or replacement. Any increase in any of these three specifications of vessel size may not exceed ten percent (10%) of the vessel's baseline specifications, as applicable. If any of these three specifications is increased, any increase in the other two must be performed at the same time. This type of upgrade may be done separately from an engine horsepower upgrade.

4. Exemption Certificates may not be:

- a. Pledged, mortgaged, leased, or encumbered in any way;
- b. Transferred with any retained right of repossession or foreclosure, or any condition requiring a subsequent transfer; or
- c. Attached, distrained, or sold on execution of judgment.

E. Otter trawl Mesh size: Otter trawlers that land or possess one hundred (100) pounds or more of Summer flounder per day from May 1 through October 31; or two hundred (200) pounds or more of summer flounder per trip from November 1 through April 30, must fish with nets or combinations of nets that have a

minimum mesh size of five and one-half inches (5.5") diamond, or six inches (6") square mesh applied throughout the body, extension(s) and cod end portion of the net.

- F. Summer flounder may be landed between the hours of 6:00 AM to 8:00 PM only;
- G. Control Date: A control date of December 31, 2010, is established for the commercial Summer flounder fishery in Rhode Island.

3.11 Tautog

3.11.1 Recreational

- A. Minimum size: Sixteen inches (16").
- B. Seasons and possession limits:
 - 1. January 1 through March 31: Closed.
 - 2. April 1 through May 31: Three (3) fish per person per calendar day.
 - 3. June 1 through July 31: Closed.
 - 4. August 1 through October 14: Three (3) fish per person per calendar day.
 - 5. October 15 through December 31: Five (5) fish per person per calendar day.
 - 6. Maximum per vessel possession limit: The possession limit shall be per person per calendar day, as stated above, with a maximum of ten (10) fish per vessel per calendar day.
 - 7. Licensed Party and Charter vessels seasons and possession limits:
 - a. January 1 through March 31: Closed
 - b. April 1 through May 31: Three (3) fish per person per calendar day.
 - c. June 1 through July 31: Closed.
 - d. August 1 through October 14: Three (3) fish per person per calendar day.
 - e. October 15 through December 31: Five (5) fish per person per calendar day.
 - f. Licensed Party/charter vessels are not subject to the ten (10) fish per vessel per calendar day restriction.

3.11.2 Commercial

OPTION 1: Proposed addition of August 1 – September 15 sub-period. The allocation for this sub-period will be taken from the April 1 – May 31 sub-period (section 3.11.2).

- A. Minimum size: Sixteen inches (16”).
- B. Seasons, allocations, and possession limit:
 - 1. January 1 through March 30: Closed.
 - 2. April 1 through May 31:
 - a. Allocation: ~~Fifty percent (50%)~~ Thirty-five percent (35%) of the annual quota.
 - b. Possession limit: Ten (10) fish per vessel per day.
 - 3. June 1 through ~~October 14~~ July 31: Closed.
 - 4. August 1 through September 15:
 - a. Allocation: Fifteen percent (15%) of the annual quota.
 - b. Possession limit: Ten (10) fish per vessel per day.
 - 4. October 15 through December 31:
 - a. Allocation: Fifty percent (50%) of the annual quota.
 - b. Possession limit: Ten (10) fish per vessel per day.

OPTION 2: Proposed addition of August 1 – September 15 sub-period. The allocation for this sub-period will be taken equally from the April 1 – May 31 sub-period and the October 15 – December 31 sub-period (section 3.11.2).

- A. Minimum size: Sixteen inches (16”).
- B. Seasons, allocations, and possession limit:
 - 1. January 1 through March 30: Closed.
 - 2. April 1 through May 31:
 - a. Allocation: ~~Fifty percent (50%)~~ Forty-two and one-half percent (42.5%) of the annual quota.

- b. Possession limit: Ten (10) fish per vessel per day.
 3. June 1 through ~~October 14~~ July 31: Closed.
 4. August 1 through September 15:
 - a. Allocation: Fifteen percent (15%) of the annual quota.
 - b. Possession limit: Ten (10) fish per vessel per day.
 4. October 15 through December 31:
 - a. Allocation: ~~Fifty percent (50%)~~ Forty-two and one-half percent (42.5%) of the annual quota.
 - b. Possession limit: Ten (10) fish per vessel per day.
- C. Commercial tautog tagging.
 1. No tautog shall be sold, purchased, bartered, or traded in RI unless a tautog tag issued by the Director has been affixed to the left opercula bone with the tag number displayed.
 2. All tautog harvested and landed in RI must be tagged at the time of harvest, prior to offloading.
 3. Eligibility: Tags shall be available only to RI commercially licensed fishermen authorized to harvest and/or land tautog.
 4. No person shall transfer tautog tags between individuals or fish.
 5. Tags are valid for one (1) calendar year.
 6. All unused tags shall be returned to DMF by February 15 of the following year accompanied by the tag reporting form with the disposition of all tags (used, returned, broken, or lost) recorded. Failure to return tags and reports may result in the harvester's inability to participate in the commercial tautog fishery in the future.
 7. No person shall reuse, counterfeit, alter, or modify any tautog tag, or possess, use, or attempt to use any counterfeit, altered or modified tags. Any person found in violation may be prohibited from participating in the commercial tautog fishery in the future.
 8. Tautog must remain tagged until they reach the final consumer. Processed or filleted tautog shall be packed with the tag and available for inspection, with tags retained until all process or fileted tautog are sold.
 9. This section shall become effective on January 1, 2020.

3.12 American eel

3.12.1 Recreational

- A. Minimum size: Nine inches (9").
- B. Season: January 1 through December 31.
- C. Possession limit: Twenty-five (25) fish per angler per day.
- D. Licensed Party and Charter vessel season and possession limit:
 - 1. Season: January 1 through December 31.
 - 2. Possession limit: Fifty (50) fish per angler per day for the licensed captain and any employed crew member; and twenty-five (25) fish per angler per day for any paying customer.

3.12.2 Commercial

- A. Minimum size: Nine inches (9").
- B. Season: January 1 through December 31.
 - 1. Closed season: September 1 through December 31 **annually** for any gear type other than baited traps/pots or spears.
- C. Possession limit: Unlimited.
- D. Commercial Eel pot restrictions: Eel pots shall have a minimum mesh size of one half inch (½") by one half inch (½"). ~~inches or shall have a 4 by 4 inch escape panel constructed of a mesh size of at least ½ by ½ inch mesh. The escape vent allowance will be in effect from January 1, 2014 – December 31, 2016, after which the entire pot must meet the ½ by ½ inches mesh requirement.~~

3.13 American plaice

3.13.1 Recreational

- A. Minimum size: Fourteen inches (14").
- B. Fishing year: The recreational American plaice fishery shall operate on a May 1 through April 30 fishing year.
- C. Possession limit:
 - 1. There is no recreational possession limit for American plaice provided the vessel is fishing in state waters and does not have a federal permit authorizing the harvest of American plaice.

2. Vessels in possession of a federal permit authorizing the recreational harvest of American plaice in federal waters may harvest American plaice in state waters in the amount equal to the federal regulations.

3.13.2 Commercial

- A. Minimum size: Twelve inches (12”).
- B. Fishing year: The commercial American plaice fishery shall operate on a May 1 through April 30 fishing year.
- C. Possession limit:
 1. There is no commercial possession limit for American plaice provided the vessel is fishing in state waters and does not have a federal permit authorizing the harvest of American plaice.
 2. Vessels in possession of a federal permit authorizing the commercial harvest of American plaice in federal waters may harvest American plaice in state waters in the amount equal to the federal regulations.

3.14 American shad

The harvest, landing, or possession of American shad in the marine waters of Rhode Island is prohibited.

3.15 Atlantic herring

3.15.1 Commercial

- A. Season: ~~The season for Atlantic herring begins annually on January 1 through December 31. When the Atlantic herring quota has been harvested as determined by NOAA Fisheries, the season will close.~~ January 1 through December 31.
- B. Possession limit: Two thousand (2,000) pounds per vessel per day, unless the vessel holds a RI State Waters Atlantic Herring Fishing permit.
- C. Rhode Island State Waters Atlantic Herring Fishing Permit: A permit from DEM is required for vessels engaged in the fishing and/or processing of over two thousand (2,000) pounds of Atlantic herring per day in Rhode Island state waters.
 1. Issuance of this permit is contingent on fishing vessel captains attending a meeting with DEM staff where they are required to give proof that:
 - a. The vessel and its captain(s) have obtained all necessary and applicable authorizations to fish for Atlantic herring in RI waters (license, endorsements(s), and vessel declarations);

- b. The vessel captain(s) have provided a valid email address to DEM at which the captain can access while fishing for the purpose of receiving advisories pertaining to river herring;
 - c. The vessel captain(s) have received from DEM a chart of fixed commercial fishing gear locations in Rhode Island waters and will have said chart in his/her possession while engaged in the fishing and/or processing of Atlantic Herring in RI waters;
 - d. The vessel captain(s) have received from DEM a copy of all applicable regulations governing the commercial harvest of Atlantic herring in Rhode Island waters.
 2. Permits shall be issued annually and are valid for one (1) calendar year from January 1 to December 31.
 3. Issuance of the permit is contingent upon a background check to determine if the applicant captain or vessel has been assessed a criminal or administrative penalty in the past three years of this section or § 3.25 of this Part (River herring) or more than one marine fisheries violation.
- D. River Herring Bycatch Allowance: Vessels possessing a federal Atlantic herring permit fishing in federal waters may transit Rhode Island state waters and make a landing in possession of alewives, or blueback herring, *Alosa aestivalis* (river herring) provided that the count of the combined river herring is five percent (5%) or less than the count of Atlantic herring onboard the vessel.
 1. The percentage of River herring in the catch will be assessed by sorting and counting a batch of fish taken from the catch of Atlantic herring on board the vessel or being landed by the vessel. This determination as to the percentage of River herring in the catch shall be accomplished by filling a container as defined herein, with a portion of the catch and examining the contents of said container. The percentage of river herring in said container shall be deemed to be representative of the percentage of River herring in the catch as a whole for purposes of a determination as to whether a vessel is in compliance with the requirements of this section.
 2. A batch of fish is defined as all fish in a separate container.
 3. A container is defined as any box, tote, bag, bucket or other receptacle capable of retaining at least twenty-five (25) gallons of loose fish which may be separated from the total catch of Atlantic herring being landed.
- E. Atlantic Herring Processing: No person may process Atlantic herring for purposes other than human consumption. Direct mealing of Atlantic herring is prohibited.

- F. Vessel restrictions: No vessel harvesting Atlantic herring in the Atlantic coast herring fishery shall exceed one hundred sixty-five feet (165') in length overall, and three thousand (3,000) horsepower.

3.16 Atlantic salmon

The harvest, landing, or possession of Atlantic salmon in the marine waters of Rhode Island is prohibited.

3.17 Atlantic sturgeon

The harvest, landing, or possession of Atlantic sturgeon in the marine waters of Rhode Island is prohibited.

3.18 Bluefish

OPTION 1: Mode split possession limit (section 3.18.1).

3.18.1 Recreational

- A. Season: January 1 through December 31
- B. Minimum size: No minimum size.
- C. Possession limit: ~~Fifteen (15)~~ Three (3) fish per person per calendar day.
- D. Licensed Party and Charter vessels possession limit: Five (5) fish per person per calendar day.

OPTION 2: Mode split possession limit, minimum size, and maximum size change (section 3.18.1).

3.18.1 Recreational

- A. Season: January 1 through December 31
- B. Minimum size: No minimum size.
- C. Possession limit: ~~Fifteen (15)~~ Three (3) fish per person per calendar day.
- D. Licensed Party and Charter vessels possession limit: Five (5) fish per person per calendar day.
- E. Shore anglers' minimum size, maximum size, and possession limit: Two (2) fish shall be greater than twelve inches (12") and six (6) fish shall be twelve inches (12") or less for a total allowable possession limit of eight (8) fish per person per calendar day.

3.18.2 Commercial

- A. Minimum size: Eighteen inches (18”).
- B. Seasons and possession limits:
 - 1. January 1 through April 30: One thousand (1,000) pounds per vessel per bi-week.
 - 2. May 1 through second Saturday in November: Six-thousand (6,000) pounds per vessel per week.
 - 3. Second Sunday in November through December 31: Five hundred (500) pounds per vessel per week.

3.19 Coastal sharks

3.19.1 Recreational

- A. Prohibited species. Taking or possessing any of the following shark species is prohibited: Sandbar, Silky, Sand tiger, Bigeye sand tiger, Whale, Basking, White, Dusky, Bignose, Galapagos, Night, Reef, Narrowtooth, Caribbean sharpnose, Smalltail, Atlantic angel, Longfin mako, Bigeye thresher, Sharpnose sevengill, Bluntnose sixgill, and Bigeye sixgill.
- B. Landings requirements: No person fishing recreationally shall possess or land sharks that do not have heads, tails, and fins attached naturally to the carcass. Sharks may be gutted and bled by making an incision at the base of the caudal peduncle provided the tail is not removed. No person fishing recreationally shall fillet a shark at sea or otherwise cut a shark into pieces at sea.
- C. Minimum size:
 - 1. Smooth Dogfish, Atlantic sharpnose, Finetooth, Blacknose, and Bonnethead shark: No minimum size.
 - 2. Tiger, Blacktip, Spinner, Bull, Lemon, Nurse, Porbeagle, Common thresher, Oceanic whitetip, and Blue shark: Minimum fork length is fifty-four inches (54”).
 - 3. Scalloped hammerhead, Smooth hammerhead, and Great hammerhead shark: Minimum fork length is seventy-eight inches (78”).
 - 4. Shortfin Mako:
 - a. Females: Minimum fork length is eighty-three inches (83”).
 - b. Males: Minimum fork length is seventy-one inches (71”).

D. Shore-based possession limits:

1. One (1) shark per person per calendar day, with one additional bonnethead and one (1) additional Atlantic sharpnose shark per person per calendar day.
2. Smoothhound sharks: Unlimited.

E. Vessel-based possession limits:

1. One (1) shark per vessel per calendar day, or per trip per calendar day, whichever is less, regardless of the number of people on board the vessel, with one (1) additional bonnethead and one additional Atlantic sharpnose shark per vessel per calendar day, or per trip per calendar day, whichever is less.
2. Smoothhound sharks: Unlimited.
3. Sharks that are transported by vessel are considered "boat assisted" and "vessel-based" regardless of how or where they were caught.

F. Authorized gear: No person fishing recreationally shall take sharks by any method other than rod and reel or handline. Handlines are defined as a mainline to which no more than two gangions or hooks are attached; retrieved by hand, not by mechanical means; and attached to, or in contact with, a vessel.

1. Any vessel using Rod and Reel, must adhere to the following:
 - a. Use corrodible circle hooks, which are defined as non-offset hooks with the point turned perpendicularly back to the shanks; and
 - b. Maximize gear removal, as safely as possible, when releasing sharks.

3.19.2 Commercial

A. Commercial species groups: Coastal sharks are grouped into commercial species groups as follows:

1. Prohibited: Sand tiger, Bigeye sandtiger, Whale, Basking, White, Dusky, Bignose, Galapagos, Night, Reef, Narrowtooth, Caribbean sharpnose, Smalltail, Atlantic angel, Longfin mako, Bigeye thresher, Sharpnose sevengill, Bluntnose sixgill, Blacknose, and Bigeye sixgill shark.
2. Research: Sandbar shark.
3. Smoothhound: Smooth dogfish and Florida smoothhound shark.

4. Non-Blacknose Small Coastal: Atlantic sharpnose, Finetooth, and Bonnethead shark.
 5. Blacknose: Blacknose shark.
 6. Aggregated Large Coastal: Silky, Tiger, Blacktip, Spinner, Bull, Lemon, and Nurse shark.
 7. Hammerhead: Scalloped hammerhead, Great hammerhead, and Smooth hammerhead shark.
 8. Pelagic: Shortfin mako, Porbeagle, Common thresher, Oceanic whitetip, and Blue shark.
- B. Prohibited species: Taking or possessing any of the species of sharks in the Prohibited and Research species groups is prohibited:
- C. Fishing year: January 1 through December 31.
- D. Quota specification:
1. Smoothhound sharks: A total annual statewide quota will be established for the State by the ASMFC and/or NOAA Fisheries.
 2. Species groups other than Smoothhound sharks will be established annually by the ASMFC and/or NOAA Fisheries.
- E. Seasons: Seasonal periods for commercial shark fisheries may be established annually either through NOAA Fisheries, ASMFC, or DEM.
- F. Possession limit:
1. Smoothhound, Non-Blacknose Small Coastal, and Pelagic shark species groups: Unlimited.
 2. Aggregated Large Coastal and Hammerhead species groups: Twenty-five (25) sharks per vessel per day, adjusting to between fifty-five (55) and zero (0) sharks per vessel per day during the fishing year as determined by NOAA Fisheries.
 3. It shall be unlawful for any person to possess any species of shark in state waters when NOAA Fisheries prohibits the possession of that species in federal waters.
- G. Display and research of sharks: No person shall possess, transport, sell or offer to sell any of the shark species listed in the Prohibited and Research Species groups without a valid state collector's permit obtained from the Director. Any person so authorized shall:

1. Report to the Director within thirty (30) days of possession the species identification, length, weight, date, and location where caught by latitude and longitude coordinates, and the gear used; and
 2. For each shark taken for live display, the holder of the permit shall also report to the Director annually by December 31 for the life of the shark. The report shall include all of the information specified in the original report to the Director pertaining to the sharks, as well as updated information on the length and weight of the shark.
- H. Authorized sale: No person shall sell any shark species to a person or dealer who does not possess a Rhode Island commercial dealer license, and a federal Commercial Shark Dealer Permit issued by the NOAA Fisheries.
- I. Authorized commercial gear: No person shall take or possess sharks using any method other than the following gear types:
1. Rod & reel. Any vessel using Rod and Reel, must adhere to the following:
 - a. Use corrodible circle hooks, which are defined as non-offset hooks with the point turned perpendicularly back to the shanks; and
 - b. Maximize gear removal, as safely as possible, when releasing sharks.
 2. Handlines, which are defined as a mainline to which no more than two gangions or hooks are attached. A handline is retrieved by hand, not by mechanical means, and must be attached to, or in contact with, a vessel;
 3. Small mesh gillnets which are defined as having a stretch mesh size smaller than five inches (5");
 4. Large mesh gillnets which are defined as having a stretch mesh size equal to or greater than five inches (5"). Any vessel using large-mesh gillnets, must use nets that are shorter than two and one-half (2.5) kilometers;
 5. Trawl nets;
 6. Shortlines which are defined as fishing lines containing fifty (50) or fewer hooks and measuring less than five hundred (500) yards in length. A maximum of two (2) shortlines shall be allowed per vessel. Any vessel using a shortline shall adhere to the following:
 - a. Use corrodible circle hooks, which are defined as non-offset hooks with the point turned perpendicularly back to the shanks; and
 - b. Practice the protocols, and possess the federally required release equipment, for pelagic and bottom longlines for the safe handling,

release, and disentanglement of sea turtles and other non-target species; and

- c. All captains and vessel owners must be certified in using, handling and release equipment. Captains and vessel owners can become certified by attending a Protected Species Safe Handling, Release, and Identification Workshop offered by NOAA Fisheries.

7. Pound nets/fish traps;

8. Weirs.

J. Prohibition of finning: Finning is defined as the act of taking a shark and removing its fins. Finning of sharks is prohibited in all state waters. All sharks, with the exception of smoothhound, possessed by commercial fishermen within state boundaries must have the tails and fins attached naturally to the carcass until landed. Fins may be cut as long as they remain attached to the carcass, by natural means, with at least a small portion of uncut skin. Sharks may be gutted and bled provided the tail is not removed. Sharks taken and possessed by commercial fishermen may have the heads removed, but no commercial fisherman shall fillet a shark at sea or otherwise cut a shark into pieces at sea.

- 1. Commercial fishermen may eviscerate and remove the head and all shark fins of smooth dogfish while at sea provided smooth dogfish make up at least twenty-five percent (25%), by weight, of total catch on board at the time of landing. Trips that do not meet the twenty-five percent (25%) catch composition requirement can land smooth dogfish, but the fins must remain naturally attached to the carcass. If fins are removed, the total wet weight of the shark fins may not exceed twelve percent (12%) of the total dressed weight of smoothhound carcasses landed or found on board a vessel. Commercial fishermen may retain other sharks on board provided the fins of other shark species remain naturally attached to the carcass through offloading.

3.20 Cod

3.20.1 Recreational

- A. Minimum size: The minimum size in state waters is equal to the minimum size in federal waters, Outside Gulf of Maine (GOM) Regulated Mesh Area, as codified at 50 C.F.R. § 648.89(b).
- B. Possession limit: The possession limit in state waters is equal to the possession limit in federal waters for Georges Bank (GB) Cod, as codified in 50 C.F.R. § 648.89(c).

3.20.2 Commercial

- A. Minimum size: Nineteen inches (19”).
- B. Fishing year: ~~The commercial Cod fishery shall operate on a~~ May 1 through April 30 ~~fishing year.~~
- C. Possession limit:
 - 1. One thousand (1,000) pounds per vessel per calendar day for any vessel fishing in state waters. The possession limit may be modified on the basis of a RI state water cod quota as set by DEM, which shall be equal to one percent (1%) of the federal Georges Bank cod annual catch limit (ACL) for the given fishing year. When ninety percent (90%) of the state water quota has been harvested as determined by the DEM, the possession limit will decrease to seventy-five (75) pounds of cod per vessel per calendar day for the remainder of the fishing year.
 - 2. Vessels in possession of a federal permit authorizing the commercial harvest of cod in federal waters may harvest, possess, or land cod in state waters in the amount equal to the federal regulations.

3.21 Haddock

3.21.1 Recreational

- A. Minimum size: ~~Fourteen~~ Eighteen inches (18”).
- B. Fishing year: ~~The recreational haddock fishery shall operate on a~~ May 1 through April 30 ~~fishing year.~~
- C. Possession limit:
 - 1. There is no recreational possession limit for haddock provided the vessel is fishing in state waters and does not have a federal permit authorizing the harvest of haddock.
 - 2. Vessels in possession of a federal permit authorizing the recreational harvest of haddock in federal waters may harvest, possess, or land haddock in state waters in the amount equal to the federal regulations.

3.21.2 Commercial

- A. Minimum size: Sixteen inches (16”).
- B. Fishing year: ~~The commercial haddock fishery shall operate on a~~ May 1 through April 30 ~~fishing year.~~
- C. Possession limit:

1. There is no commercial possession limit for haddock provided the vessel is fishing in state waters and does not have a federal permit authorizing the harvest of haddock.
2. Vessels in possession of a federal permit authorizing the commercial harvest of haddock in federal waters may harvest, possess, or land haddock in state waters in the amount equal to the federal regulations.

3.22 Menhaden

3.22.1 Recreational

- A. Minimum size: No minimum size.
- B. Season: January 1 through December 31.
- C. Possession limit:
 1. Less than or equal to four inches (4") in total length: Unlimited.
 2. Greater than four inches (4") in total length: Two hundred (200) fish/person/day.

3.22.2 Commercial

- A. Menhaden Management Area: Narragansett Bay in its entirety is designated a Menhaden Management Area pursuant to R.I. Gen. Laws § 20-4.1-1. This area shall include the east and west passages of Narragansett Bay, Mt. Hope Bay, and the Sakonnet River, and be bordered on the south by a line from Bonnet Point to Beavertail Point to Castle Hill Light. The southern boundary further extends from Land's End to Sachuest Point and then to Sakonnet Light. The following regulations govern all commercial menhaden operations conducted in the Menhaden Management Area (Management Area).
 1. Opening and closure of fishery:
 - a. Fishery opening - possession limits:
 - (1) Biomass Floor: On an annual basis in the spring, the DEM shall conduct regular estimates of the standing stock of menhaden utilizing approved scientific monitoring methods. On the basis of those estimates, DEM shall open the commercial fishery at an initial possession limit of one hundred twenty thousand (120,000) pounds per vessel per calendar day when the estimated weekly standing stock reaches two million (2,000,000) pounds.
 - b. Fishery closure:

- (1) Biomass Ceiling: When fifty percent (50%) of the estimated standing stock of menhaden ~~stock~~, above the minimum threshold amount of one million five hundred thousand (1,500,000) pounds, is harvested, the DEM shall close the menhaden fishery until further notice.
 - (2) If at any time the stock estimate drops below one million five hundred thousand (1,500,000) pounds, the DEM shall close the commercial fishery and the incidental catch fishery will be in effect until further notice.
 - c. Fall opening in the Menhaden Management Area:
 - (1) Beginning September 1 ~~annually~~, the area south of a line extending from the Jamestown and Newport Bridges, and the area south of a line extending from Fogland Point to Sandy Point in the Sakonnet River, to the southern extent of the Management Area, will be open to the harvest of menhaden by purse seine provided that the state's quota has not been exhausted or if the Episodic Event Set Aside Program has been enacted in RI.
 - (2) Possession limit: Twenty-five thousand (25,000) pounds per vessel per day.
2. Commercial Vessel restrictions:
- a. This section does not apply to small scale fisheries as defined in § 3.22.2(D)(1)(b) of this Part, or floating fish traps.
 - b. The use of purse seines shall be permitted only in accordance with the following terms and conditions:
 - (1) All nets shall be less than one hundred (100) fathoms (600 feet) in length and less than fifteen (15) fathoms (90 feet) in depth.
 - (2) All nets shall be marked with fluorescent-colored float buoys, distinguishable from the other float buoys on the net, at intervals of fifty feet (50').
 - (3) Annually, prior to use, all nets shall be inspected and certified as being in conformance with the provisions of this section by the DEM Division of Law Enforcement (DLE). Once inspected and certified, a net may be used throughout the duration of the calendar year in which it was inspected, provided that it is not altered with regard to any of the provisions of this section. Any net that is altered with regard

to any of the provisions of this section must be re-inspected and recertified prior to use.

- c. The possession or taking of menhaden by a fishing vessel engaged in the commercial menhaden fishery is prohibited in the following areas:
 - (1) Providence River: Described as the waters north of a line extending from Rocky Point to Conimicut Light in the city of Warwick, and further extending to Nayatt Point in the town of Barrington.
 - (2) Greenwich Bay: Described as the waters of Greenwich Bay west and north of a line extending from the flag pole on Warwick Point to Sandy Point in the city of Warwick.
- d. The possession or taking of menhaden by a fishing vessel engaged in the commercial menhaden fishery is prohibited on any Saturday, Sunday, official state holiday, or prior to sunrise or following sunset.
- e. Fish storage capacity: A fishing vessel engaged in the commercial menhaden fishery may not have a useable fish storage capacity greater than one hundred twenty thousand (120,000) pounds. Prior to the commencement of fishing, for any vessel not previously certified through this process, each vessel must be inspected by a certified marine surveyor and assessed with regard to its fish storage capacity. Such certification must be kept aboard the vessel at all times. Vessels must either be certified as having a useable storage capacity of one hundred twenty thousand (120,000) pounds or less, or for vessels with a fish storage capacity greater than one hundred twenty thousand (120,000) pounds the excess capacity is rendered unusable in accordance with the specifications set forth in the assessment.

B. Possession of menhaden in RI under State Quota Program:

- 1. Possession limit: One hundred twenty thousand (120,000) pounds per vessel per day.
- 2. Once the quota has been reached, the fishery will close for directed fisheries, including but not limited to purse seine operations, and the incidental catch fishery will be in effect.
- 3. All commercial menhaden operations conducted in the Management Area, prior to and after the State's quota has been reached, are subject to the provisions of § 3.22.2(A) of this Part.

4. The transiting provision in § 1.6(C)(1)(b) of this Subchapter does not apply to the commercial menhaden fishery. Any vessel transiting state waters must abide by the current state possession limit

C. Episodic Event Set Aside Program:

1. After the State's quota has been reached, if RI is approved to participate in the Episodic Event Set Aside Program for Menhaden, as established by the ASMFC, the possession limit for menhaden will be one hundred twenty thousand (120,000) pounds per vessel per day, until the Set Aside quota has been exhausted, as determined by the ASMFC and/or the DEM, at which time the program will end and the directed fishery will close. Vessels that target and land menhaden in RI under this program must harvest only from RI waters and, if operating in the Management Area, must adhere to all the provisions as specified in § 3.22.2(A) of this Part.
2. The Episodic Event Set Aside Program will end on October 31 annually, or when the Set Aside quota has been harvested, whichever first occurs.

D. Incidental catch Fishery:

1. Upon closure of the commercial menhaden fishery, an incidental catch fishery will be in effect as follows:
 - a. Possession limit:
 - (1) Six thousand (6,000) pounds/vessel/day for non-directed and small-scale gears.
 - (2) Twelve thousand (12,000) pounds/vessel/day for two (2) commercially licensed individuals harvesting from the same vessel, fishing stationary multi-species gear.
 - b. Gear Types:
 - (1) Non-directed: Anchored/stake gillnets, trawls, fyke nets, and floating fish traps.
 - (2) Small-scale: Cast nets, pots, hook and line, hand lines, trammel nets, and bait nets.
 - (3) Stationary multi-species: Anchored/stake gillnets, floating fish traps, and fyke nets.

E. Commercial vessel reporting requirements:

1. This section does not apply to small scale fisheries as defined in § 3.22.2(D)(1)(b) of this Part, or floating fish traps.
 2. Any fisher intending to engage in the commercial menhaden fishery in the Management Area shall notify the DLE at (401) 222-3070 prior to taking or possessing menhaden. At the time that a fisher advises the DLE of his/her intent to harvest menhaden, the DLE shall notify said fisher of any modification which may have been established in the possession limit for menhaden.
 3. Each person engaging in the commercial menhaden fishery shall contact the DEM at (401) 423-1940 at the end of each day to report the area fished and the amount of menhaden in possession by the fisher in pounds.
- F. Prohibition on the harvesting of menhaden for reduction processing: The taking of Menhaden for reduction (fish meal) purposes is prohibited in Rhode Island waters. A vessel will be considered in the reduction (fish meal) business if any portion of the vessel's catch is sold for reduction.
- G. No person may transfer or attempt to transfer at sea, from one vessel to another, any finfish identified in these regulations.
- H. Possession limit compliance: It shall be unlawful for any commercial menhaden operation to land more than one possession limit per day.

3.23 Monkfish

3.23.1 Recreational

- A. Minimum size: Seventeen inches (17") total length or eleven inches (11") tail length.
- B. Possession limit: Fifty (50) pounds tail weight, or one hundred sixty-six (166) pounds whole weight per vessel per calendar day. Whole weight is defined as the weight of monkfish that are gutted (i.e. stomach, liver, and other entrails removed) and have the head and tail attached.

3.23.2 Commercial

- A. Minimum size: Seventeen inches (17") total length or eleven inches (11") tail length.
- B. Fishing year: ~~The commercial monkfish fishery shall operate on a~~ May 1 through April 30 fishing year.
- C. Possession limit:

1. Non-federally permitted RI licensed vessel: ~~Seven hundred (700)~~ Four thousand nine hundred (4,900) pounds tail weight or ~~two thousand thirty-seven (2,037)~~ fourteen thousand two hundred fifty nine (14,259) pounds whole weight per vessel per calendar day week. Whole weight is defined as the weight of monkfish that are gutted (i.e. stomach, liver, and other entrails removed) and have the head and tail attached. In SAFIS landing monkfish in the “whole” is reported using the grade “gutted, head on, tail on.”
 - a. The possession of monkfish livers may not exceed the number of gutted-fish and tails combined.
 - b. The possession of monkfish heads may not exceed the number of gutted-head-off-fish and tails combined.
 2. The possession limit may be modified on the basis of a RI state water monkfish quota as set by DEM, which shall be equal to three percent (3%) of the federal Southern Management Area (SMA) Total Allowable Landings (TAL) as specified by NOAA Fisheries. When two percent (2%) of the SMA TAL has been harvested as determined by the DEM, the possession limit will decrease to fifty (50) pounds tail weight or one hundred sixty-six (166) pounds whole weight per vessel per calendar day for the remainder of the fishing year.
- D. Vessels in possession of a federal permit authorizing the harvest of monkfish may harvest monkfish in state waters if and only if they are operating during a previously and properly declared day-at-sea; in such instances, such vessels may harvest monkfish in the amount authorized to be possessed pursuant to federal regulations.

3.24 Pollock

3.24.1 Recreational

- A. Minimum size: ~~Fourteen~~ Nineteen inches (19”).
- B. Fishing year: ~~The recreational Pollock fishery shall operate on a~~ May 1 through April 30 fishing year.
- C. Possession limit:
 1. There is no recreational possession limit for pollock provided the vessel is fishing in state waters and does not have a federal permit authorizing the harvest of pollock.
 2. Vessels in possession of a federal permit authorizing the recreational harvest of pollock in federal waters may harvest, possess, or land pollock in state waters in the amount equal to the federal regulations.

3.24.2 Commercial

- A. Minimum size: Nineteen inches (19”).
- B. Fishing year: ~~The commercial pollock fishery shall operate on a~~ May 1 through April 30 ~~fishing year.~~
- C. Possession limit:
 - 1. There is no commercial possession limit for pollock provided the vessel is fishing in state waters and does not have a federal permit authorizing the harvest of pollock.
 - 2. Vessels in possession of a federal permit authorizing the commercial harvest of pollock in federal waters may harvest, possess, or land pollock in state waters in the amount equal to the federal regulations.

3.25 River herring

The harvest, landing, or possession of River herring in the marine waters of Rhode Island is prohibited.

3.26 Skate

3.26.1 Recreational

Possession limit: Ten (10) fish per person per day.

3.26.2 Commercial

- A. Fishing year: May 1 through April 30 ~~annually.~~
- B. State-waters skate wing fishery: Shall be defined as skate harvested, possessed, or landed by a vessel:
 - 1. Fishing in state waters, not on a previously declared Day At Sea (DAS), and without an active federal open-access skate permit; and
 - 2. For food for human consumption with a designated ACCSP Disposition Code 001 = Food.
 - 3. Minimum size: No minimum size.
 - 4. Possession limit: ~~Eighteen thousand two hundred (18,200)~~ Twenty five thousand (25,000) pounds per vessel per week for wings only; or ~~forty-one thousand three hundred fourteen (41,314)~~ fifty-six thousand seven hundred fifty (56,750) pounds per vessel per week for whole skate.

- a. Barndoor skate shall not comprise more than twenty-five percent (25%) of total skate wing by weight per vessel per day at the time of landing.
 - b. Barndoor skate shall be kept separate from other species harvested.
 - c. When in possession of barndoor skate, vessels are prohibited from discarding any skate species that has been winged.
- C. Skate bait fishery: Shall be defined as skate harvested, possessed, or landed by a vessel:
1. Fishing in state waters, not on a previously declared DAS, without an active federal open-access skate permit, and without a federal skate bait Letter of Authorization (LOA); and
 2. For use as bait with a designated ACCSP Disposition Code 008 = Bait.
 3. Maximum length: Whole skates must measure less than twenty-three inches (23") total length.
 4. Seasons and possession limits:
 - a. ~~Sub-period I~~— May 1 through July 31:
 - (1) Possession Limit: Twenty-five thousand (25,000) pounds whole skate per vessel per day. When NOAA Fisheries determines that ninety percent (90%) of a bait skate TAL for Sub-period I is landed, the possession limit will be reduced to an incidental catch limit of eight thousand (8,000) pounds whole skate.
 - b. ~~Sub-period II~~—August 1 through October 31:
 - (1) Possession Limit: Twenty-five thousand (25,000) pounds whole skate per vessel per day. When NOAA Fisheries determines that ninety percent (90%) of a bait skate TAL for Sub-period II is landed, the possession limit will be reduced to an incidental catch limit of eight thousand (8,000) pounds whole skate.
 - c. ~~Sub-period III~~— November 1 through April 30:
 - (1) Possession Limit: Twelve thousand (12,000) pounds whole skate per vessel per day. When NOAA Fisheries determines that eighty percent (80%) of a bait skate TAL for Sub-period III is landed, the possession limit will be reduced to an

incidental catch limit of eight thousand (8,000) pounds whole skate.

- d. Possession limit adjustments: Following the implementation of the incidental catch limit, additional adjustments may be enacted, in accordance with actions by NOAA Fisheries.
 - (1) To ensure the skate bait fishery does not exceed its seasonal or annual TAL, the fishery will close when NOAA determines that one hundred percent (100%) of the skate bait TAL for a season is to be harvested.
 - (2) To achieve the seasonal or annual TAL, incidental possession limits may be lifted, reinstating the standard seasonal possession limit.

3.26.3 Prohibited species

The harvest, landing, or possession of thorny skate in the marine waters of Rhode Island is prohibited.

3.27 Spiny dogfish

3.27.1 Commercial

- A. Seasons, allocations, and possession limit: RI is currently designated as a state that is part of the Northern region. A Northern region possession limit and quota for spiny dogfish will be established annually by the ASMFC. The Northern region quota for spiny dogfish shall be the most recent allocation by the ASMFC, which is currently set at 58% of the coastwide quota.
 - 1. Season: May 1 ~~until~~ through April 30 ~~of the following year~~.
 - 2. Possession limit: Six thousand (6,000) pounds per vessel per calendar day. When notified that the quota in the Northern region has been harvested, or projected to be harvested, as determined by the NOAA Fisheries or the ASMFC, the DEM shall close the fishery for the remainder of the designated period.
 - 3. DEM is hereby authorized to enter into agreements with the other Northern Region States for the purpose of establishing seasons and possession limits governing the taking of spiny dogfish, and may make adjustments as deemed necessary to comply with said agreements. DEM will consult with the Rhode Island state-water spiny dogfish fishers prior to negotiating the subject agreements.
- B. Prohibition of Finning: Finning is defined as the act of taking a spiny dogfish, removing the fins, and returning the remainder of the spiny dogfish to the sea.

Finning spiny dogfish is prohibited in state waters. In addition, removing any fin of spiny dogfish at-sea is prohibited (including the tail). All spiny dogfish must be landed with fins-naturally-attached to the corresponding carcass. Gutting fish at-sea is permitted, so long as the fins remain attached by a portion of uncut skin.

3.28 Yellowtail flounder

3.28.1 Recreational

- A. Minimum size: Thirteen inches (13”).
- B. Fishing year: ~~The recreational Yellowtail flounder fishery shall operate on a~~ May 1 through April 30 ~~fishing year.~~
- C. Possession Limit:
 - 1. There is no recreational possession limit for Yellowtail flounder provided the vessel is fishing in state waters and does not have a federal permit authorizing the harvest of Yellowtail flounder.
 - 2. Vessels in possession of a federal permit authorizing the recreational harvest of Yellowtail flounder in federal waters may harvest, possess, or land Yellowtail flounder in state waters in the amount equal to the federal regulations.

3.28.2 Commercial

- A. Minimum size: Twelve inches (12”).
- B. Fishing year: ~~The commercial Yellowtail flounder fishery shall operate on a~~ May 1 through April 30 ~~fishing year.~~
- C. Possession Limit:
 - 1. There is no commercial possession limit for Yellowtail flounder provided the vessel is fishing in state waters and does not have a federal permit authorizing the harvest of Yellowtail flounder.
 - 2. Vessels in possession of a federal permit authorizing the commercial harvest of Yellowtail flounder in federal waters may harvest, possess, or land Yellowtail flounder in state waters in the amount equal to the federal regulations.

3.29 Weakfish

3.29.1 Recreational

- A. Minimum size: Sixteen inches (16”).

- B. Season: January 1 through December 31.
- C. Possession limit: One (1) fish per person per calendar day.

3.29.2 Commercial

- A. Minimum size: Sixteen inches (16").
- B. Seasons and possession limits:
 - 1. June 1 through June 30: One hundred (100) pounds per vessel per calendar day.
 - 2. August 7 through November 8: One hundred (100) pounds per vessel per calendar day.
 - 3. At all other times, the possession limit is one hundred (100) pounds per vessel per calendar day as bycatch only with an equivalent poundage of other species required to be on board the vessel. Provided, however, that the commercial hook and line fishery is not permitted a bycatch allowance.
- C. For directed trawl operations, cod end mesh size must be \geq four and one-half inches (4.5") diamond or four inch (4.0") square.

3.30 Winter Flounder

3.30.1 Recreational

- A. Minimum size: Twelve inches (12").
- B. Season: March 1 through December 31.
- C. Possession limit: Two (2) fish per person per calendar day in Rhode Island waters.
- D. Closed Areas: The harvest or possession of Winter flounder is prohibited in Narragansett Bay north of the Colregs line; Potter Pond; Point Judith Pond; and the Harbor of Refuge.

3.30.2 Commercial

- A. Minimum Size: Twelve inches (12").
- B. Season: January 1 through December 31.
- C. Possession limit: Fifty (50) pounds per vessel per day.

- D. Closed Areas: The harvest or possession of Winter flounder is prohibited in Narragansett Bay north of the Colregs line; Potter Pond; Point Judith Pond and the Harbor of Refuge.
- E. Minimum mesh size:
1. Bottom trawl nets: Six inch (6") diamond mesh or six and one half inch (6.5") square mesh applied throughout the body and extension of the net, or any combination thereof, and six and one half inch (6.5") diamond mesh or six and one half inch (6.5") square mesh applied to the cod end of the bottom trawl nets.
 2. Gill nets: Six and one half inch (6.5") diamond mesh or six and one half inch (6.5") square mesh applied throughout the net. Vessels may utilize commercial fishing gear with mesh smaller than the sizes referenced in this section provided they do not possess any Winter flounder.
 - a. For vessels greater than forty-five feet (45') in length overall, a diamond mesh cod end is defined as the first fifty (50) meshes counting from the terminus of the net, and a square mesh cod end is defined as the first one hundred (100) bars counting from the terminus of the net.
 - b. For vessels forty-five feet (45') or less in length overall, a diamond mesh cod end is defined as the first twenty-five (25) meshes counting from the terminus of the net, and a square mesh cod end is defined as the first fifty (50) bars counting from the terminus of the net.
- F. With the exception of gillnets and fyke nets, fishing for Winter flounder in waters north of the seaward entrance to all coastal salt ponds, (with the exception of Point Judith Pond and the Harbor of Refuge where the harvest or possession of winter flounder is prohibited), including the waters of Narrow River, and the waters of Little Narragansett Bay north of a line from Napatree Point to the western end of Sandy Point, including the waters of the Pawcatuck River, will be prohibited from one hour after sunset until one hour before sunrise. Gillnets and fyke nets may not be hauled from one hour after sunset to one hour before sunrise.

3.31 Witch flounder

3.31.1 Recreational

- A. Minimum size: Fourteen inches (14").
- B. Fishing year: ~~The recreational Witch flounder fishery shall operate on a~~ May 1 through April 30 ~~fishing year.~~

C. Possession Limit:

1. There is no recreational possession limit for Witch flounder provided the vessel is fishing in state waters and does not have a federal permit authorizing the harvest of Witch flounder.
2. Vessels in possession of a federal permit authorizing the recreational harvest of Witch flounder in federal waters may harvest, possess, or land Witch flounder in state waters in the amount equal to the federal regulations.

3.31.2 Commercial

A. Minimum size: Thirteen inches (13”).

B. Fishing year: ~~The commercial Witch flounder fishery shall operate on a~~ May 1 through April 30 ~~fishing year.~~

C. Possession limit:

1. There is no commercial possession limit for Witch flounder provided the vessel is fishing in state waters and does not have a federal permit authorizing the harvest of Witch flounder.
2. Vessels in possession of a federal permit authorizing the commercial harvest of Witch flounder in federal waters may harvest, possess, or land Witch flounder in state waters in the amount equal to the federal regulations.

3.32 Ocean pout

The harvest, landing, or possession of Ocean pout in the marine waters of Rhode Island is prohibited.

3.33 Atlantic wolffish

The harvest, landing, or possession of Atlantic wolffish in the marine waters of Rhode Island is prohibited.



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
DIVISION OF MARINE FISHERIES
3 Fort Wetherill Road
Jamestown, Rhode Island 02835

ORAL COMMENTS

A public hearing was held on **February 10, 2020** at 6:00 PM, URI Narragansett Bay Campus, Corless Auditorium, Narragansett, RI. Several (100 +/-) persons were in attendance.

Hearing Officer: *J. Lake*

DEM Staff: *C. Hoefsmit, J. McNamee, J. Lake, J. Livermore, N. Lengyel, C. Parkins, C. Truesdale, P. Duhamel, Officer J. Peterson, Officer Adam Hill*

RIMFC: *A. Dangelo, D. Monti, T. Barao, C. Rein, K. Eagan*

A video recording of the hearing can be found on the Department's YouTube channel [here](#)

From: andersonscuba@comcast.net
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Striped bass
Date: Friday, February 14, 2020 10:29:53 AM

Good morning Peter my name is Andy Anderson I've been spearfishing and fishing for striped bass for over 20 years. I would like you to please consider my vote for option #2 **1 fish, 32 to40 for all, in the up-and-coming change to regulations.**

Thank you,
Andy Anderson

Sent from my iPhone

From: [Andrew Barber](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : 2020 Slot Limit
Date: Friday, February 21, 2020 5:51:58 PM

Peter, As a mate on a charter boat, almost all of our customers are looking to catch Striped Bass for the amazing fight, and to take them home to enjoy on a plate. We take pride in upholding all regulations set for us. I am a firm believer in protecting the juvenile fish, and taking the same care in getting the large breeders back in the water. I am writing to let you know that I agree with the captains. A slot limit of 30 to 40 inches for charter boats, and 32 to 40 inches for recreational fisherman will help conserve the species, as well as help all charter boat owners maintain a good profitable business. Please consider option 2 for both species, and business sustainability. Thank you for your time.

Andrew Barber
First Mate, Reel to Reel Sport Fishing

Dear Commissioner,

My name is Andrew Colucci, a shore-based fisherman from East Greenwich, RI. This past week at the ASMFC meetings, Rhode Island requested a larger conservation equivalency slot limit for striped bass than surrounding states NY, CT and MA.

From following the conversation this has opened the door for other stated to continue to lobby for the right to target larger fish. The stock is in trouble and those of us who spend countless hours on the water see the problem clearly. There are less fish and smaller fish every year, if we continue at this pace of killing larger breeders my children will not be able to enjoy catching this amazing fish. There needs to be further understanding that these fish are worth more alive than dead, and the continued yearly slaughter of large fish off of Block Island contributes largely to the problem. Please consider keeping inline with the coast wide slot, while many of us believe this still will not solve the issue at least it is a start to trying to save what remains of the breeding stock of striped bass. The money spent by in and out of state folks to come and fish for bass and other fish contributes to the local economy. If the ability to catch fish continues to decline so with money put into the economy by these anglers.

Please reconsider the 28" to 35" slot limit, it is the right thing to do for the fishery and the economy of your state.

Respectfully submitted,

Andrew Colucci

From: [Alexander Falk](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Striped bass
Date: Friday, February 14, 2020 8:23:21 AM

My vote is:

split mode 1 fish, 32 to 40 private/shore and 1 fish, 30 to 40 for-hire

**Best,
Alex Falk**

AF

From: Bill Barbour <ri5150bb@gmail.com>
Date: February 20, 2020 at 10:48:37 PM EST
To: surfnturf@aol.com

Peter I am not in favor of recent charter boat proposal for increase in slot limit I think RI should follow mass in slot length and rescind fin clip. It would make enforcement simpler. The fish need help no special interest grip should be favored

From: [GMAIL](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Stripe Bass regulations 2020
Date: Friday, February 14, 2020 7:57:25 AM

Hi Peter,

With the upcoming decision for stripe bass limits looming, I'd like to quickly share my views. First, let me say I am **STRONGLY IN FAVOR** of the "1 fish/day, 28-35 inches". There is no reason to take fish larger than 35" with the stripe bass population at its current critical numbers. As a local RI resident and avid recreational fisherman and spearo, the scarcity of fish (mainly stripers) and their declining low numbers is obvious every season. Overfishing and guys poaching off Block Island and Cape Cod Canal are also adding to the carnage. Something needs to change to allow the large breeders to reproduce and save this species. In my opinion, the fish over 35" are not good for eating anyway and die mainly for someone's instagram trophy post. Here's your chance to get this ecosystem back on track to make our waters healthy again.

Thanks for reading.

Ben Barney

Please excuse any typing/format errors. Sent from my iPhone.

From: [Brandon DiCicco](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Stripped Bass Slot
Date: Saturday, February 15, 2020 8:00:58 AM

Hello Peter,

I'm writing in regards to the upcoming striped bass slot limit decision. I would like Rhode Island to adopt the split regulation- 32-40" slot for private/shore and 30-40" for hire, 1 fish. I believe this to be the best option for both the health of the fishery and the preservation of the rich fishing culture and history in Rhode Island.

Respectfully,
Brandon DiCicco

From: [Ben Gadomski](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: Re: [EXTERNAL] : Striped Bass Rule
Date: Friday, February 14, 2020 3:09:16 PM

Sure I apologize. The option was 28-35" slot for stripers.

> On Feb 14, 2020, at 2:48 PM, Duhamel, Peter (DEM) <peter.duhamel@dem.ri.gov> wrote:
>

From: [Brennan Lincoln](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Upcoming striped bass regulations
Date: Friday, February 14, 2020 8:45:12 AM

Good morning,

I am writing to have my voice heard for the upcoming vote on striped bass regulations. I pay to be on a number of charters each year in order to spearfish for striped bass in Rhode Island. Please vote for option 2: 32" to 40" for all. Limiting the size of striped bass to just 35" would have an immediate negative effect on those of us supporting the industry with our dollars.

Thank you,
Brennan

--

P. Brennan Lincoln
781-490-2229

From: [Bart Wagner](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Recent Striped Bass Charter Proposal
Date: Monday, February 24, 2020 11:11:09 AM

Good morning Peter. I am a long-standing commercial and recreational saltwater fisherman. I am opposed to the recent proposal to increase the slot limit for charter boats. Standard/consistent slot limits will make enforcement much simpler and provide the needed relief to the biomass. I don't think special considerations for charter boats are appropriate since the fishermen on board are recreational anglers. Thank you.

Bart Wagner

From: [Eric Faust](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Upcoming Striped Bass Regulation Changes
Date: Friday, February 14, 2020 11:08:28 AM

Peter -

I just wanted to write you a quick note to weigh in on the upcoming Striped Bass regulation changes.

I believe that the best balance between protecting the fishers and keeping us Angles happy would be a split mode 1 fish, 32 to 40 private/shore and 1 fish, 30 to 40 for-hire.

Best Regards,

Carl Faust

From: [Charlie Gregory](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : RI striped bass regs
Date: Wednesday, February 12, 2020 8:35:34 PM

mr. Duhamel;

I want to express my support of a slot limit of 28-35". In terms of enforcement all states having the same regulations is obviously preferable. Additionally if our for hire sector is allowed more or bigger fish is a bad idea. First from the stand point of fairness. Secondly more big fish will be harvested instead of being left to go to the Hudson, Delaware or most likely the Chesapeake to spawn generations of bass. Third should the RI for hires be allowed to take fish over 35" then other states will insist that their for hires be allowed to take larger bass so they will not be at a disadvantage. Thus more big bass will not get to spawn. New Jersey and Maryland will continue to be problematic. However they will never go along with real conservation measures if the other states do not show a united front. Please support a slot limit of 28"-35" for striped bass in Rhode Island.

Thanks for your time. Charles Gregory, Little Compton, RI

Sent from my iPad

From: [Colin Hillberg](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : striped bass vote
Date: Friday, February 14, 2020 1:56:15 PM

Hello Mr Duhamel-

I vote for option 2 (1 fish, 32" to 40" for all).

thank you, Colin Hillberg (cell: 415 317 1798)

From: [Claudio](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : R.I.
Date: Friday, February 14, 2020 10:23:41 AM

Hello Peter,

I'm writing in regards to the upcoming striped bass slot limit decision. I would like Rhode Island to adopt the split regulation- 32-40" slot for private/shore and 30-40" for hire, 1 fish. I believe this to be the best option for both the health of the fishery and the preservation of the rich fishing culture and history in Rhode Island.

Respectfully,

Thank you,
Claudio

From: [Charlie Nutting](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : RI Striped Bass regulations
Date: Friday, February 14, 2020 9:30:16 AM

Hi Peter,

I'm writing you for your support in advocating the alternate means of striped bass take reduction currently on the table.

Option 1 (32-40" private/shore and 30-40" for hire) will help minimize catch & release mortality for those who will continue catching (and often unintentionally killing) bigger bass until they find one in the smaller 28-35" slot that is currently the default.

I also fully support more stringent means of take in future years, e.g. use of only circle hooks.

Thanks for your consideration & support
Charlie Nutting

From: [Phorgetaboutit.](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] :
Date: Friday, February 14, 2020 9:48:23 AM

Hello Peter,

I'm writing in regards to the upcoming striped bass slot limit decision. I would like Rhode Island to adopt the split regulation- 32-40" slot for private/shore and 30-40" for hire, 1 fish. I believe this to be the best option for both the health of the fishery and the preservation of the rich fishing culture and history in Rhode Island.

Respectfully,
Craig

Dear Commissioners,

My name is David A Collins, a shore based fisherman from North Stonington CT on the Rhode Island border. This past week at the ASMFC meetings, Rhode Island requested a larger conservation equivalency slot limit for striped bass than surrounding states NY, CT and MA. This request opened up a pandoras box of other states along the coast seeking the same limits. It was my understanding that prior to the meetings, CT, RI and NY had made an agreement to request a 28" to 35" slot limit, therefore standardizing regulations in the Northeast and also ending any confusion about the Limits in the heavily fished Block Island area. I would that committee would reconsider the larger slot limit.

The results of this decision not only affect recreational and commercial fishermen but they also affect the tourist industry. As an example, I have been renting a house on Block Island for the past thirteen years for an annual surfcasting trip. Each year the amount and length of striped bass becomes smaller. The fishery is getting to the point of no return and by allowing more relaxed regulations, you may have fishermen who spend thousands of dollars in your state annually decide not to come back, myself included.

Please reconsider the 28" to 35" slot limit, it is the right thing to do for the fishery and the economy of your state.

Respectfully submitted,

Dave Collins

From: [David Gleeson](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Striped Bass Regulations
Date: Friday, February 14, 2020 8:18:21 AM

Hello Peter,

I'm writing in regards to the upcoming striped bass slot limit decision. I would like Rhode Island to adopt the split regulation- 32-40" slot for private/shore and 30-40" for hire, 1 fish. I believe this to be the best option for both the health of the fishery and the preservation of the rich fishing culture and history in Rhode Island.

Respectfully,

David Gleeson

BS Marine Biology URI 2015

Masters of Oceanography URI 2018

From: [Dave Hochman](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : STRIPED BASS RULES
Date: Friday, February 14, 2020 8:39:05 AM

Dear Governor- I am a frequent visitor to the shores of Rhode Island to fish for Striped Bass with friends and family. I practice conservation and release the majority of fish. I would like to add my opinion to the upcoming decision with regards to changing the rules, think that the first 2 options are the most favorable measures to ensure the species remains plentiful:

1. split mode 1 fish, 32 to 40 private/shore and 1 fish, 30 to 40 for-hire
2. 1 fish, 32 to 40 for all

Thank you, David Hochman
Monmouth Beach, NJ

From: [David Kampa](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : 2020 Striped Bass regulations
Date: Friday, February 14, 2020 8:29:32 AM

Peter,

I am writing in regards to the upcoming decision on the 2020 striped bass regulations for Rhode Island. I have had the opportunity to witness this beautiful fishery in Rhode Island and am a conservation proponent. My vote is:

Split - 1 fish 32-40 private/shore
1 fish 30-40 for-hire

Thank you,

David Kampa

Newport County Saltwater Fishing Club, Inc.
PO Box 2
Newport Rhode Island 02840

February 12, 2020

Rhode Island Department
of Environmental Management
Attn: Peter Duhamel
3 Fort Wetherill Road
Jamestown, RI 02835

Subject: Recreational Striped Bass management

Dear Mr. Duhamel,

The membership of the Newport County Saltwater Fishing Club would like to go on record supporting the ASMFC option of 1 Striped Bass between 28" to 35" for the 2020 season. We feel it's important to try and remain consistent with our neighboring states for the sake of conservation and an enforcement perspective. Our current club membership is 80 members.

Thank you for your time,

Respectfully
Dennis Zambrotta
President

From: [Eric D. Fitzhugh](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] :
Date: Friday, February 14, 2020 9:27:33 AM

Hello Peter,

I'm writing in regards to the upcoming striped bass slot limit decision. I would like Rhode Island to adopt the split regulation- 32-40" slot for private/shore and 30-40" for hire, 1 fish. I believe this to be the best option for both the health of the fishery and the preservation of the rich fishing culture and history in Rhode Island.

Respectfully,
Eric Fitzhugh

From: [Erik Kearney-Volpe](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Striper slot limit.
Date: Friday, February 14, 2020 9:18:41 AM

Please, put my vote in for:

1 fish, 32 to 40 for all

Thanks,

Erik

From: [Eugene Spring](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : striped bass new regulation
Date: Thursday, February 13, 2020 7:12:07 PM

Is this the same Peter I dealt with for years in the owts section?

As you may remember or not I have been a shore bass fisher man for my last 45 years. I was on the RISAA committee for years and still active in the Rhode Island Mobile Sportfishermen Club; (27 year member) and the Narragansett Surfcaster club since inception several years ago and prior to that the Narragansett Pier fishing club.

My opinion based on 45 years fishing for bass, as my hobby and experience, I have noticed the decline for at least the last 8 years. I would conclude that we should be in lockstep with the other NE States; (28" to 35',one fish per day for recreational fishermen). I also think the commercial sector should also be included in that sector so we can develop the stocks.

Respectfully submitted,

Eugene Spring, PE

RIPE # 3166

DEM # 3026



1655 North Ave.
Stratford, CT 06615

Peter Duhamel
Department of Environmental Management
3 Fort Wetherill Road
Jamestown, RI 02835

February 22, 2020

RE: 2020 Recreational Striped Bass Management

Dear Mr. Duhamel,

Please consider the following comments relative to the 2020 management of recreational striped bass. I am the owner and operator of Fish On! Charters LLC located in Westerly Rhode Island, but I reside in Connecticut because I choose to provide my clients with the finest fishing that Rhode Island offers. Most of my clients chose to fish for Striped Bass on their fishing charter. The decisions made by the RI Department of Environmental Management have the potential to both positively and negatively impact my business.

After carefully reviewing the options for recreational management of Striped Bass in the "Summary of Proposed Rule" as presented at the February 10th public hearing and recognizing the importance of Striped Bass to the long-term sustainability of my business,

I recommend:

Noticed Option 2 (ASMFC Rhode Island CE Option C proposal):

Private/Shore 32" - < 40" Jan 1 - Dec 31 1 fish/person/day

For-Hire 30" - < 40" Jan 1 - Dec 31 1 fish/person/day

This is the most clear conservation minded proposal as it exceeds the 18% reduction. According to analysis conducted by RI DMF staff, if RI selects Noticed Option 2, **fewer** Striped Bass will be killed at a time when it is recognized that rebuilding is necessary. If RI chooses the ASMFC Addendum VI Option (28" – 35") **more** Striped Bass will be killed by Rhode Island recreational fishers. RI has a strong history of conservative fisheries management and Noticed Option 2 will continue that overarching policy.

I think it is important to understand the impacts that a 35-inch maximum size will have on my business. As a condition of my State of RI Charter/Party permit, I am required to collect and submit catch and effort data at the trip level electronically, and I must submit that report within 48 hours of landing. This information, as well as data compiled by RIDEM staff from other sources, clearly show a 35" maximum size impacts the charter/party fleet much more than the private/shore modes. Upwards of a 30-40% reduction. This reflects the fact that we operate our business differently. Searching out keeper fish for our clients, catching them, and them moving onto other species is the model we follow. A maximum size of 40 inches will allow me to operate more efficiently, while still protecting the largest of the big female fish for their spawning potential. The small amount of private

and shore fishers that do take a fish home, will also benefit from a larger maximum size and a wider overall slot size. This is a win-win for the fish and the fishermen.

I believe RI has only one choice for 2020 Striped Bass management. Noticed Option 2 conserves the Striped Bass resource the most and gives the recreational fishery the flexibility needed to offer the best fishing experience for the most recreational fishers. This option will also allow the reduction to have a greater effect on the population to rebuild the stock so we can go back to keeping striped bass with a minimum of 28”.

Thank you for the opportunity to comment and for your consideration of those comments on this important issue.

Respectfully Submitted,
Capt. Thomas Logan
Fish On! Charters LLC
1655 North Ave Stratford, CT 06614
203-378-0828

Mr. McNamee,

I am writing to support Rhode Island concurring with Connecticut and New York for a 28-35" slot length for striped bass. Please include my comment if possible.

Thank you,

George Baldwin

From: [Gil Bell](#)
To: [Duhamel, Peter \(DEM\)](#)
Cc: [Coit, Janet \(DEM\)](#)
Subject: [EXTERNAL] : APRIL 1 RI STRIPED BASS REGULATIONS
Date: Thursday, February 13, 2020 4:10:38 PM

HI PETER,
I APOLOGIZE FOR ANOTHER SURFCASTER INPUT.
OCEAN STATE IS IN A POSITION TO SET AN EXAMPLE FOR THE ENTIRE
ATLANTIC SEACOAST.
RECREATIONAL/ COMMERCIAL

one(1) striped bass thirty six (36'') minimum length. Three (3') feet easy to remember.

one (1) striped bass per/angler/day

Gil Bell
Weekapaug SurfCasters
IGFA Member
RISAA Member
Charlestown
gannetgil@cox.net
315.2529

From: [Greg Schipf](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Bass regulations option 2
Date: Friday, February 14, 2020 8:10:33 AM

Option 2

2. 1 fish, 32 to 40 for all

From: [Ian West](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : 2020 Striped Bass Limits
Date: Saturday, February 15, 2020 1:21:14 PM

1 fish, 32 to 40 for all

From: [James Broderick](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : RI Slot Limit
Date: Friday, February 14, 2020 11:12:05 AM

Good morning Peter,

This message is in regard to the slot limit proposals for RI. I am in favor of option #2 for one fish for all 32-40".
Thank you for your consideration in this matter.

Jim Broderick

From: [joshuasbrouwer](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Striped Bass Regulations
Date: Friday, February 14, 2020 9:04:35 AM

Hello Peter,

I'm writing in regards to the upcoming striped bass slot limit decision. I would like Rhode Island to adopt the split regulation- 32-40" slot for private/shore and 30-40" for hire, 1 fish. I believe this to be the best option for both the health of the fishery and the preservation of the rich fishing culture and history in Rhode Island.

Respectfully,
Joshua Brouwer
Tristate Skindivers

Sent from my Verizon, Samsung Galaxy smartphone

From: [John Carpenter](#)
To: [Duhamel, Peter \(DEM\)](#)
Cc: [Rick Bellavance](#)
Subject: [EXTERNAL] : Stripped base regs
Date: Thursday, February 20, 2020 1:02:55 PM

Peter,

My name is Capt Jack Carpenter and I run the charter boat Jackhammer. I have listened to the argument for either option as for the recreational and Charter boats. Even though I live with the restrictions and requirements that we have in place for the Charter boat industry. To which we follow and help you with the decisions you make, I hope you would consider my thoughts. When listening to the recreational guys with no regulations as to report or accountability it makes me wonder as to how they could speak for or against any option here. As a part time Charter boat looking to go full time this year, I understand the importance of replenishing the stock. Even though limiting our catch has been making it tougher every year for us. We are still willing to work with all involved to accomplish the goals.

After carefully reviewing the options for recreational management of Striped Bass in the "Summary of Proposed Rule" as presented at the February 10th public hearing and recognizing the importance of Striped Bass to the long-term sustainability of my business, I recommend Noticed Option 2 (ASMFC Rhode Island CE Option C proposal):

Option 1 - Private/Shore 32" - < 40" Jan 1 - Dec 31 1 fish/person/day
Option 2 - For-Hire 30" - < 40" Jan 1 - Dec 31 1 fish/person/day

I feel the best option that will give you the results you are looking for is Option 2

CAPT JACK CARPENTER
SCRANTON MOTORS / SCRANTON CHEVROLET of NORWICH
CAPTJACKHAMMER2@GMAIL.COM
401-744-2804 (CELL)
860-872-9145 X 164 (OFFICE)
860-889-3333 X 115 (OFFICE)

From: [James Ells](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Option 2
Date: Friday, February 14, 2020 8:56:49 AM

Hi Peter,

32-40 inches slot please. When the bite is on, it is hard to catch anything smaller than 40inches at Block Island.

Won't this affect the charter business in a major way? Don't ppl just come from CT and Ny and do what they want since the rules are based on there home port?

- James

--



James Ells | Head of Enterprise Sales
jamese@attentivemobile.com | 203-804-8593
www.attentivemobile.com [\[attentivemobile.com\]](http://attentivemobile.com)

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[MediaPost \[mediapost.com\]](#), [AdExchanger \[adexchanger.com\]](#)

From: [Figliuolo, Joseph](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Proposed Striper regulations
Date: Thursday, February 13, 2020 8:49:14 AM

Dear Mr. Duhamel,

I am a long time striped fisherman. I have seen the stocks in RI rise and fall, and the current state of the fishery is dismal at best. I have been a resident of, and fished RI since 2001. I initially began as a surf fisherman, then as my resources allowed have moved to boat. It's a sad testament to the fishery that since 2005, I have caught fewer fish every year with equal or more outings. Further, the last 5 years I have fished from a boat, and with the exception of Block Island, my outings in RI (1-2 per week) have produced less fish than when I began fishing. Outside of Block Island is a barren wasteland with regards to striped bass.

I have many concerns, among them are:

1. Rampant poaching with little to no significant enforcement. I have called DEM multiple times with no one ever showing up within an hour or two.
2. Violations of the EEZ on SW ledge by recreational, commercial and for-hire vessels (again little to no enforcement).
3. Catering to the for-hire community, where many for-hire vessels ALSO sell bass commercially and can run 2 trips a day killing many large fish for a "trophy" for their clients which significantly hurts the breeding population.

I'm not sure what can be done to help the fishery at this point, but continuing on our current trajectory is a plan for failure. Of the three current proposals for RI I strongly support the option of 1 fish 28-35". Doing anything else is irresponsible at best. Any option that lets for-hire vessels keep more breeding fish would be a travesty and can only be seen as pandering to special interest groups. As I'm sure you are well aware, if fisherman are allowed to take bigger fish in RI, the last biomass of quality breeding fish that reside at block island will be wiped out. That cannot be allowed to happen if you truly care about the striped bass.

Thank you,
Joseph Figliuolo
49 Ferncrest Drive
Cumberland RI

From: [James Gagnon](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Rhode Island striped bass
Date: Friday, February 14, 2020 7:03:50 PM

Hello Peter,

I'm writing in regards to the upcoming striped bass slot limit decision. I would like Rhode Island to adopt the split regulation- 32-40" slot for private/shore and 30-40" for hire, 1 fish. I believe this to be the best option for both the health of the fishery and the preservation of the rich fishing culture and history in Rhode Island.

Sincerely,
Janes Gagnon

Sent from my iPhone

From: [James Higham](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : 2020 Striped Bass Regulations
Date: Tuesday, February 11, 2020 5:11:48 PM

Peter,

I'm Writing you today about the striped bass regulations. I want the most stringent striped bass regulations adopted. it's high time that we stopped playing around and kicking the can down the road, we need to save these fish.

I have been fishing striped bass from the old days in the 80s, to the great early 2000s, to the sad state of affairs we have today. Asmfc should have started saving these fish in at least 2006 and we wouldn't be here today.

James Higham
23 Jonathan Rd
West Greenwich RI 02817

Sent from my iPhone

From: [James Humes](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Striper
Date: Tuesday, February 18, 2020 12:52:47 AM

3. 1 fish, 28 to 35

From: [Jake Kunken](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Rhode Island Stripped Bass 2020 Regulations
Date: Friday, February 14, 2020 10:03:42 AM

Dear Mr. Duhamel,

As an avid spear fisherman and waterman of the NE Atlantic I'd strongly recommend one of the two following options for the up coming fishing season.

1. **split mode 1 fish, 32 to 40 private/shore and 1 fish, 30 to 40 for-hire**
2. **1 fish, 32 to40 for all**

We all truly appreciate your commitment to the people and our fisheries.

--

Best,

Jake Kunken

[Personal Website \[jakekunken.com\]](#)
[JK's LinkedIn \[linkedin.com\]](#)

From: [John Rainone](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : 2020 Recreational Striped Bass Management
Date: Wednesday, February 12, 2020 3:19:21 PM

RE: 2020 Recreational Striped Bass Management

Dear Mr. Duhamel,

I would like to submit the following comments regarding the 2020 management of recreational striped bass. I am a member and past President of the RI Party and Charter Boat Association. These comments pertain to my business, charter boat L'il Toot and the charter boat industry in RI.

After carefully reviewing the options for recreational management of Striped Bass in the "Summary of Proposed Rule" and recognizing the importance of Striped Bass to our businesses and our clients, I recommend **Noticed Option 2 (ASMFC Rhode Island CE Option C proposal)**:

**Private/Shore 32" - < 40" Jan 1 - Dec 31 1
fish/person/day For-Hire 30" - < 40" Jan 1 - Dec 31 1
fish/person/day**

The most clear and compelling reason for selecting Noticed Option 2 is the added conservation benefit that will be gained by choosing this option. The ASMFC Addendum VI measure (28'-35") will not meet the 18% reduction at the RI state level that is required by the Addendum whereas Noticed Option 2 exceeds the 18% reduction at the RI state level. Furthermore, given that many states have chosen to adopt the ASMFC VI measure (28'-35'), Notice Option 2 will only add to the conservation realized on a coastwide basis. According to analysis by RI DMF staff, if RI selects Noticed Option 2, **fewer** Striped Bass will be killed at a time when it is recognized that rebuilding is necessary. ASMFC Addendum VI Option (28" – 35") will result in **more** Striped Bass mortality for Rhode Island.

The Rhode Island For-Hire fleet operates differently than the Private and Shore fleets. As presented during the January 13th 2020 workshop, RI's For-Hire fleet does not discard many Striped Bass. In 2018 and 2019, the For-Hire fleet did not register on the table characterizing "Number Released". We fish for our limit and then switch over to other species of fish to catch. Many rec. fishermen and commercial fishermen utilize catch and release fishing. If not released properly or if fished on light tackle till the fish is exhausted only results in a dead fish once it is released. This is a big

problem that the rec fishermen argue about, but is proven. The Private and Shore fleets release 85-90 percent of their catch. Noticed Option 2 will have little if any impact to the Private and Shore fleets, while allowing the For-Hire fleet to operate more efficiently and with the least amount of dead discarded fish. Commercial fishermen do the same thing while trying to catch the biggest fish possible for \$\$ and release the others. When the bite is on they do not have the time to properly release the fish, so they just toss them overboard and continue fishing....We see the results of this while we are fishing and there are many striped bass floating on top of the water. Many of these fish are keepers but are discarded to catch bigger more valuable fish. This is something that should be addressed because it is a big problem.....It is like playing with their fish, not just targeting their limit and stopping the bass fishing.

During the February 10th 2020 public hearing, we heard some comments looking to maintain regional consistency with our neighboring states who have decided to chose the ASMFC Addendum VI measure (28'-35'). Conservation Equivalency (CE) was included in the Striped Bass FMP to recognize that coastal states can have different needs and objectives for their recreational fisheries. CE is a tool that allows each state to formulate what works best for their recreational fishery, while maintaining the conservation objectives of each management adjustment. In this case, RI's CE proposal was reviewed by the Striped Bass Technical Committee and approved, not once....but 2 times by the Striped Bass Management Board. Clearly a majority of the coastal states agreed that RI's CE proposal was a viable option to the ASMFC Addendum VI measures. Each of our neighboring states had an opportunity to submit and receive approval of CE proposals and there was a regional proposal, one that RI supported but our neighbors rejected, which would have maintained consistency within RI, CT, and NY. We do not believe that RI's recreational fishery should kill more Striped Bass just so we can have the same measures that our neighbors choose to select for their recreational fisheries.

I believe RI has only one choice for 2020 Striped Bass management. Option 2 conserves the Striped Bass resource the most and gives the recreational fishery the flexibility needed to offer the best fishing experience for the most recreational fishers. RI's For-Hire fleet has been in decline since 2015, when the measures of ADD IV were put in place. Noticed Option 2 will provide some stability for our fleet, have little impact to the Private and Shore fleets who mostly release fish anyway, and provide additional conservation, both at the state level and coastwide, for the Striped Bass stock. Rarely is there a management action that combines more conservation with increased social/economic benefit.

One thing it is always forgotten or just looked over is that we are viable business's to RI economic plan. We bring in millions of dollars that trickle down to the Hotels, Restaurants, Liquor Stores, Gas Stations etc. Every trip that I do I have to submit a

electronic report to the State and the NMFS with detailed info on what I caught, kept, and released, as well as sizes and where I was fishing and the time of the trips. I also have been involved as others in the charter boat fleet with research on fisheries, Striped Bass, Sea Bass, Bluefish etc. We have to separated and treated just as the commercial fishermen. They are a RI business and so are we. Rec fishermen can go fishing every day if they choose. Nobody is stopping them from all the fish that can catch, but yet they want to treat the clients that fish on our boats as equal rec. fishermen....They are not. They pay a fee to go fishing on our vessels and for some that means that they only get to go fishing once a year. They should be allowed to take home enough fish to make the whole trip worthwhile.

Thank you for the opportunity to comment on this important issue.

Capt. John Rainone

--

L'il Toot Charters Inc.

35 Ocean View Dr.

Narragansett RI 02882

401-497-6683

www.LilTootCharter.com [liltootcharter.com]

www.facebook.com/pages/Lil-Toot-Charters/268318656187 [facebook.com]

From: jps0886@gmail.com
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : FW: Striped Bass - next week's meeting
Date: Tuesday, February 11, 2020 6:19:20 PM

Dear Mr. Duhamel,

Below is a copy of the email I had sent the ASMFCs regarding the latest round of meetings to discuss the striped bass size regulations. Although I was not in favor of a slot, I prefer 1 @ 35" which worked in the 80s, I am asking you to consider adopting the 1 @ 28" to 34.99" slot so it is consistent with the other states. Since striped bass are migratory, I believe a common size requirement is needed to have the desired affect of increasing the biomass. Many agree the CE is a crap shoot and we should be erring on the side of caution. After all, not doing so has landed us here yet again. Please help.

Thanks,
James Sabatelli

From: jps0886@gmail.com <jps0886@gmail.com>
Sent: Saturday, February 1, 2020 4:13 PM
To: James.Gilmore@dec.ny.gov; ech12@cornell.edu; kaminsky@nysenate.gov; FVHATTIEROSE@aol.com; David.Miramant@legislature.maine.gov; Cheri.Patterson@wildlife.nh.gov; r-dwhite@comcast.net; dhw@cisunix.unh.edu; Dan.mckiernan@state.ma.us; ray@capecodfishermen.org; Sarah.Peake@mahouse.gov; jason.mcnamee@dem.ri.gov; ray@capecodfishermen.org; Sarah.Peake@mahouse.gov; jason.mcnamee@dem.ri.gov; lizzy.2@charter.net; sen-sosnowski@rilin.state.ri.us; justin.davis@ct.gov; William.a.hyatt@snet.net; Craig.miner@cga.ct.gov; joseph.cimino@dep.nj.gov; tfote@jcaa.org; AsmHoughtaling@njleg.org; tischaeffe@pa.gov; senseofwonder@pa.net; david.saveikis@state.de.us; fishmaster70@comcast.net; william.carson@state.de.us; bill.anderson@maryland.gov; mjdize@verizon.net; mbrassil@house.state.md.us; steve.bowman@mrc.virginia.gov; bplumlee@pbp-attorneys.com; District01@senate.virginia.gov; Steve.Murphey@ncdenr.gov; Steinburgla@ncleg.net; jmannen@yfmlaw.com; boylesr@dnr.sc.gov; rhodesmm@musc.edu; RonnieCromer@scsenate.gov; Doug.Haymans@dnr.ga.gov; Trey.Rhodes@house.ga.gov; jessica.mccawley@myfwc.com; BillOrndorf@yahoo.com; Thad.Altman@myfloridahouse.gov
Cc: cabbatielloauto@gmail.com; 'Gene Ander' <GeneAnder@optimum.net>; 'Irene Sabatelli' <telli1948@aol.com>
Subject: Striped Bass - next week's meeting

Dear Commissioners,

I have been contacting members of this commission for several years now trying to reverse the decline of the striped bass fishery that I found so obvious but unfortunately we continue to dismiss what some have been saying for years. Instead the fishery managers continue to cater to a very small subset of the total user group which to be honest, I have no idea why. No one came to my aide when I was laid off from my job of nearly 8 years from Estee Lauder as a Benefits Analyst.

Additionally, it is my understanding a lot of these for hire fishermen are retired police, firemen, etc., whose pensions are far more than my annual salary and I have three degrees, one of which is a Master's Degree from MSU. The point being, most of this subset is already in better financial shape than most. I strongly believe this fishery should be managed for abundance and not for the most amount of fish we can kill. The more striped bass that are around, the more the recreational, for-hire and commercial anglers alike will benefit. This catch and kill mindset is an old business model that is not sustainable. There are too many of us and not enough fish.

Like I have in the past, I am addressing this plea to all the stakeholders since striped bass are migratory and what one states does can affect the amount of fish available. Therefore, I urge you conclude this years striped bass management plan with meaningful regulations. Please include payback provisions for those that fail to meet the required 18% reduction and to ensure these various conservancy equivalences, which I oppose, meet the agreed upon reduction. If I remember correctly, the consensus was to take the required steps to reverse the downward trend that has gone since 2007 or so. Please help.

Thank you for your time.

James Sabatelli

From: [Jay Sawczak](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : RI Striped Bass Regulations
Date: Friday, February 14, 2020 9:28:45 AM

Peter,

I hope this email finds you well. In light of the new proposed saltwater and striped bass regulations it is my understanding that there is an option for 1 fish size 32 to 40 for all. This is my preferred option as 1) it's simple and fair and 2) it allows fish up to 40. Thank you.

Jay

From: [jonathan.stevens](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Stripped Bass regulations
Date: Friday, February 14, 2020 9:19:18 AM

Hello Peter,

I'm writing in regards to the upcoming striped bass slot limit decision. I would like Rhode Island to adopt the split regulation- 32-40" slot for private/shore and 30-40" for hire, 1 fish. I believe this to be the best option for both the health of the fishery and the preservation of the rich fishing culture and history in Rhode Island.

Respectfully,
Jon Stevens

From: [Jeff Watson](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : RI striper slot size
Date: Monday, February 17, 2020 9:43:01 AM

Hi Peter,

I am a Canadian that with several others, choose to spend my vacation time and tourist dollars in RI, multiple times a year.

We drive 10-hrs, because of the fishery.

I'm writing in regards to the upcoming striped bass slot limit decision. I would like Rhode Island to adopt the split regulation- 32-40" slot for private/shore and 30-40" for hire, 1 fish. I believe this to be the best option for both the health of the fishery and the preservation of the rich fishing culture and history in Rhode Island.

Respectfully,

Jeff Watson
Canada.

--

Sent from my Android phone with [mail.com \[mail.com\]](mailto:mail.com) Mail. Please excuse my brevity.

From: [Kirsten Allen](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Striped Bass 2020 regulations
Date: Friday, February 14, 2020 8:11:23 AM

Good morning Peter,

I'd like to state my opinion for the 2020 bass regs. It should go to 1 fish, 32-40 for all.

Thanks,
Kirsten Allen

From: [Gion, Kyle](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : RI Striped Bass Slot Limit
Date: Sunday, February 16, 2020 6:39:44 PM

Hello Mr. Duhamel,

I am writing in regard to the 2020 striped bass slot limit for Rhode Island. As a spearfisherman, I would like for Rhode Island to adopt the proposed option for 1 fish/day with a slot limit of 32-40". I believe that this option provides the best opportunity to maintain a healthy striped bass population while ensuring that fishermen and spearfishermen are able to sustainably harvest this prized fish.

At the same time I am disappointed to hear that no changes were proposed for the commercial striped bass limit. I urge you to bring forward commercial regulations similar to the proposed recreational limit, otherwise any conservation afforded by the recreational changes will be undone by the annual commercial harvest.

Thank you for your consideration,
Kyle Gion

From: [William Sheets](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : New Striper Regulations
Date: Friday, February 14, 2020 10:47:55 AM

Hello Peter,

I'm writing in regards to the upcoming striped bass slot limit decision. I would like Rhode Island to adopt the split regulation- 32-40" slot for private/shore and 30-40" for hire, 1 fish. I believe this to be the best option for both the health of the fishery and the preservation of the rich fishing culture and history in Rhode Island.

Respectfully,
Kevin Sheets

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Sent from Gmail Mobile



February 13, 2020

Peter Duhamel
Department of Environmental Management
3 Fort Wetherill Road
Jamestown, RI 02835

RE: 2020 Recreational Striped Bass Management

Dear Mr. Duhamel,

I appreciate the opportunity to submit the following comments regarding the 2020 management of recreational striped bass.

After carefully reviewing the options for recreational management of Striped Bass in the “Summary of Proposed Rule” I join Captain Rick Bellevance and our RI Party and Charter Boat Association in supporting **Noticed Option 2 (ASMFC Rhode Island CE Option C proposal)**:

Private/Shore 32” - < 40” Jan 1 - Dec 31 1 fish/person/day For-Hire 30” - < 40” Jan 1 - Dec 31 1 fish/person/day

As a full-time captain and charter business owner for nearly three decades, I can say that the striped bass fishery is of utmost important to my customers, and, therefore, my business. However, as Captain Bellevance pointed out, the most clear and compelling reason for selecting Noticed Option 2 is the added conservation benefit that will be gained by choosing this option.

The ASMFC Addendum VI measure (28'–35") will not meet the 18% reduction at the RI state level that is required by the Addendum. However, Noticed Option 2 exceeds the 18% reduction at the RI state level. Furthermore, given that many states have chosen to adopt the ASMFC VI measure (28'-35'), Notice Option 2 will only add to the conservation realized on a coast-wide basis.

According to analysis by RI DMF staff, if RI selects Noticed Option 2, **fewer Striped Bass will be killed at a time when it is recognized that rebuilding is necessary.** Alternatively, ASMFC Addendum VI Option (28" – 35") will result in **more** Striped Bass mortality for Rhode Island.

It is *very important* to acknowledge that the Rhode Island For-Hire fleet operates VERY differently than the Private and Shore fleets. As illustrated during the January 2020 workshop, and evidenced by the fact that, in 2018 and 2019, the For-Hire fleet did not even discard enough fish to register on the table characterizing "Number Released", RI's For-Hire fleet does not discard Striped Bass in any significant numbers. As we say, "we eat what we hunt," and do not waste fish. Furthermore, we know how to properly treat undersized fish, so we greatly minimize the impact on their mortality.

It is a fact that the majority of charter boats catch their Striped Bass limit then move on to catch another species. In stark contrast, the Private and Shore fleets release 85-90 percent of their catch. It has been well documented that catch and release is the main source of Striped Bass mortality. Noticed Option 2 will have little if any impact to the Private and Shore fleets, while allowing the For-Hire fleet to operate more efficiently and with the least amount of dead discarded fish.

Noticed Option 2 increases the minimum size to 32" and 30" for the Private/Shore and For Hire fleets respectively, which will offer added protection to the strong 2015 and 2016 year classes that the proposed ASMFC Addendum VI measures will not. The cap of 40" on the maximum size will protect the larger spawning female fish, and help to restore the Female SSB to target levels in the future.

As Captain Bellevance stated, a majority of the coastal states agreed that RI's CE proposal was a viable option to the ASMFC Addendum VI measures. Each of our neighboring states had an opportunity to submit and receive approval of CE proposals and there was a regional proposal which would have maintained consistency within RI, CT, and NY, but but our neighboring states rejected it. Nevertheless, we do not believe that RI's recreational fishery should kill more Striped Bass, just so we can match the measures that our neighbors choose for their recreational fisheries.

I strongly believe that Noticed Option 2 is the only viable option, as it best conserves the Striped Bass resource, and provides the recreational fishery with the flexibility it needs to offer the best fishing experience for the most recreational anglers.

It is important to remember that RI's For-Hire fleet has been in decline since 2015, when the measures of ADD IV were put in place. Noticed Option 2 will provide a measure of stability for our fleet and will have negligible impact on the Private and Shore fleets who contribute to mortality rates with catch and release fishing. Noticed Option 2 will also provide additional conservation for Striped Bass stock, both at the state level and coast-wide.

My customers come from all over the United States, with some even coming from as far as Europe to fish in Rhode Island waters. The Charter Fleet's customers not only bring money into the fleet, they stay in our hotels, eat in our restaurants, and patronize our retailers. We have also contributed to fisheries research for decades, providing real time critical data, each and every trip.

Option 2 presents rare opportunity to enact a management action that has the potential to improve conservation while increasing scientific, economic and recreational benefits.

Respectfully Submitted,



Captain Kelly Smith

C-Devil II Sportfishing, Inc., Point Judith, RI
401-374-1439 | captainkelly@cdevilsportfishing.com

From: [Kurt Stavdal](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Stripe Bass Limit Options
Date: Friday, February 14, 2020 8:46:35 AM

Hey Peter,

I am a recreational spear-fisherman who dives the waters of Rhode Island often. I would like to vote for option 1, split mode 1 fish 32-40 private/shore, 30-40 for hire.

Sincerely,
Kurt Stavdal

Hello Pete,

I'm writing in regards to the upcoming striped bass slot limit decision. I would like Rhode Island to adopt the split regulation- 32-40" slot for private/shore and 30-40" for hire, 1 fish. I believe this to be the best option for both the health of the fishery and the preservation of the rich fishing culture and history in Rhode Island.

Respectfully,

Luke Blessington

From: [Mitchell Evelkin](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Upcoming striped bass regulations
Date: Saturday, February 15, 2020 8:42:08 AM

Hi Peter, please consider making the slot limit 1 fish 32"-40" for all.

I believe this to be the most appropriate choice.

Mitchell

From: [rtga21](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Stripped Bass Regulation
Date: Friday, February 14, 2020 8:56:52 AM

1. split mode 1 fish, 32 to 40 private/shore and 1 fish, 30 to 40 for-hire

In reality there should be no limit for spearfishing. We are highly selective in the fish we choose to take. Thank you, Matthew Kuroski.

Sent via the Samsung Galaxy S8 Active, an AT&T 5G Evolution capable smartphone

From: [Mejdi Maamer](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Striped Bass Regulation
Date: Friday, February 14, 2020 8:43:07 AM

Hi Peter,

I'm writing in regards to the striped bass slot limit decision. I vote for the split regulation- 32-40" slot for private/shore and 30-40" for hire, 1 fish. I believe this is the best option to preserve the specify.

Thank you

From: [Matty Pasta](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Striped Bass Reg. Vote
Date: Sunday, February 16, 2020 2:17:13 PM

Good Morning, afternoon or evening!

I believe the split mode of 1 fish at 32"-40" private or shore fishing and 1 fish 30"-40" for hire is not only conservative but enjoyable for everybody. My thought have always been with striped bass that if fisherman or customers only get to keep one, let it be of a bigger size. I wish waters up and down the north east past of the Atlantic and am very successful at striped bass targeting (if I may say so) I haven't seen an issue with the population while working these waters. Hopefully fishing can resume in a way that doesn't have to lose its desire with this incredible fish and those who fish to fill their freezer or feed their families with healthy wild caught protein on their own time can do so efficiently and respectfully. Thanks for your time!

I hope this works out well for all of us.

Sincerely, Captain Matthew Mangiaracina.

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““Musician For Hire!”

From: [Mike Mcelroy](#)
To: [Duhamel, Peter \(DEM\)](#); [Lengyel, Nicole \(DEM\)](#)
Subject: [EXTERNAL] : rec stripers
Date: Tuesday, February 18, 2020 8:19:14 AM

Gooding morning Peter & Nicole

Mike again . now I feel about the striper & Ri

I,m voting for 28 - 35" limit .

One for the fish will have a little longer life & we will be in sinc with the rest of the East coast

If we go the charter boars associations option . this state will be some laughted at the fishing community . never mind , every fisherman that ones larger to eat.

Can you see the B/I when every charter boat from the east coast will be there & any fisherman that just wants to kill .

We were talking & Joe Macri said the floaters out at BI its horrible . between throwbacks , culling the fish & srewups it A/H,s & enforcement can,t do their jobs now can you see it that way .

Please I request we go the ONLY way 28-35IMO close the whole coast before we open to RI just for the sake of a real chosen fee .

DO they really think we are foolish enough to believe . they arn,t selling fish .the license they have if legal , but the when & who catches them has a lot to be desired. Hand near /out of sight] and see who comes in with fish .,

If we chose to drops times .if enforcement chose to do their jobs . the water would be a better place

Thankyou . I get passionate when it comes to abuse of all our nature

Mike McElroy

From: [Max Osbon](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] :
Date: Friday, February 14, 2020 9:40:52 AM

Just placing my vote:

1. split mode 1 fish, 32 to 40 private/shore and 1 fish, 30 to 40 for-hire

Can we regulate the massive commercial fisheries instead?

--

Max Osbon

Managing Partner

Osbon Capital Management

225 Franklin St - 26th Floor | Boston, MA 02110

Office: 617 217 2772 | Cell: 617 633 6696

www.OsbonCapital.com [osboncapital.com]

From: [Mark Sherer](#)
To: [Duhamel, Peter \(DEM\)](#)
Cc: [Mark Sherer](#); [Rick Bellavance](#)
Subject: [EXTERNAL] : 2020 STB
Date: Thursday, February 20, 2020 7:03:11 AM
Attachments: [RIMFC STB Comments 2020.pdf](#)

Peter:

I agree with Rick's attached letter. It is well written and makes perfect sense.

Captain Mark Sherer

From: [Nicholas Caron](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : RI striped bass fishery options
Date: Friday, February 14, 2020 11:51:03 AM

Hello Mr. Duhamel,

I'm writing in regards to the upcoming striped bass slot limit decision. I would like Rhode Island to adopt the split regulation of 32-40" slot for private/shore and 30-40" for hire, 1 fish. I believe this is the best option for the striped bass fishery and the world renown fishing culture Rhode Island has to offer.

Thankyou,
Nicholas Caron

From: [Nicholas Celico](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Public comment: Striped Bass regulations
Date: Thursday, February 13, 2020 2:52:43 PM

Good afternoon Mr. Duhamel,

I am reaching out to you to express my support for option 3: the 28"-35" slot limit. I feel this option most fair among all recreational groups. More importantly, it prevents the taking of more fecund females as size length increases.

I do have some other proposals for future management, that we could discuss at a different time.

Thank you,

Nick Celico

University of Rhode Island
Graduate School of Oceanography
M.O. Fisheries Program
Phone: 401-649-0986

From: [Nate Phipps](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Striped bass
Date: Tuesday, February 18, 2020 6:32:05 PM

Dear Mr. Duhamel,

As a concerned Rhode Island fisherman I would love to see 32-40" limits for stripers in hopes that this will preserve a healthy population for generations of new fisherfolk.

Very best and thanks for your service,
Nate

From: [Nathan Snyder](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Striped Bass Regs - Vote
Date: Friday, February 14, 2020 1:47:20 PM

Hello Mr. Duhamel,

I am a Pennsylvania resident and travel to Rhode Island each year to spearfish for striped bass along Narragansett and Block Island. This has become a nearly monthly ritual in recent years with friends from Maryland, New York, Massachusetts and Rhode Island. We have had friends from Alabama and California come along on these trips as well. Our draw is the accessibility to the fishable coastline and large fish.

As a former marine fisheries biologist at University of Georgia and The University of South Alabama, I understand the importance of regulations and maintaining a strong breeding stock. Additionally, I believe a slot limit should be wide enough to prevent unnecessary waste of fish from poorly timed catch and release procedures. This is why I am voting for the split mode 1 fish, 32 - <40 private/shore and 1 fish, 30 - <40 for-hire model.

Hoping to catch and keep this summer as well.

Thank you
Nathan Snyder

Hello,

My name is Paul and I am a recreational striped bass angler. I travel up and down the coast pursuing these fish. As we all are aware, striped bass stock is currently at a very unhealthy level. I am urging all of you and the state of Rhode Island to adopt a 28"-35" slot limit rather than anything else. This rule should be handled the same everywhere on the Atlantic and to see any states adopting a different rule leaves me very upset to the point of avoiding your state in my travels.

I am asking that your state please adopt this regulation for these very important migratory fish.

Sincerely,

Paul Wagner

From: [Peter Wawrzynowicz](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] :
Date: Friday, February 14, 2020 9:46:26 AM

Hello Peter,

I'm writing in regards to the upcoming striped bass slot limit decision. I would like Rhode Island to adopt the split regulation- 32-40" slot for private/shore and 30-40" for hire, 1 fish. I believe this to be the best option for both the health of the fishery and the preservation of the rich fishing culture and history in Rhode Island.

Respectfully,
Peter Wawrzynowicz
64 Nooseneck hill rd
Wyoming, RI

From: [P.Zagami](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Striped Bass Regs
Date: Friday, February 14, 2020 10:37:46 AM

Hi Peter, Just wanted to put my two cents in as a regular user of RI waters, I believe the 1 fish 32-40 private and 30-40 for hire is the best option.

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Paul Zagami

From: [rambofishsniper_](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Striped bass limit
Date: Friday, February 14, 2020 1:42:06 PM

2. **1 fish, 32 to40 for all**

From: [Rob](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Concern over striped bass conservation
Date: Thursday, February 13, 2020 1:01:30 PM

Hello Mr. Duhamel,

I'll preface this email by saying that I'm a former President of the Jamestown Fishing Club; I'm still an active member.

I'm emailing because the majority of recreational fishermen believe the 28-34" slot limit is the best and most logical option to rebuild the population. And the population is in dire need of rebuilding. I cite recreational fishermen as they contribute considerably MUCH more MONEY to the local economy than commercials do.

While the Block may fish well, besides a few exceptions, the mainland from CT to ME is devoid of life. I've watched this decline, especially in regard to fish over 40 inches for the last 10+ years and anyone worth their salt has observed the same. Go on any online fishing forum and you will see the same concern.

ASMFC has once again proven to be inept at their job. They've once again let a species get to the point of being overfished.

I'm asking on behalf of the overwhelmingly majority of recreational fishermen that RI adopts the 28-34" slot option. The inshore fish stocks have been decimated. I would like for my children to fish for these special fish someday. At the rate we're going, I'm worried that won't be a possibility.

Thank you for your consideration.

Best,
Rob Bartolini
617-483-0152

Mr. Duhamel,

I support option 3: 28" to 35" slot, 1 fish per day proposed regulation. I emphatically do not support any split mode regulation.

I am a shore fisherman with 30 years of experience in the surf. I also have extensive boat experience. One season's catch from my 24' CC had 2 stripers over 50 lbs, 14 fish over 40 pounds, and over 100 fish over 30 pounds. I sold my boat, shortly after that season, citing not enough of a challenge to target big fish by boat. My entire surf career I have 8 fish over 40 pounds, with the largest being 47lbs.

This past season I landed and released over 50 fish over 35". They included 30 fish over 20 pounds and 2 over 30 pounds largest being 39 pounds.

I believe the level of commerce generated in the state of Rhode Island from striped bass fishing can be maintained with allowing shore anglers to keep a fish 48" and a minimum of 50 pounds. Boat anglers would be allowed to keep a fish over 48" and weighing a minimum of 60 pounds, (the minimum weight must be maintained at any point the fish might be weighed before it is mounted or consumed), which would even the playing field for shore and boat anglers. This would allow anglers to pursue " The Holy Grail" of striped bass fishing without any impact on the spawning stock biomass. In essence, I am proposing an additional measure that will allow the recreational fisherman to pursue the largest trophy fish at a sustainable level. The additional harvest would be less than 30 fish in Rhode Island waters and have no impact on the reproductive output during the spawning cycle. Thousands upon thousands of dollars go into our state's economy, every year, for the pursuit of this benchmark.

Respectfully,
Robert Celico.

From: [Richard Chatowsky](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : 2020 Striped Bass Regulation
Date: Saturday, February 22, 2020 3:40:33 PM

Hi Peter, my name is Richard Chatowsky and i own and operate the Charter fishing vessel DRIFTER out of PT.JUDITH R.I. I am e-mailing you on my own behalf but also an advocate for the RIPCBA.I am strongly in favor of the 30-40in slot limit for the STRIPED BASS size restrictions proposed for the 2020 fishing season.I won't repeat the obvious argument that is on the fishing but would rather let you know about myself if you don't know who i am.I have been in the charter fishing business for over 35 yrs and am a second generation charter fisherman.I have made a living and raised a family working on the water.I have built a home and am putting a child through college (GETTYSBURG) operating my charter boat business.I am a FULL-TIME charter business and also retain a multi-purpose commercial license which i use on the off season.As I'm sure your aware of, this industry has taken its fare share of hits in the years past but we are at the point where we can't recover from this if the other proposal is agreed on.The STATE of R.I.has had many opportunities to be a leader in fisheries management but has always caved to political pressure in one way or another.This is the TIME to do the right thing for this industry and become the leader in this issue.My words on paper here nor any other written comments can not reveal emotion and that (although not always the answer) i feel is something that needs to be considered to those making the final decision.We as an industry have done our part to help the this matter through mandatory reporting and complying with all federal and state requirements to operate a legitimate business within this state,and generate thousands to the local economy.In my eyes there is no way i should be linked to or remotely considered to be in the same category as the recreational angler or operate my business under any guidelines they may politically try to push on the decision makers.I am available to speak more on this matter as i can't put every thought on paper and would love to have that conversation with you. Thank you for any consideration. Sincerely Richard Chatowsky.

2-10-20 Public Hearing comment

Regarding the 1-9 Workshop, my biggest issue is one that I have mentioned in the past - many recreational anglers are asking for the recreational BSB season to open earlier in 2020. I would like to see an opening date of 5-29, but I would be OK with an opening on June 1. I think that this is important even though it will mean that the "bonus season" in the fall needs to be reduced. I also know that the RI Party & Charter Association will not want significant reductions in the fall fishery, but I feel that it would be a reasonable compromise to keep the bag at 3 per day as long as necessary in the fall to accomplish the earlier opening.

Regarding fluke, recreational regs will be a problem for 2020 no matter what is done. Even status quo means very little ability to catch fluke over 19" by recreational anglers due largely to the increased commercial pressure driven by increased commercial quotas. I know this is an issue that needs to be addressed at a higher level such as the ASMFC and the MAMFC and RISAA is working on this issue and how the new MRIP estimates may be contributing to the problem.

On Bluefish I know that Federal requirements are going to greatly restrict recreational harvest. I guess it will be 3 fish per person per day and I guess that will be for any size, including snapper blues.

My comment on Tautog is that I would really like to work on regs that level the playing field again so that private anglers and P/C are fishing the same regs. I get many complaints from RISAA members who are fishing next to a Charter boat that can take 40 fish while they can only take 10 per boat. One thing that worries me is that 2019 was such a good year for catching tautog that I suspect catches were much higher than projected. I am sure this was due to a higher SSB rather than just due to more fishing pressure, but I hope it doesn't mean that we are in trouble for high rate of harvest.

Regarding Striped Bass, I am OK with the slot limit and mandatory circle hook provisions that ASMFC provided. I do not believe that we should have 2 different slots in effect for private anglers versus P/C. Besides the basic issue that I don't think it is fair, I also think it would have a negative effect on the fish. Coastwide if one group is keeping 28"- 34" and another group is keeping 30" to 40" then the entire population from 28" to 40" is under harvest pressure and this scenario was not evaluated in the technical committee document to the best of my knowledge.

Regarding Haddock, I didn't hear it brought up last night, however I don't agree with a larger minimum size for recreational haddock than commercial haddock. Both should be at 16". I have 2 reasons for this: 1 - I understand that Haddock do very poorly when caught and released with very poor survival and; 2 - the amount of haddock caught by recreational anglers in RI is very small so there is no reason to increase the discard mortality by increasing the minimum size.

Thank you,

Rich Hittinger

Recreational Fisherman

Warwick, RI



R.I. Party and Charter Boat Association
 P.O. Box 171
 Wakefield, RI 02880
 401-741-5648
www.rifishing.com



President
 Vice President
 Treasurer
 Secretary
 Director

Capt. Rick Bellavance
 Capt. Steve Anderson
 Capt. Andrew D'Angelo
 Capt. Paul Johnson
 Capt. Nick Butziger

Peter Duhamel
 Department of Environmental Management
 3 Fort Wetherill Road
 Jamestown, RI 02835

February 12, 2020

RE: 2020 Recreational Striped Bass Management

Dear Mr. Duhamel,

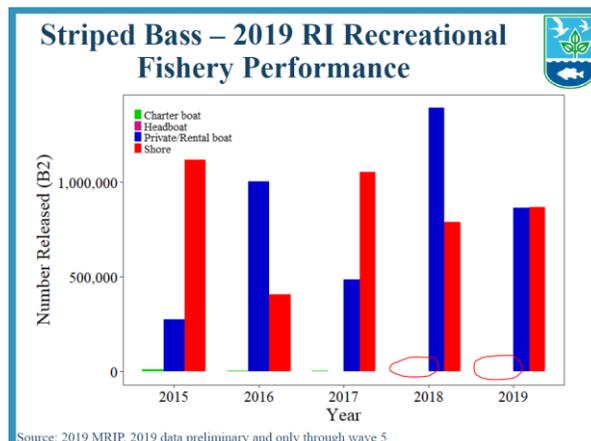
On behalf of the 56 members of the R.I. Party and Charter Boat Association, I would like to submit the following comments regarding the 2020 management of recreational striped bass.

After carefully reviewing the options for recreational management of Striped Bass in the “Summary of Proposed Rule” and recognizing the importance of Striped Bass to our businesses and our clients, the RI Party and Charter Boat Association recommends **Noticed Option 2 (ASMFC Rhode Island CE Option C proposal)**:

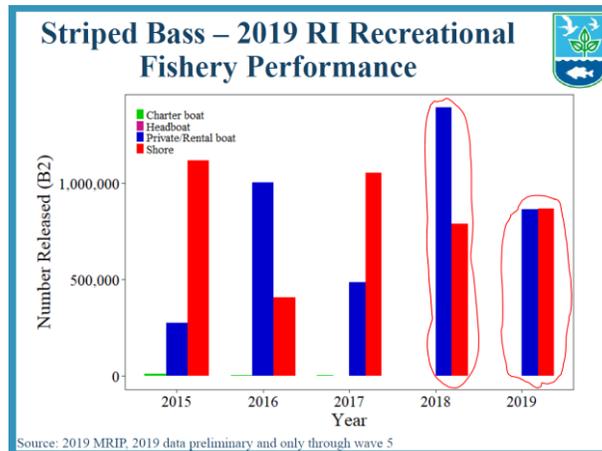
Private/Shore 32” - < 40”	Jan 1 - Dec 31	1 fish/person/day
For-Hire 30” - < 40”	Jan 1 - Dec 31	1 fish/person/day

The most clear and compelling reason for selecting Noticed Option 2 is the added conservation benefit that will be gained by choosing this option. The ASMFC Addendum VI measure (28’-35”) will not meet the 18% reduction at the RI state level that is required by the Addendum whereas Noticed Option 2 exceeds the 18% reduction at the RI state level. Furthermore, given that many states have chosen to adopt the ASMFC VI measure (28’-35”), Notice Option 2 will only add to the conservation realized on a coastwide basis. According to analysis by RI DMF staff, if RI selects Noticed Option 2, **fewer** Striped Bass will be killed at a time when it is recognized that rebuilding is necessary. ASMFC Addendum VI Option (28” – 35”) will result in **more** Striped Bass mortality for Rhode Island.

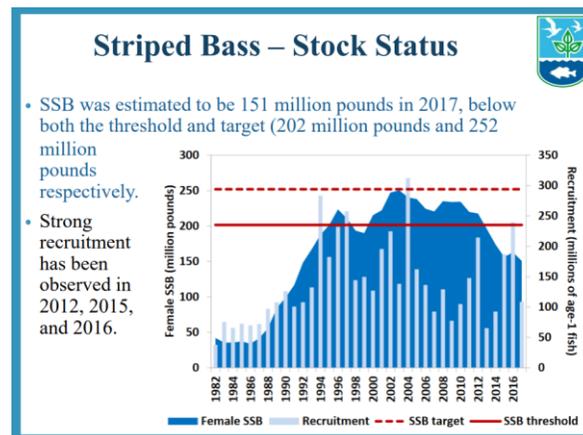
Additionally, the Rhode Island For-Hire fleet operates differently than the Private and Shore fleets. As presented during the January 13th 2020 workshop, RI’s For-Hire fleet does not discard many Striped Bass. In 2018 and 2019, the For-Hire fleet did not register on the table characterizing “Number Released”.



In contrast, the Private and Shore fleets release 85-90 percent of their catch. Noticed Option 2 will have little if any impact to the Private and Shore fleets, while allowing the For-Hire fleet to operate more efficiently and with the least amount of dead discarded fish.



Noticed Option 2 increases the minimum size to 32” and 30” for the Private/Shore and For Hire fleets respectively, which will offer added protection to the strong 2015 and 2016 year classes that we agree the ASMFC Addendum VI measures will not. The cap of 40” on the maximum size will protect the larger spawning female fish and help to restore the Female SSB to target levels in the future.



During the February 10th 2020 public hearing, we heard some comments looking to maintain regional consistency with our neighboring states who have decided to chose the ASMFC Addendum VI measure (28’-35’). Conservation Equivalency (CE) was included in the Striped Bass FMP to recognize that coastal states can have different needs and objectives for their recreational fisheries. CE is a tool that allows each state to formulate what works best for their recreational fishery, while maintaining the conservation objectives of each management adjustment. In this case, RI’s CE proposal was reviewed by the Striped Bass Technical Committee and approved, not once....but 2 times by the Striped Bass Management Board. Clearly a majority of the coastal states agreed that RI’s CE proposal was a viable option to the ASMFC Addendum VI measures. Each of our neighboring states had an opportunity to submit and receive approval of CE proposals and there was a regional proposal, one that RI supported but our neighbors rejected, which would have maintained consistency within RI, CT, and NY. We do not believe that RI’s recreational fishery should kill more Striped Bass just so we can have the same measures that our neighbors choose to select for their recreational fisheries.

In the end, we believe RI has only one choice for 2020 Striped Bass management. Noticed Option 2 conserves the Striped Bass resource the most and gives the recreational fishery the flexibility needed to offer the best fishing experience for the most recreational fishers. RI's For-Hire fleet has been in decline since 2015, when the measures of ADD IV were put in place. Noticed Option 2 will provide some stability for our fleet, have little impact to the Private and Shore fleets who mostly release fish anyway, and provide additional conservation, both at the state level and coastwide, for the Striped Bass stock. Rarely is there a management action that combines more conservation with increased social/economic benefit. Thank you for the opportunity to comment on this important issue.

Respectfully Submitted,

Capt. Rick Bellavance

Capt. Rick Bellavance, President
RI Party and Charter Boat Association

1 Mark Ambrosia	Misty - 43'
2 Steven Anderson	Bare Bones - 32'
3 Stephen Babigian	Lady K - 43'
4 Randell Bagwell	River Rebel - 26'
5 Norm Bardell	Busy Line - 23'
6 Chris Bell	Adventure - 35'
7 Earl Bell	Aces Wild - 35'
8 Rick Bellavance	Priority Too - 36'
9 Russ Benn	Seven B's - 80'
10 Russell Blank	Striker - 30'
11 Frank Blount	Lady Frances - 105'
12 Charles Boranian	Gail Ann - 27'
13 Jon Regini	Shortcake - 23'
14 Nick Butziger	Sea Hawk - 37'
15 Al Caletri	Avenger - 26'
16 Scott Capwell	A to Z - 35'
17 John Carpenter	Jackhammer - 24'
18 Rick Cataldi	Island Girl - 44'
19 Mitch Chagnon	Sakarak - 31'
20 Richard Chatowsky Sr	Drifter Too - 35'
21 Jason Howell	Pamela May - 23'
22 Barry Cherms	C.J. - 31'
23 Andrew Dangelo	Maridee II - 36'
24 Bill Della Valle	Old Salt - 31'
25 Denny Dillon	Persuder - 44'
26 Charles Donilon	Snappa - 46'
27 Steven Follett	Andrew&Steven - 41'
28 Matthew Cox	Laura Ann - 38'
29 Jeff Hall	Fully Involved - 23'
30 Chris Herz	Hiz and Herz - 30'

29 Jeff Hall	Fully Involved - 23'
30 Chris Herz	Hiz and Herz - 30'
31 Kip Jenkins	Just Fish - 29'
32 Charles Jenison	Nasha III - 34'
33 Charlie Johnson	Hot Pursuit - 37'
34 Paul Johnson Sr	Carol J - 31'
35 Willam Kelly	Knotty dog - 25'
36 Tom Logan	Fish Trap - 36'
37 Scott Lundberg	Reel to Reel - 35'
38 John McCann	Mission - 25'
39 David Monti	Virginia Joan - 26'
40 Joe Pagano	Stuff it - 23'
41 Steven Palmer	Lucky Lady - 32'
42 John Parente	Patty J - 35'
43 Brian Patterson	Fin Deep - 23'
44 John Rainone	L'il Toot - 35'
45 Linwood Safford	Cherry Pepper - 32'
46 Karl Schmaling	Vycore - 31'
47 Mark Sherer	Gannet - 21'
48 John Sheriff	Fish On - 29'
49 Kelly Smith	C-Devil II - 32'
50 Rich Templeton	Restless - 37'
51 David Tyrrell	Mako II - 43'
52 Brian Bacon	Big Game 35'
53 Rich Napolitano	Not Reel Teeth 50'
54 Joe Bleczynski	Lady Karen 28'
55 Jeff O'Brien	Gannset 48'
56 Mike Littlefield	Arc Angel 21'

From: [ROBERT MARVELLE](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : striped bass slot limit
Date: Saturday, February 15, 2020 5:38:22 PM

Peter,

Please consider the 32"-40" slot limit for striped bass.

also addressing the real problem of commercial fishing would be a good idea.

Robert Marvelle Jr.
robertmarvelle@cox.net
(401) 662-5618 usa est

From: [Robert Morin](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Striped bass slot limit
Date: Friday, February 14, 2020 10:47:11 AM

Hi Peter,

I'm writing in regards to the upcoming striped bass slot limit decision. I would like Rhode Island to adopt the split regulation- 32-40" slot for private/shore and 30-40" for hire, 1 fish. I believe this to be the best option for both the health of the fishery and the preservation of the rich fishing culture and history in Rhode Island.

Respectfully,

Robert Morin

From: [Robert Scalise](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Bass Vote
Date: Friday, February 14, 2020 1:01:50 PM

Hello Sir,
As a CT spear fisherman, throwing in my vote, if I may.

1. split mode 1 fish, 32 to 40 private/shore and 1 fish, 30 to 40 for-hire

Thank you!

Robert Scalise
Lieutenant Commander
US NAVY

From: [Scott Capwell](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Striped Bass
Date: Friday, February 21, 2020 6:05:06 AM

Hello Peter,

My name is Scott Capwell. I am in favor for option 2 for Charter fishing. Time for charter business to have its own quota. Recreational boat owners have the opportunity to take a fish a day. Our clients take a fish a year! They don't have the opportunity that recreational boat owners have. Our clients take a fish and bring home food for their family once or maybe twice a year. Recreational boat owners can go every weekend if they want. Please let our clients take a fish that has enough meat on it. Tough to justify spending so much money for a charter when you can't bring home enough meat for one meal! The charter industry brings people to our marinas and stores all summer long. The clients spend money that local businesses depend on. Also I am a commercial fisherman and for commercial I am in favor for 4 days of fishing with 5 fish a day. 5 fish a day is necessary for the trip. In the early part of the season the fish are smaller in the bay. 4 fish is not worth the trip with the cost of fuel, bait and tackle. No Sundays, Please leave commercial fishing for week days not weekends. Water has become too crowded on weekends. Too many people and too many boats in same spots. We fish in all types of weather. Foggy conditions mixed with people who don't have radar and don't fish like a commercial fisherman make for a dangerous situation. It would be safer for commercial fishermen to do their job while the recreational boat owners are doing their job during the weekdays. Thank you for the opportunity to voice my concerns.

Sincerely,
Capt. Scott Capwell

A to Z Charters (401) 487 7274

Jason,

I live in CT but I fish in RI a lot, particularly SoCo and Block Island. I'm hoping you can enter my comment into the public record, which is:

Please adopt the 28"-35" slot limit for striped bass.

Thank you,

Steve Culton

From: [SCOTT LUNDBERG](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : 2020 Recreational Striped Bass Management
Date: Friday, February 21, 2020 10:53:19 AM

Dear Mr. Duhamel. I am the owner and Captain of Reel to Reel Sportfishing charters in Galilee. I have been in business almost 30 years and employ three people besides myself. The Rhode Island charter fleet has been a historic part of the waterfront since I was a little boy. Over the years, my business and others have taken hits due to fishing regulations. It seems like we are always giving something but never receiving anything back. We have worked with Dem through sampling and collection and were one of the first groups to implement electronic reporting. Although we are grouped in the Recreational fishing category we are really a separate user group. After carefully reviewing the options for recreational management of Striped Bass in the "Summary of Proposed Rule" as presented at the February 10th public hearing and recognizing the importance of Striped Bass to the long-term sustainability of my business, I recommend Noticed Option 2 (ASMFC Rhode Island CE Option C proposal): Private/Shore 32" - < 40" Jan 1 - Dec 31 1 fish/person/day For-Hire 30" - < 40" Jan 1 - Dec 31 1 fish/person/day
This option will reduce the mortality

The most clear and compelling reason for recommending Noticed Option 2 is the additional conservation benefit that will be achieved by choosing this option. The ASMFC Addendum VI measure (28'-35") will not meet the 18% reduction at the RI state level, it merely achieves a 14% reduction for RI's recreational fishers. Noticed Option 2 exceeds the 18% reduction at the RI state level. Furthermore, given that many states have chosen to adopt the ASMFC VI measure (28'-35'), Noticed Option 2 will add to the percent reduction of mortality realized on a coastwide basis. According to analysis conducted by RI DMF staff, if RI selects Noticed Option 2, fewer Striped Bass will be killed at a time when it is recognized that rebuilding is necessary. If RI chooses the ASMFC Addendum VI Option (28" - 35") more Striped Bass will be killed by Rhode Island recreational fishers. RI has a strong history of conservative fisheries management and Noticed Option 2 will continue that policy. If ASMFC ADDENDUM VI Option is passed, I fear this will be the end of my business and many other businesses in the state. When the regulations went from two striped to one fish my business went down 40 percent. Sincerely yours, Captain Scott Lundberg- Reel to Reel Sportfishing LLC
www.ReeltoReelSportfishing.com [reeltoreelsportfishing.com] Sent from [Mail \[go.microsoft.com\]](mailto:Mail@go.microsoft.com)
for Windows 10



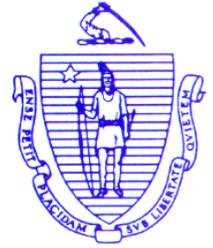
Daniel J. McKiernan
Acting Director

Commonwealth of Massachusetts

Division of Marine Fisheries

251 Causeway Street, Suite 400
Boston, Massachusetts 02114

(617) 626-1520
fax (617) 626-1509



Charles D. Baker
Governor
Karyn E. Polito
Lieutenant Governor
Kathleen Theoharides
Secretary
Ronald S. Amidon
Commissioner
Mary-Lee King
Deputy Commissioner

February 21, 2020

Jason McNamee, Ph.D.
Chief of Marine Resource Management
Rhode Island Division of Marine Fisheries
3 Ft. Wetherill Road
Jamestown, RI 02835

Dear Jason,

As you know, striped bass rules for 2020 and beyond are being promulgated by all participating states to reduce fishery removals by 18% along the coast and end overfishing on the resource. We have serious concerns about the unintended consequences that inconsistent regulations among neighboring partner states will create. When considering what regulations to adopt for Rhode Island's recreational fishery, we urge you to choose Addendum VI's standard measure of a 28–35" slot limit for all modes (private/rental vessel, shore, and for-hire vessel).

We believe that having a consistent recreational size limit among as many coastal states as possible is an optimal approach for conservation of the resource as well as angler education, compliance, and enforcement. We in Massachusetts plan to adopt the standard 28–35" limit as does Maine, New Hampshire, Connecticut, and New York. Based on the outcome of the recent ASMFC Striped Bass Management Board meeting where conservation equivalencies to implement Addendum VI were reviewed, Rhode Island was approved to enact a different slot limit (32–40") with the added possibility of another distinct slot limit (30–40") for your for-hire fishery.

Rhode Island's adoption of either of these alternatives would surely erode the conservation benefit of slot limit management in our region given how striped bass migrate between states during their spring and fall migrations. Fish of 35–40" length that will be protected in ME–MA and CT–NY, will be open to harvest in RI; while fish of 28–32" (or 28–30") length that will be protected in RI, will be open to harvest in ME–MA and CT–NY. The conservation associated with any regulation also relies on how effectively it is complied with and enforced. The Law Enforcement Committee and the Striped Bass Technical Committee have both expressed concern about the compliance and enforcement challenges that will result from different minimum and maximum sizes among neighboring states. These issues suggest that the projected reduction in fishery removals associated with Rhode Island's conservation equivalency options will not be realized.

Our respective law enforcement agencies collaborate to inspect all fishermen—both residents and non-residents, including those anglers fishing in one state's waters and destined to land the fish in the other state's ports. Consider the productive fishing grounds adjacent to our two states such as along the Elizabeth Islands, around Martha's Vineyard, and off Block Island that are frequently shared by vessels leaving port in both our states. Many anglers from the southern and western parts of our state also drive to Rhode Island ports to launch boats or fish from shore. These anglers that fish across state

lines would be subject to the most restrictive rules of the combined states and would therefore have just a 30–35” slot. As you know, it is substantially easier to improve compliance when the rules are uniform and less complex.

We foresee potential education, enforcement, and compliance problems as a consequence of our recreational permitting reciprocity agreements as well. While there are benefits to anglers from our neighboring states (New Hampshire, Rhode Island, and Connecticut) not needing to obtain a Massachusetts permit to recreationally fish in our waters, one detriment is that they are less likely to receive information about Massachusetts’ fishing rules and may not know how they differ from their permitting state. Violations of Massachusetts rules by Rhode Island permit holders are also more difficult to deter and penalize when the individual does not have a Massachusetts permit that DMF can sanction. These issues have been aided by MA DMF and RI DEM working to make our two states’ regulations as consistent as possible in recent years.

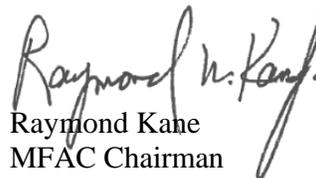
As for the potential for Rhode Island to adopt a different size slot for the for-hire fishery, we think the Enforcement Committee’s concerns should be heeded. The Committee noted that it is often difficult to ascertain whether a vessel is fishing under private or for-hire rules, and this would create challenges when enforcing rules shore-side at docks or at marinas. They cautioned that sector-specific rules are more difficult to enforce. We also note that the courts may be more lenient toward law breakers when magistrates or judges discover how complex and uneven the rules are.

For these reasons, on behalf of the Division of Marine Fisheries and the Massachusetts Marine Fisheries Advisory Commission (MFAC), we respectfully request you to adopt the default 28–35” slot limit for all recreational fishing in Rhode Island. This will result in consistent coastal fishery recreational rules from Maine to New York.

Sincerely,



Daniel J. McKiernan
Acting Director



Raymond Kane
MFAC Chairman

cc: Janet Coit, Peter Duhamel, RI DEM
Robert Ballou, RI DEM and Chair, RI Marine Fisheries Council
Massachusetts Marine Fisheries Advisory Commission

From: [James T Fitzhugh](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] :
Date: Friday, February 14, 2020 11:32:43 AM

Hello Peter,

I'm writing in regards to the upcoming striped bass slot limit decision. I would like Rhode Island to adopt the split regulation- 32-40" slot for private/shore and 30-40" for hire, 1 fish. I believe this to be the best option for both the health of the fishery and the preservation of the rich fishing culture and history in Rhode Island.

Respectfully,
Tim Fitzhugh

From: [Timothy Henderson](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Striped Bass Slot Limit
Date: Friday, February 14, 2020 9:01:03 AM

Mr. Duhamel,

I would like to see the slot limit between 30 and 40 inches for striped bass on Rhode Island this season. As a spear fisherman this makes the most sense for my community. We only take a handful of fish each season. Thank you for your attention.

Sincerely,
Tim Henderson

From: [Tim Ming](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Slot limits for RI
Date: Tuesday, February 18, 2020 9:24:25 PM

Hi Peter--

As a recreational spear fisher, I would like to share my preference amongst the three available options -- for **1 fish, 32-40 for all**.

Thanks for taking public opinion into account as you decide on the most appropriate measure for new striped bass regulations in 2020.

Happy to discuss my thoughts further.

Best,
Tim

From: [Tony Koos](#)
To: [Duhamel, Peter \(DEM\)](#)
Cc: [Megan Koos](#)
Subject: [EXTERNAL] : Striper Slot Size
Date: Friday, February 14, 2020 8:55:54 AM

Hello Peter,

My wife and I are recreational fisherman and we wanted to voice our opinion on the slot limits being proposed. Out of the three options we think the 1 fish between 32"-40" for all is the fair and best choice.

Please consider our opinion during the process and thank you for looking out for our fisheries,

Tony Koos & Megan Koos

Hello,

I am a Recreational Fisherman and a member of the RI Saltwater Anglers Association. I would like to submit a comment on the Proposed Rule / Law for Striped Bass for the 2020 season. I believe we should have one slot limit of 28" to 35" for ALL sectors of the fishery. I do not believe we should have 3 different rules for 3 different user groups !!! Let's keep it simple and also have the same rule as all the other New England States. This would make it easier for visiting fishermen from other States, and for Law Enforcement purposes. Please include my comment in the Public Comments for the Proposed Rule / Law.

Thank you,
Thomas Poirier.

From: [Thomas Rapone](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Striped Bass: Comment in support of 28"-35" slot limit
Date: Thursday, February 13, 2020 2:18:41 PM

Dear Mr. Duhamel:

I urge the Rhode Island Department of Marine Fisheries to join neighboring states and implement the 28"-35" slot limit for striped bass and to reject any option which includes harvest of fish 35" or greater. Now, more than ever, every single large striped bass matters.

I live on Martha's Vineyard, where I've run a charter boat for the past eighteen years--primarily targeting striped bass. I don't often fish in Rhode Island waters, but I can see the silhouette of the Newport Bridge from the Aquinnah cliffs on a clear day. No doubt, a portion of our striper stocks is shared.

Not long ago, the Vineyard was a haven for large stripers that rivaled even Block Island and Montauk. This is no longer the case. Our large summer-resident stripers have been nearly decimated--seemingly a result of relentless harvest of large fish by recreational, commercial and for-hire fisherman. I fear that Rhode Island, among other areas, may soon suffer the same fate.

Predictably, some in Rhode Island's for-hire fleet fear that the "low slot" option would preclude participation in the Block Island fishery and hurt business. I can tell them from experience that the fate of a for-hire fleet with no large striped bass to catch is far worse.

Best Regards,

Thomas J. Rapone
Edgartown, Massachusetts

From: [valio dimitrov](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Striped Bass regulations
Date: Friday, February 14, 2020 4:06:50 PM

Hi Peter,

I'm a spear fisher man and would like to point out that it would be extremely difficult for us to judge the length of a striped bass under water in the murky conditions we often encounter in RI.

Therefore I think it will make more sense to make the sloth limit 32 to 40 inches so option 2. Or maybe allow spearos to purchase a ticket for one fish a year over the limit.

Thank you!
Valio Dimitov

Hi Mr. McNamee

Please do submit my email in support of the 28"-35" slot.

Thanks,

Vincent Rizzo

From: [Valentine Thomas](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Striped bass
Date: Friday, February 14, 2020 7:46:56 PM

Dear Mr. Duhamel,

When I've heard about the legislation about to be modified to create protection for the big breeders, I was really happy.

However, I disenchanted rather quickly when I realize that your new legislation was only applying to recreational fishermen but not commercial ones.

Recreational fishermen are harvesting fish to feed themselves (even if they have fun while doing it) and the discrimination towards them is outrageous.

If you want to create a law to protect the reproduction of a species, it is hard to give it credit when the largest amount of harvesting (commercial) isn't being regulated the same way.

While I support the protection of the fish over 35+ pounds, your selective regulation makes it derisory.

It is not without sadness that I vote for the split mode, as a matter of fairness towards people who are looking to harvest their own food and trying to provide for their families, fighting every year discriminating regulations with hidden agenda benefitting monetary purposes rather than the actual well-being of the fish stock.

Kind regards,

Valentine

From: [Yanni Peary](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Striped Bass regs
Date: Sunday, February 23, 2020 5:18:23 PM

Hi Peter -

As an avid fisherman in RI waters, I recommend the following for regulations on striped bass.

split mode 1 fish, 32 to 40 private/shore and 1 fish, 30 to 40 for-hire

Yannick

Peter:

Regarding the proposed commercial striped bass rule, I am in favor of a five fish daily possession limit with four days open - Friday, Saturday and Sunday closed. I also support the 60/40 split. I agree with Joe Macari's comments regarding Sunday. Also, if the daily limit is less than five fish, it becomes difficult to justify the financial feasibility of targeting Stripers.

Thank you
Bill Barbour

From: [Nancy Christensen](#)
To: [Duhamel, Peter \(DEM\)](#); [Lengyel, Nicole \(DEM\)](#)
Subject: [EXTERNAL] : Striped bass proposed regulations
Date: Wednesday, February 12, 2020 4:56:12 PM

Peter, Nicole,

After talking with a number of fishermen, I would like to propose opening on May 20 with the 4 days/5 fish schedule (Monday through Thursday) and simply keep the quota open and run the season continuously until the quota is met.

Thank you,
Bo Christensen

Sent from my iPad

ITS TIME AGAIN TO FIGHT FOR OUR STRIPED BASS FISHERY!

THANKS TO ALL OF YOU WHO SUPPORTED US LAST YEAR PROPOSAL FOR 2020: NEW DEM OPTION

MAY 20 THROUGH JUNE 30:

Allocation: 70% of general category quota
Possession limit: 5 fish per day / 4 days a week
Closes each calendar week **Friday, Saturday, Sunday**

13+8=21

JULY 1 THROUGH DECEMBER 31:

Allocation: 30% of general category quota
Possession limit: 5 fish per day / 4 days a week
Closes each calendar week **Friday, Saturday, Sunday**

Please sign below If you wish to support this option. Thank you, Bo Christensen

Print	Sign	Lic.#
Bo Christensen	Bo Christensen	429 MP
Brennan Bica	BBica	432R
Brian Porman	[Signature]	413
JOHN HARVEY	[Signature]	47
CHRISTOPHER HEILBOREN	Christopher Heilborn	#579 Lic
DANTE CORRADI	[Signature]	770
JEFF DOYLE	Jeff Doyle	163
MIKE McELROY	[Signature]	MP0082
Edward L Ventura	[Signature]	305
Greg Bassett	Greg Bassett	1647
Robert LiSimone	Robert LiSimone	47
Sally Bellafacaro	[Signature]	493
[Signature]	[Signature]	344

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Print	Sign	Lic. #
Bo Christensen	Bo Christensen	429 MP
Eric Marcos	[Signature]	465 mp
Rich Miwed	[Signature]	133 MP
JEFFREY W HALL	Jeffrey W Hall	PEL 67
Coast Coker	[Signature]	mp 466 #
MARTIN McGuirey	[Signature]	mp 205
Allan Danklee	allan Danklee	Pel 302
MIKE PAPA	Michael Papp	Pel 255
JOSEPH PAPA	Joseph Papp	MULTI 564
DAVID Danklee	David Danklee	MP 161
Joseph AMATO	Joseph Amato	MP 44
Rich Loutis	[Signature]	PEL 1775
D. GIBSON	[Signature]	MP 00686
David Arnold	David Arnold	Pel 1774

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8

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 Possession limit: **5** fish per day / **4** days a week
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Print	Sign	Lic. #
Bo Christensen	Bo Christensen	429 / MP
Brennan Bice	B Bice	432R
Christopher Heilborn	Christopher Heilborn	Lic # 579
Alvin Petersen	Alvin Petersen	766
Francesco Salasari	Francesco Salasari	Lic # 1806
Take Zoller	Take Zoller	1370
ROBERT C HOGAN	ROBERT C HOGAN	0208 MP
Mike Bradshaw	Mike Bradshaw	SRF 423
Dan M Hale	Dan M Hale	M0589
ALTON EMERY	ALTON EMERY	
BOB WIPPENNY	BOB WIPPENNY	MP 1328

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Closes each calendar week **Friday, Saturday, Sunday**

JULY 1 THROUGH DECEMBER 31:

Allocation: **30%** of general category quota

Possession limit: **5** fish per day / **4** days a week

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Print

Sign

L i c #

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4

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Please sign below if you wish to support this option. Thank you, Bo Christensen

Print	Sign	Lic #
Joseph McDonald	<i>Joseph McDonald</i>	000696
FRANK ROBERTS	<i>Frank Roberts</i>	489
DWAYNE GAGNON	<i>Dwayne Gagnon</i>	544
Robert Goodman	<i>Robert Goodman</i>	0050 MP

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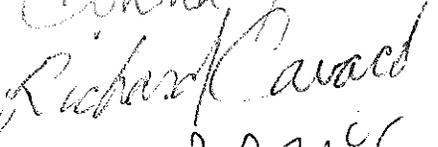
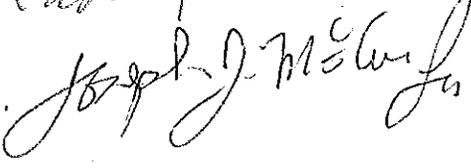
Allocation: 70% of general category quota
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6

JULY 1 THROUGH DECEMBER 31:

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Please sign below if you wish to support this option. Thank you, Bo Christensen

Print	Sign	Lic#
Peter Reo Jr		CFL 001715
DON MARTIN		PEL 1773
Stephen Baker		PEL 1319
Donna Cavaco		CFL
Richard Cavaco		PEL 1583
Joseph J. McCue Jr		# 365

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4

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Please sign below If you wish to support this option. Thank you, Bo Christensen

Print

MANUEL VIEIRA
Paul Vieira
RYAN SALVADORE
AL Salvadore

Sign

Manuel Vieira
Paulo Vieira
Ryan Salvadore
Al Salvadore

Lic#

MURP 1311
MURP 1293
MURP 885
MURP 887

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Please sign below If you wish to support this option. Thank you, Bo Christensen

Print	Sign	Lic #
Michael McEvane	MP. 401	

~~Tom Cook~~
No count
needs

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STRIPED BASS FISHERY!**
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Please sign below if you wish to support this option. Thank you, Bo Christensen *Print, sign, Lic#*

Bo Christensen *Bo Christensen* 4129 MP

Wayne Lipp 1416 MP

Frank Monteforte *FR* 2413 MP

J. Gutter
Douglas Sheehan 976 MP

Peter:

Regarding the proposed commercial striped bass rule, I am in favor of a five fish daily possession limit with four days open - Friday, Saturday and Sunday closed. I also support the 60/40 split. I agree with Joe Macari's comments regarding Sunday. Also, if the daily limit is less than five fish, it becomes difficult to justify the financial feasibility of targeting Stripers.

Thank you
Bill Barbour

From: [Nancy Christensen](#)
To: [Duhamel, Peter \(DEM\)](#); [Lengyel, Nicole \(DEM\)](#)
Subject: [EXTERNAL] : Striped bass proposed regulations
Date: Wednesday, February 12, 2020 4:56:12 PM

Peter, Nicole,

After talking with a number of fishermen, I would like to propose opening on May 20 with the 4 days/5 fish schedule (Monday through Thursday) and simply keep the quota open and run the season continuously until the quota is met.

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Sent from my iPad

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13+8=21

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Print	Sign	Lic.#
Bo Christensen	Bo Christensen	429 MP
Brennan Bica	BBica	432R
Brian Porman	[Signature]	413
JOHN HARVEY	[Signature]	47
CHRISTOPHER HEILBOREN	Christopher Heilborn	#579 Lic
DANTE CORRADI	[Signature]	770
JEFF DOYLE	Jeff Doyle	163
MIKE McELROY	[Signature]	MP0082
Edward L. Ventura	[Signature]	305
Greg Bassett	Greg Bassett	1647
Robert LiSimone	Robert LiSimone	47
Sally Bellafacaro	[Signature]	493
[Signature]	[Signature]	344

ITS TIME AGAIN TO FIGHT FOR OUR STRIPED BASS FISHERY!

THANKS TO ALL OF YOU WHO SUPPORTED US LAST YEAR
PROPOSAL FOR 2020: NEW DEM OPTION

MAY 20 THROUGH JUNE 30:

Allocation: 70% of general category quota
 Possession limit: 5 fish per day / 4 days a week
 Closes each calendar week **Friday, Saturday, Sunday**

JULY 1 THROUGH DECEMBER 31:

Allocation: 30% of general category quota
 Possession limit: 5 fish per day / 4 days a week
 Closes each calendar week **Friday, Saturday, Sunday**

Please sign below if you wish to support this option. Thank you, Bo Christensen

Print	Sign	Lic. #
Bo Christensen	Bo Christensen	429 MP
Eric Marcos	[Signature]	465 mp
Rich Miwed	[Signature]	133 MP
JEFFREY W HALL	Jeffrey W Hall	PEL 67
Coast Coker	[Signature]	mp 466 #
MARTIN McGuirey	[Signature]	mp 205
Allan Danklee	allan Danklee	Pel 302
MIKE PAPA	Michael Papp	Pel 255
JOSEPH PAPA	Joseph Papp	MULTI 564
DAVID Danklee	David Danklee	MP 161
Joseph AMATO	Joseph Amato	MP 44
Rich Loutis	[Signature]	PEL 1775
D. GIBSON	[Signature]	MP 00686
David Arnold	David Arnold	Pel 1774

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8

JULY 1 THROUGH DECEMBER 31:

Allocation: **30%** of general category quota
 Possession limit: **5** fish per day / **4** days a week
Closes each calendar week **Friday, Saturday, Sunday**

Please sign below if you wish to support this option. Thank you, Bo Christensen

Print	Sign	Lic. #
Bo Christensen	Bo Christensen	429 / MP
Brennan Bice	B Bice	432R
Christopher Heilborn	Christopher Heilborn	Lic # 579
Alvin Petersen	Alvin Petersen	266
Francesco Salasari	Francesco Salasari	Lic # 1806
Take Zoller	Take Zoller	1370
ROBERT C HOGAN	ROBERT C HOGAN	0208 MP
Mike Bradshaw	Mike Bradshaw	SRF 423
Dan M Hale	Dan M Hale	M0589
ALTON EMERY	ALTON EMERY	
BOB WIPPENNY	BOB WIPPENNY	MP 1328

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Print

Sign

LIC #

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4

JULY 1 THROUGH DECEMBER 31:

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Possession limit: 5 fish per day / 4 days a week
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Please sign below if you wish to support this option. Thank you, Bo Christensen

Print	Sign	Lic #
Joseph McDonald	<i>Joseph McDonald</i>	000696
FRANK ROBERTS	<i>Frank Roberts</i>	489
DWAYNE GAGNON	<i>Dwayne Gagnon</i>	544
Robert Goodman	<i>Robert Goodman</i>	0050 MP

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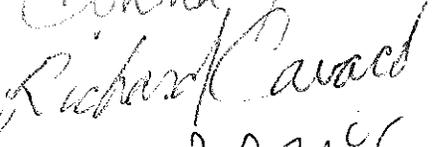
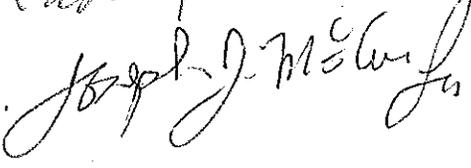
Allocation: 70% of general category quota
Possession limit: 5 fish per day / 4 days a week
Closes each calendar week **Friday, Saturday, Sunday**

6

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Print	Sign	Lic#
Peter Reo Jr		CFL 001715
DON MARTIN		PEL 1773
Stephen Baker		PEL 1319
Donna Cavaco		CFL
Richard Cavaco		PEL 1583
Joseph J. McCue Jr		# 365

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Print

MANUEL VIEIRA
Paul Vieira
RYAN SALVADORE
AL Salvadore

Sign

Manuel Vieira
Paulo Vieira
Ryan Salvadore
Al Salvadore

Lic#

MURP 1311
MURP 1293
MURP 885
MURP 887

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Print	Sign	Lic #
Michael McEvane	MP. 401	

~~Tom Cook~~
No count
needs

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STRIPED BASS FISHERY!**
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Bo Christensen *Bo Christensen* 429 MP

Wayne Lipp *Wayne Lipp* 1416 MP

Frank Monteforte *Frank Monteforte* 243 MP

J. G. [Signature] 976 MP

Douglas Sheehan 976 MP

From: [David Fewster](#)
To: lengyel@dem.ri.gov
Cc: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Status
Date: Thursday, January 9, 2020 2:17:06 PM

Good afternoon.

My name is David Fewster. Im a licensed Rhode Island multi purpose commercial fisherman. I am in full support of status quo for the upcoming 2020 commercial striped bass season. Thankyou David F.

48 Eastern Ave
East Providence RI
02914

Sent from my iPhone

My name is Greg Renzulli and this letter is to comment on the regulation change #250-RICR-90-00-3. I would like to support the proposal establishing a schedule for striped bass permitting commercial fishing on Monday thru Thursday closed Friday, Saturday, Sunday with a limit of 5 fish per person/vessel per day. At 35 years old, this year will be the start of my 18th season making a living full time in RI waters. Therefore this topic is very important to me and makes a difference in how I can run my business, and as a result support my family. In my opinion these rules and regulations need to be geared towards those who depend on this fishery for income, otherwise you do not need to hold a commercial endorsement.

It is clear change is coming with striped bass and the mandated 18% reduction is understood by those who have noticed the decreased stock of larger fish. So by eliminating a day of fishing instead of eliminating 1 fish/day you will still be able to achieve this reduction and the fisherman can operate cost efficiently. By opening for 5 days with a 4 fish/day limit I will now lose profit each day by eliminating a fish but I will still have to fish 5 days and endure more overhead costs of fuel, bait and tackle. When I am not rod and reel fishing I am either bullraking quahogs or fishing whelk pots. Eliminating Sundays will now give me the option of participating in another fishery, a result being more variety of seafood going to market. Furthermore, eliminating a day will mean one less day a week the commercial fleet is putting pressure on these schools of fish. Pressure such as, the release of undersized fish, which is a very large concern currently in striped bass management.

Another issue that has been going on for a long time is the overcrowding and reckless fishing that takes place on Sundays combining the commercial fleet with the most popular day for the recreational fleet. Everyone has the right to use this resource and we of

course need to share. The commercial fishermen understand that for many recreational fishermen the weekend is the only time available to pursue these fish, so as far as Sundays the recreational fleet can have it all to themselves. There are many Sundays throughout the season that I quit early or choose to not even go due to the lack of etiquette I have experienced on those days. It is my belief eliminating that day for the commercial schedule will actually protect the resource and the fisherman.

My final reason I fully support this proposal is that Sundays are generally a day for family or religion for some fishermen and seafood dealers. There are many seafood dealers that are either closed or have altered hours on that day. This is quite an inconvenience to us fishermen because we either have to skip the day or cut our day short to make it into the shop on time. I feel that we face enough variables each day as it is and these extra details can cause stress and financial loss on these fishing days.

I hope you will consider this proposal and implement it for this upcoming season. Going forward I think this schedule is a great solution for the reduction required and efficiency of managing this season and futures season quota. I know for a fact a large portion of the industry feels similar on this proposal. Fish smarter not harder.

Sincerely,

Greg Renzulli

PEL #1554

From: [James Higham](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : 2020 Striped Bass Regulations
Date: Tuesday, February 11, 2020 5:11:48 PM

Peter,

I'm Writing you today about the striped bass regulations. I want the most stringent striped bass regulations adopted. it's high time that we stopped playing around and kicking the can down the road, we need to save these fish.

I have been fishing striped bass from the old days in the 80s, to the great early 2000s, to the sad state of affairs we have today. Asmfc should have started saving these fish in at least 2006 and we wouldn't be here today.

James Higham
23 Jonathan Rd
West Greenwich RI 02817

Sent from my iPhone

Proposed alternative for commercial striped bass management for public hearing on February 10, 2020

Submitted by Joe Macari

I propose that the fishery be closed three days each week, with days closed to include Friday, Saturday, and Sunday. I do not support the proposal to close on Thursday.

1. A lot of commercial rod and reelers trailer their boats; weekend traffic at most boat ramps in RI are quite congested.
2. There is a large amount of boat traffic in Narragansett Bay and Block Island Sound on Sundays, i.e., creating somewhat dangerous conditions for fishermen. Also, striped bass are quite wary and do not feed when there is heavier boat traffic on the water.
3. User conflicts between recreational and commercial fisherman over "territory" can become an issue.
4. I would think law enforcement would be able to perform their tasks more efficiently when there is segregation among the user groups, regarding size limits, bag limits, etc.
5. I discussed Sunday openings for striped bass sales with the seafood dealer I do business with (Sea Fresh); they prefer to stay closed on Sundays with regards to buying fish. In fact, their policy for several years has been to stay open only till 12 noon on Sundays. It can be hard on fishermen who deal with Sea Fresh to meet that time frame.
6. Also, I am in favor of the 60/40 percent striped bass allocation that has been proposed by RIDEM. This is much fairer to ALL fishermen THROUGHOUT the State, that fish for striped bass. I believe it also gives RIDEM a much better policy for staying within the Rhode Island striped bass general category allocation.

Thank You

Joe Macari

From: [Joseph Papa](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Commercial strippers
Date: Thursday, January 30, 2020 9:44:56 AM

I am submitting this request to try to change the proposed days of fishing from Sunday thru Wednesday to Monday thru Thursday. I have been commercial fishing since 1970 and have seen things change a lot over the past 50 years. Every one of the fishermen that I know is against fishing on Sunday. We all have families that mostly have the weekends off and we want to spend that day with them. In my case it's not only my wife and children but my grandchildren also. As far as the 18 percent cut in quota I see that almost every commercial fisherman doesn't have a problem with the reduction. We see the decline in larger fish over the past 4 to 5 years and we also see the very strong future in the huge numbers of undersized fish. We are confident the future will return the numbers of larger fish so we can return the quota that is being cut. No fisherman wants to fish himself out of business. We are not against recreational fishing but find that on weekends that there tends to be excessive boat traffic and recreational fishing that interferes with commercial operations. We are more than happy to let them have the waters to themselves. There are petitions out there that will find their way to you at some point before the next meeting on the 10th of February. They are trying to effect the same change. Please entertain these proposals and allow this change to take place so we can live a better family life. Thank you for your time and consideration on this important issue. Joseph Papa. multipurpose license #564

From: [Kenny Landry](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : 2020 commercial bass
Date: Monday, February 3, 2020 7:51:25 AM

This is in regards to the upcoming 2020 commercial bass season..I am in favor of 4 days a week 5 fish a day closed fri-sat-sun..anything less than 5 fish cuts into profits and Sundays are not good due to weekend traffic on the water from recreational fishermen and boating..on the 70-30 or 60-40 split I'd rather see 60-40 if it helps manage the quota better and it gives guys who fish outside the bay and block island a Lil more time..some guys want 70-30 cause they only fish the bay and no where else..thank you.. Kenny Landry mpurp lic#1342

From: [Lee Papa](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : 250-RICR-90-00-3
Date: Friday, January 31, 2020 8:26:57 AM

I am writing this email to try to effect a change in the proposed rules concerning fishing days for striped bass. I have been married to a fisherman for 40 years and it is difficult to have him away from home on weekends and holidays when his family is home. We have children and grandchildren that all have weekends off. If you can change the fishing days from Sunday through Wednesday to Monday through Thursday that would truly be appreciated. Lee Papa

Sent from my iPad

----- Original message -----

From: mlanni1956 <mlanni1956@gmail.com>

Date: 1/9/20 1:38 PM (GMT-05:00)

To: nicole.lengyel@dem.ri.gov

Subject: Striped bass

Hi Nicole

I would like to go on record as supporting the current status quo season regarding the commercial harvest of striped bass. Specifically, I am in support of harvesting 100% of the allowed quota during the spring season with no fall seasonal harvest.

Thank you,

Mike Lanni, lic #984

From: [Mike Mcelroy](#)
To: [Duhamel, Peter \(DEM\)](#); nicloe.lengyel@dem.ri.gov
Subject: [EXTERNAL] : Commercial striper options
Date: Monday, February 17, 2020 4:00:58 PM

Hi Peter & Nicole .

Just wanted to put in words my choice for the commercial season .

May 29th , 4 days ,5 Fish with Friday, Saturday & Sunday as off days

I don,t know why we don,t have a weekly quota of 25 fishI think it would you time to see what,s what & for us with smaller boats actually fish . We lose a fair amount of time to weather & seeing most of us arn,t kids our bodies take a beating . and some days ya can,t buy a fish & the next day you have to quit , Be nice to even them out . Block Island is another world , which is another sad story .

Thankyou Mike McElroy

From: [Mark Sherer](#)
To: [Duhamel, Peter \(DEM\)](#)
Cc: [Mark Sherer](#); [Joe Macari](#)
Subject: [EXTERNAL] : 2020 comm stb
Date: Thursday, January 30, 2020 7:14:19 AM

Peter:

I am in favor of five fish, four days with Friday, Saturday and Sunday closed. I also support the 60/40 split. I agree with Joe Macari's comments regarding Sunday. Also, if the daily limit is less than five fish, it becomes difficult to justify the financial feasibility of targeting Stripers.

2-10-20 Public Hearing comment

Regarding the 1-9 Workshop, my biggest issue is one that I have mentioned in the past - many recreational anglers are asking for the recreational BSB season to open earlier in 2020. I would like to see an opening date of 5-29, but I would be OK with an opening on June 1. I think that this is important even though it will mean that the "bonus season" in the fall needs to be reduced. I also know that the RI Party & Charter Association will not want significant reductions in the fall fishery, but I feel that it would be a reasonable compromise to keep the bag at 3 per day as long as necessary in the fall to accomplish the earlier opening.

Regarding fluke, recreational regs will be a problem for 2020 no matter what is done. Even status quo means very little ability to catch fluke over 19" by recreational anglers due largely to the increased commercial pressure driven by increased commercial quotas. I know this is an issue that needs to be addressed at a higher level such as the ASMFC and the MAMFC and RISAA is working on this issue and how the new MRIP estimates may be contributing to the problem.

On Bluefish I know that Federal requirements are going to greatly restrict recreational harvest. I guess it will be 3 fish per person per day and I guess that will be for any size, including snapper blues.

My comment on Tautog is that I would really like to work on regs that level the playing field again so that private anglers and P/C are fishing the same regs. I get many complaints from RISAA members who are fishing next to a Charter boat that can take 40 fish while they can only take 10 per boat. One thing that worries me is that 2019 was such a good year for catching tautog that I suspect catches were much higher than projected. I am sure this was due to a higher SSB rather than just due to more fishing pressure, but I hope it doesn't mean that we are in trouble for high rate of harvest.

Regarding Striped Bass, I am OK with the slot limit and mandatory circle hook provisions that ASMFC provided. I do not believe that we should have 2 different slots in effect for private anglers versus P/C. Besides the basic issue that I don't think it is fair, I also think it would have a negative effect on the fish. Coastwide if one group is keeping 28"- 34" and another group is keeping 30" to 40" then the entire population from 28" to 40" is under harvest pressure and this scenario was not evaluated in the technical committee document to the best of my knowledge.

Regarding Haddock, I didn't hear it brought up last night, however I don't agree with a larger minimum size for recreational haddock than commercial haddock. Both should be at 16". I have 2 reasons for this: 1 - I understand that Haddock do very poorly when caught and released with very poor survival and; 2 - the amount of haddock caught by recreational anglers in RI is very small so there is no reason to increase the discard mortality by increasing the minimum size.

Thank you,

Rich Hittinger

Recreational Fisherman

Warwick, RI

From: [Steve Winters](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Striped Bass
Date: Friday, February 21, 2020 2:28:23 PM

Dear Peter, I am a Block Island resident since 1982. I have been an extremely active fisherman in this state and have done so commercially and recreationally. Block Island's Southwest ledge is an embarrassment to all things related to the conservation of Striped Bass. This area is a staging area for some of the last great fish, It attracts vessels from as many as 4 near by states. From my surf casting perches, it resembles the lights from a great city there are so many boats. The decimation and carnage created by ripping the last breeder bass from those depths must be unbelievable. How many never regain and survive? I would be in favor of a total moratorium, but I realize this would not keep the highly paid lobbyist of the for hire fleet satisfied. There is an amazing amount of small fish now. This is encouraging. Please don't let them be picked to death with changing slot limits. At least we should try to stay in line with our neighbors, and not let greedy for hires set the limit. So I will ask you to please consider a 28" to 35" slot, because everything else is just awful. Close it down for the fish, and my children. Thank you for giving me this opportunity to voice my feelings.

Sincerely, Steve Winters P.O. Box 41 Block Island

Sent from my iPad

From: [David Fewster](#)
To: lengyel@dem.ri.gov
Cc: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Status
Date: Thursday, January 9, 2020 2:17:06 PM

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Greg Renzulli

PEL #1554

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Thank You

Joe Macari

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To: [Duhamel, Peter \(DEM\)](#)
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Date: Thursday, January 30, 2020 9:44:56 AM

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Subject: [EXTERNAL] : 250-RICR-90-00-3
Date: Friday, January 31, 2020 8:26:57 AM

I am writing this email to try to effect a change in the proposed rules concerning fishing days for striped bass. I have been married to a fisherman for 40 years and it is difficult to have him away from home on weekends and holidays when his family is home. We have children and grandchildren that all have weekends off. If you can change the fishing days from Sunday through Wednesday to Monday through Thursday that would truly be appreciated. Lee Papa

Sent from my iPad

----- Original message -----

From: mlanni1956 <mlanni1956@gmail.com>

Date: 1/9/20 1:38 PM (GMT-05:00)

To: nicole.lengyel@dem.ri.gov

Subject: Striped bass

Hi Nicole

I would like to go on record as supporting the current status quo season regarding the commercial harvest of striped bass. Specifically, I am in support of harvesting 100% of the allowed quota during the spring season with no fall seasonal harvest.

Thank you,

Mike Lanni, lic #984

From: [Mike Mcelroy](#)
To: [Duhamel, Peter \(DEM\)](#); nicloe.lengyel@dem.ri.gov
Subject: [EXTERNAL] : Commercial striper options
Date: Monday, February 17, 2020 4:00:58 PM

Hi Peter & Nicole .

Just wanted to put in words my choice for the commercial season .

May 29th , 4 days ,5 Fish with Friday, Saturday & Sunday as off days

I don,t know why we don,t have a weekly quota of 25 fishI think it would you time to see what,s what & for us with smaller boats actually fish . We lose a fair amount of time to weather & seeing most of us arn,t kids our bodies take a beating . and some days ya can,t buy a fish & the next day you have to quit , Be nice to even them out . Block Island is another world , which is another sad story .

Thankyou Mike McElroy

From: [Mark Sherer](#)
To: [Duhamel, Peter \(DEM\)](#)
Cc: [Mark Sherer](#); [Joe Macari](#)
Subject: [EXTERNAL] : 2020 comm stb
Date: Thursday, January 30, 2020 7:14:19 AM

Peter:

I am in favor of five fish, four days with Friday, Saturday and Sunday closed. I also support the 60/40 split. I agree with Joe Macari's comments regarding Sunday. Also, if the daily limit is less than five fish, it becomes difficult to justify the financial feasibility of targeting Stripers.

From: [Steve Winters](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Striped Bass
Date: Friday, February 21, 2020 2:28:23 PM

Dear Peter, I am a Block Island resident since 1982. I have been an extremely active fisherman in this state and have done so commercially and recreationally. Block Island's Southwest ledge is an embarrassment to all things related to the conservation of Striped Bass. This area is a staging area for some of the last great fish, It attracts vessels from as many as 4 near by states. From my surf casting perches, it resembles the lights from a great city there are so many boats. The decimation and carnage created by ripping the last breeder bass from those depths must be unbelievable. How many never regain and survive? I would be in favor of a total moratorium, but I realize this would not keep the highly paid lobbyist of the for hire fleet satisfied. There is an amazing amount of small fish now. This is encouraging. Please don't let them be picked to death with changing slot limits. At least we should try to stay in line with our neighbors, and not let greedy for hires set the limit. So I will ask you to please consider a 28" to 35" slot, because everything else is just awful. Close it down for the fish, and my children. Thank you for giving me this opportunity to voice my feelings.

Sincerely, Steve Winters P.O. Box 41 Block Island

Sent from my iPad

Kenneth T Murgo
RI MP License #001365
F/V Johnny B
57 Woodlawn Avenue
Bristol, RI 02809
Kenneth.Murgo@gmail.com
(401) 368-4397

February 11, 2020

Subject: Comment on 2020 Finfish Regulations

Dear Marine Fisheries Council,

I urge you to recommend **Option 2** (42.5%, 15%, 42.5% sub period allocations) for **2020 commercial tautog management** as this option is fair and equitable to all the fisherman of Rhode Island. The spring sub-period is vital to full-time fixed gear and Narragansett Bay fishermen as this is the time of year when tautog interact with fixed gear and are accessible to Narragansett Bay fishermen. By the time the fall sub-period opens the fish are moving south and leaving the Bay. Also, as tautog are the first fish to return to our waters every year in late April/early May the spring tautog sub-period is vital to full time fishermen as other fisheries do not pick up until later in May and we are coming off a long winter with minimal earnings.

Therefore, giving a higher quota allocation to the fall sub-period (option 1) is unfair to a large portion of RI fishermen as it favors one user group (Newport and South County rod&reel) while being detrimental to others that rely on the spring sub-period for early season profitability (Bay and fixed gear fishermen). Historically the spring and fall sub-periods have had equal allocations and should be kept that way for 2020 (in 2017 it was **33%**, 33%, **33%**; in 2018 it was **40%**, 20%, **40%**; in 2019 it was **50%**, 0%, **50%**).

Thank you for your consideration,
Ken Murgo

2-10-20 Public Hearing comment

Regarding the 1-9 Workshop, my biggest issue is one that I have mentioned in the past - many recreational anglers are asking for the recreational BSB season to open earlier in 2020. I would like to see an opening date of 5-29, but I would be OK with an opening on June 1. I think that this is important even though it will mean that the "bonus season" in the fall needs to be reduced. I also know that the RI Party & Charter Association will not want significant reductions in the fall fishery, but I feel that it would be a reasonable compromise to keep the bag at 3 per day as long as necessary in the fall to accomplish the earlier opening.

Regarding fluke, recreational regs will be a problem for 2020 no matter what is done. Even status quo means very little ability to catch fluke over 19" by recreational anglers due largely to the increased commercial pressure driven by increased commercial quotas. I know this is an issue that needs to be addressed at a higher level such as the ASMFC and the MAMFC and RISAA is working on this issue and how the new MRIP estimates may be contributing to the problem.

On Bluefish I know that Federal requirements are going to greatly restrict recreational harvest. I guess it will be 3 fish per person per day and I guess that will be for any size, including snapper blues.

My comment on Tautog is that I would really like to work on regs that level the playing field again so that private anglers and P/C are fishing the same regs. I get many complaints from RISAA members who are fishing next to a Charter boat that can take 40 fish while they can only take 10 per boat. One thing that worries me is that 2019 was such a good year for catching tautog that I suspect catches were much higher than projected. I am sure this was due to a higher SSB rather than just due to more fishing pressure, but I hope it doesn't mean that we are in trouble for high rate of harvest.

Regarding Striped Bass, I am OK with the slot limit and mandatory circle hook provisions that ASMFC provided. I do not believe that we should have 2 different slots in effect for private anglers versus P/C. Besides the basic issue that I don't think it is fair, I also think it would have a negative effect on the fish. Coastwide if one group is keeping 28"- 34" and another group is keeping 30" to 40" then the entire population from 28" to 40" is under harvest pressure and this scenario was not evaluated in the technical committee document to the best of my knowledge.

Regarding Haddock, I didn't hear it brought up last night, however I don't agree with a larger minimum size for recreational haddock than commercial haddock. Both should be at 16". I have 2 reasons for this: 1 - I understand that Haddock do very poorly when caught and released with very poor survival and; 2 - the amount of haddock caught by recreational anglers in RI is very small so there is no reason to increase the discard mortality by increasing the minimum size.

Thank you,

Rich Hittinger

Recreational Fisherman

Warwick, RI

Pete,

I propose 15% to come from the spring sub-period. Unfortunately I will be unable to attend the meeting.

Amended Proposal: Reinstate the August 1st-September 15th opening of commercial tautog, with 15% of yearly quota taken from the spring sub-period.

Sean

**RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

DIVISION OF MARINE FISHERIES



**Rhode Island Saltwater Recreational
Fishing License Program**

Annual Report

Fiscal Year 2019

Approved by the RI Marine Fisheries Council on March 2, 2020

Prepared pursuant to R.I. Gen. Laws § 20-2.2-10

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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:

1) It provides a state-based alternative to federal saltwater angler registry requirements, which are administered by the National Marine Fisheries Service (NMFS) pursuant to the 2006 Amendments to the federal Magnuson-Stevens Fishery Conservation Act (section 401(g)) (hereinafter referred to as the “Magnuson Act Amendments”).

2) It provides a source of state funding for programs and activities that benefit marine recreational fishing interests in Rhode Island.

The Magnuson Act Amendments mandate the establishment of a national registry program for all saltwater anglers, for use in conducting more accurate marine recreational fisheries statistical surveys; those surveys serve as the backbone of marine fisheries management programs for the recreational fishing sector. In December 2008, NMFS promulgated the final rule creating the registry, and also established an option for states to develop their own state-based licensing programs as an alternative, provided that the state programs meet federal criteria.

The RI license fees -- \$7/year for residents (under age 65), \$10/year for non-residents, and \$5 for a 7-day license – are designed to both cover the administrative costs of the license program and provide additional support to programs and activities that serve the needs and interests of saltwater recreational fishermen in Rhode Island.

The statute establishing RI’s Recreational Saltwater License Program – RIGL Chapter 20-2.2 – was shaped and supported by a Recreational Marine License Study Group, co-chaired by the R.I. Department of Environmental Management (hereinafter, the “Department”) and the R.I. Saltwater Anglers’ Association. The group included representatives from a variety of recreational fishing groups and interests from Rhode Island.

The statute includes a section titled *Accountability and oversight* (RIGL Section 20-2.2-10). Pursuant to that section, the Department is charged with preparing an annual report that details the number of recreational saltwater licenses issued, the total amount of license fee revenue received, the expenditures made during the prior year from the license fee account, and how the Department plans to allocate and use the fee revenue during the next year. The report is also slated to include any additional, relevant information relating to the administration and enforcement of the licensing program, and the status of state-based recreational fishing assessments and stock assessments.

The statute calls upon the Department to submit the report to the Rhode Island Marine Fisheries Council, and for the Department and Council to then conduct one or more public meetings to solicit input from recreational fishermen and the general public. The Council is then tasked with preparing an addendum to the report, setting forth its opinion on whether the licensing program is meeting its intended purpose, and offering any recommendations for modifying the program. The report and addendum are then to be submitted to the Rhode Island General Assembly.

b. Status

The Department's Division of Fish & Wildlife, Marine Fisheries Program (hereinafter, the "Division") developed the RI recreational saltwater license program early in 2010, and the program officially took effect on April 15, 2010.

As established by the statute, anyone wishing to recreationally fish or spearfish in the marine waters of Rhode Island must possess either a RI state fishing license, a state fishing license from a reciprocal state, or a federal registration. The requirement solely pertains to those harvesting, or attempting to harvest, finfish for non-commercial purposes. In 2012, regulations were amended to have the requirements also include those harvesting, or attempting to harvest, squid. Exemptions are provided for the following categories:

- Children under 16,
- Anglers fishing on licensed party or charter boats,
- RI residents who are blind or permanently disabled, and
- RI residents who are on leave from active military duty.

RI residents over the age of 65, and active military personnel stationed in RI, are eligible to obtain RI state licenses at no cost.

The new federal registry requirements also pertain to for-hire vessels, requiring that they either register federally or be subject to state-based licensing. Pursuant to a previously enacted state statute – RIGL section 20-2-27.1 – Rhode Island requires for-hire vessels (charter and party boats carrying recreational fishermen) to obtain a RI party and charter boat license.

In the summer of 2010, the Division submitted the new RI recreational saltwater fishing license program, and the existing RI party and charter boat license program, to

NMFS for review. On October 25, 2010, NMFS and the Division entered into an MOU, pursuant to which the Division agreed to regularly collect and transmit to NMFS the contact information generated by the two programs.

On the basis of NMFS' review and approval of the RI license programs, and the commitments set forth in the MOU, the State of Rhode Island was officially designated as an exempted state for all anglers, spear fishers, and for-hire fishing vessels on November 8, 2010 – enabling the RI recreational saltwater fishing license program, and the RI party and charter boat license program, to serve as a valid, legal substitutes for the federal registry.

During 2010, a federal registration was available at no cost. Beginning in 2011, NMFS enacted a \$15 annual fee for the federal registration. The annual cost has since increased to \$29.

Because the federal registration did not have a fee during 2010, it was difficult to assess the metrics of the RI program during its inaugural year. Since 2011, the program has equilibrated, providing more predictable participation and revenue rates. The average number of licenses issued between 2011 - 2017 was approximately 42,000 per year, generating average revenues of about \$270,000 gross and \$180,000 net. For the last two years (2018 and 2019) this figure has risen to approximately 50,000 licenses issued per year generating average revenues of about \$300,000 gross and \$200,000 net. All net license fee revenues, those not retained by the program vendor, are deposited into a restricted receipt account.

c. Benefits

The overarching benefits of recreational license programs are their potential for improving recreational fishing management by:

- Allowing flexibility in the administration of the recreational license program to suit the needs of Rhode Island.
- Improving the quality and accuracy of marine recreational fishing data; and
- Providing an improved means for quantifying the scope of recreational saltwater fishing and spearfishing in Rhode Island, and throughout the U.S.

A key benefit of having the State of Rhode Island administer its own license program is the opportunity to make the license available at a lower cost than a federal registration. The \$7 (resident) and \$10 (non-resident) fees for the RI license compare favorably to the \$29 fee for the federal registration. Moreover, RI does not require state residents over the age of 65, or any active military personnel stationed in RI, to pay a fee for a license. RI offers a 7-day license at a reduced rate of \$5, available to both residents and nonresidents.

An additional benefit of having RI administer its own program is that the State program offers certain exemptions that are not available under the federal program – namely, exemptions for RI residents who are blind or permanently disabled, and RI residents who are on leave from active military duty.

Another benefit of having a RI state program is reciprocity with neighboring states and federal waters. Pursuant to Rhode Island’s licensing statute, Rhode Island will extend reciprocity to any other state that offers reciprocity to Rhode Island. Any resident from a reciprocal state who is licensed by that state can fish in RI waters without having to obtain a RI license, provided that a RI resident with a RI license can fish in the waters of the reciprocal state without having to obtain a license from that state. The states currently covered by a reciprocity agreement with Rhode Island are: New York, Connecticut, Massachusetts, and Maine.

A portion of each Rhode Island license sold, \$2 for every license sold online, and \$3 for every resident license sold via a vendor, is used to cover the costs of administering the licensing program. An additional charge of \$3 per license is assessed if a non resident buys a license at a brick and mortar vendor. This money goes directly to the vendors who administer the program, and are not revenues received by the state. In this way, the program covers its own costs and is self-sustaining.

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

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

d. Implementation

Internet Based System & Local Vendors

Section 20-2.2-7 of the statute establishing the license program authorizes and directs the Department to engage the contractual services of a state-approved vendor to develop and implement a web-based system that serves as a portal to obtain licenses. The system developed by the vendor is used directly by recreational fishermen and by authorized licensing agents.

During the initial program development stage, the Department entered into a formal agreement with Rhode Island Interactive (RII), which 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 FY2020, 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. Future camps will use recreational saltwater license revenue will be used to match the federal grant in the event that volunteer hours are not available.

Free Fishing Day

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

e. Licenses Issued, Revenues Received: Fiscal Years 2011-2019

Tables 1-3 summarize licenses issued and revenue generated since the inception of the license program. For the purposes of this report gross revenue is the total amount of fees paid to RIDEM for the saltwater recreational license. Net revenue is the balance of fees deposited into the restricted account after the administrative costs are paid to the internet portal contractor and other brick and mortar vendors. License numbers and revenues increased after FY11, as expected, as the federal registry switched from being a free alternative to a costly alternative. In the seven years since FY11, license issued have increased to approximately 50,000 per year, generating an average gross revenue of about \$330,000, and average net revenue of about \$234,000. Despite the increases, the number of licenses sold and revenue generated fall well short of initial predictions from 2010, resulting in a much more constrained budget than originally envisioned. FY19 continued was slightly behind the high point achieved in FY18 with license sales still above the recent average. During FY19 48,737 licenses were issued resulting in \$324,817 in gross revenue and \$218,448 in net revenue. This was slightly less than from FY18 but still above the average and the second highest total in the series. While sales fluctuate from year to year it is still an indication that the recreational salt water licensing program is not losing ground and still has potential to grow.

Table 1. RI Saltwater Recreational Fishing Licenses – Number Issued: FY11 through FY19

License Type	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19
Resident Full Year	18,658	26,556	25,864	25,938	26,084	29,335	28,605	31,576	30,155
Non-Resident Full Year	5,249	7,649	6,975	7,432	7,381	8,428	8,378	8,762	8,721
Resident 7-Day	60	122	107	144	134	159	158	167	135
Non-Resident 7 Day	1,310	2,505	2,730	2,958	3,055	3,141	3,221	3,436	3,430
Resident Over 65	3,635	4,613	4,653	4,667	4,704	5,078	5,613	5,879	5,489
Active Military Stationed in RI	703	993	996	1,055	992	1,006	971	975	807
Totals:	29,615	42,438	41,325	42,194	42,350	47,147	46,946	50,795	48,737

DRAFT

Table 2. RI Saltwater Recreational Fishing Licenses -- Gross Revenue: FY11 through FY19

License Type	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19
Resident Full Year	\$130,606	\$185,892	\$181,048	\$181,566	\$182,588	\$205,345	\$200,235	\$221,032	\$211,085
Non-Resident Full Year	\$52,490	\$76,490	\$69,750	\$74,320	\$73,810	\$84,280	\$83,780	\$90,938	\$93,495
Resident 7-Day	\$300	\$610	\$535	\$720	\$670	\$795	\$790	\$835	\$675
Non-Resident 7 Day	\$6,550	\$12,525	\$13,650	\$14,790	\$15,275	\$15,705	\$16,105	\$17,639	\$19,562
Resident Over 65	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Active Military Stationed in RI	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Totals:	\$189,946	\$275,517	\$264,983	\$271,396	\$272,343	\$306,125	\$300,910	\$330,444	\$324,817

Table 3. RI Saltwater Recreational Fishing Licenses -- Net Revenue: FY11 through FY19

License Type	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19
Resident Full Year	\$88,462	\$124,413	\$120,880	\$120,736	\$121,175	\$136,810	\$133,772	\$155,040	\$140,853
Non-Resident Full Year	\$40,702	\$58,566	\$53,340	\$56,970	\$56,682	\$64,923	\$64,664	\$68,952	\$67,723
Resident 7-Day	\$174	\$352	\$304	\$411	\$382	\$453	\$430	\$477	\$384
Non-Resident 7 Day	\$3,605	\$6,528	\$6,988	\$7,794	\$8,085	\$8,445	\$8,765	\$9,465	\$9,488
Resident Over 65	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Active Military Stationed in RI	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Totals:	\$132,943	\$189,859	\$181,512	\$185,911	\$186,324	\$210,631	\$207,631	\$233,934	\$218,448

III. Status of State-Based Fishing Assessments

Rhode Island's recreational catch and effort data is collected via the Marine Recreational Information Program (MRIP). MRIP is designed to improve recreational data collection by using the data generated from license sales to create a national recreational angler registry and by employing new angler survey protocols. This registry of licensees is a known sampling frame that can be drawn upon to conduct more focused surveys. Addresses taken from the registry are used to assess fishing effort, i.e., the number of anglers and the number of trips they make in Rhode Island. Catch data is collected by intercept interviews with anglers at fishing access sites. This catch data is used to calculate the number, species, and size of the fish being caught by recreational anglers in Rhode Island. Data from the two independent surveys is combined to produce regional and coast wide estimates of recreational harvest. Results are reported in two-month periods called waves. This data is collected during the months of March through December; no intercepts for shore, private/rental, or party charter modes are collected in Rhode Island during wave 1 (January - February) due to low fishing activity. RIDMF does sample in Head boat mode during wave one as part of the add on sampling coverage. Samplers ride along on head boats twice per month in January and February to collect data on cod, tautog, and black sea bass winter fishing trips.

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

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

The second portion MRIP focuses on the collection of recreational catch statistics. As of 2016, the Division is responsible for conduct of the Access Point Angler Interview Survey (APAIS). Prior to that, the Division had a contract with the federally approved contractor, to perform the APAIS. APAIS is the portion of MRIP which captures the recreational catch data. The accuracy of the data collected via angler intercepts has been

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

To further add to the above-described improvements, the Division is increasing the number of sample draws across all months using revenues from Rhode Island Saltwater Recreational Fishing License matched 3:1 with USFWS federal grant money. The funds are being used to hire four additional seasonal employees during the summer months to perform these additional interview shifts. The Division plans to continue this practice into the foreseeable future. This state-specific increase in sample numbers has increased the accuracy and precision of recreational catch and effort data for RI.

As mentioned above, APAIS has transitioned from contractor-based administration to state-based administration. The transition occurred in 2016. The data collected from APAIS is displayed in table 4a, 4b, 4c and 5. Recreational Saltwater License funds were not used to make this transition; it was a federally funded initiative. Agreements have been forged between NOAA Fisheries and the Atlantic States Marine Fisheries Commission (ASMFC) outlining the duties and responsibilities the Division must accomplish to successfully transition and run the program. To accomplish this transition the Division hired a full time coordinator to administer the program. The funding for this position is provided annually by NOAA Fisheries. The MRIP coordinator 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 a full time field interviewer to perform angler intercepts during waves 2 -6 throughout Rhode Island. NOAA Fisheries provides funding for one 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 employee also provides back office support to the MRIP coordinator. As mentioned above, Recreational Saltwater License funds will be used each year to increase the number of interviews beyond the base number funded by NOAA Fisheries. These additional interviews are accomplished by hiring additional seasonal employees during peak fishing waves. The funding for the three additional

seasonal employees is provided by Rhode Island Recreational Saltwater License fees matched 3:1 with USFWS grant money. It is estimated that the four additional temporary samplers will accomplish the same number of additional samples (likely more) than were purchased directly from the contractor in the past. After one year of the new methodology it has been determined that two additional seasonal employees is an effective number to conduct the additional site assignments requested by the Division. By ordering additional samples from NOAA Fisheries, the tiered nature of the sample draws can result in summer weekend days requiring six staff members to carry out all of the site assignments. Non weekend sample draws are less intensive and require fewer staff.

The Division intends to build on the recent improvements to the survey and anticipates better data collection and more accurate information going forward with the program. Tables 4a and 4b, show the assignment statistics by wave and mode for 2018 and 2019. Table 5 compares 2016, 2017, 2018, and 2019 APAIS interview statistics. The results compare the first four years of RI State conduct of the survey. Notably the number of completed interviews has increased but refusal rates only slightly decreased. Staff will continue to develop strategies to reduce the number of refusals.

The higher number of completed interviews is a function of higher angler encounter rates. During the early sampling waves of 2016, the Division was still learning the nuances of conducting the survey. A key part of the process involved adjusting the site pressures used by NOAA Fisheries to make the random assignments directing where interviews take place. Rhode Island site pressures needed adjustment because they were not resulting in random draws that would direct field interviewers to popular fishing sites. The adjustments have been accomplished and their effectiveness is reflected in a higher number of completed interviews between 2017 and 2019 relative to 2016. Field interviewer production rates continued to contribute to more completed interviews in 2019. Production rates remained steady between 2018 and 2019 with an average of 6.6 interviews/assignment. The sustained high field interviewer production rates are the result of the experience gained in our first year of the program and a more refined training regimen. It is anticipated to maintain this increased production in 2020 as there are 3 field interviewers returning from 2019. These FIs have one or two years of training under their belts, which should foster higher productivity.

Refusal rates have decreased slightly between 2016 and 2019 but still could be lower. 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. 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.

New for FY2020, RIDMF will be assuming the duties for maintaining the vessel registry, the For-Hire Telephone Survey (FHTS), and Large Pelagics Survey (LPS) for Party/Charter and Head Boats. The vessel registry is used to randomly select for hire vessels for inclusion in the FHTS as well as add them to the vessel good list. The good list is the list of vessels which are active in any given wave and are available to be interviewed as part of APAIS and surveyed via the FHTS. The FHTS is used instead of the FES to collect fishing effort data to be compiled with APAIS to create recreational harvest estimates for the for-hire fleet. The LPS is another telephone survey which collects fishing effort data but specific to large pelagic species of fish such as tunas and sharks. **RIDMF will receive additional funds from NOAA Fisheries to provide for staff time to make these calls throughout the year. No recreational license fees will be used to run this survey.** The concept behind the state taking over the FHTS and LPS is that those surveys will now have a local brand associated with them which will in turn increase participation. Other states that have already taken over conduct of these two surveys have experienced better results since taking over the job from the federal contractor (Quantech). The increased participation can be credited to having the same core group of staff making the calls building a repour with the for-hire captains as opposed to a random person calling them from week to week. RIDMF plans to use similar methods using the same two staff members to make all the calls to the RI for-hire fleet.

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Table 4a. APAIS Interview Statistics from 2018 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
2018	2	CH	3	0	0	0	0	0
2018	2	HB	3	45	3	6	0	15
2018	2	PR	17	8	5	7	0	0.47
2018	2	SH	22	96	38	1	19	4.36
2018	3	CH	43	169	257	3	84	3.93
2018	3	HB	12	154	41	25	0	12.83
2018	3	PR	54	229	98	32	79	4.24
2018	3	SH	61	230	136	54	114	3.77
2018	4	CH	54	612	578	12	385	11.33
2018	4	HB	19	354	177	21	0	18.63
2018	4	PR	73	452	151	37	185	6.19
2018	4	SH	53	322	83	81	134	6.08
2018	5	CH	42	284	361	7	158	6.76
2018	5	HB	13	135	69	38	0	10.38
2018	5	PR	63	435	94	33	178	6.9
2018	5	SH	40	204	59	72	98	5.1
2018	6	CH	10	14	61	0	11	1.4
2018	6	HB	8	69	58	59	0	8.63
2018	6	PR	18	67	17	4	35	3.72
2018	6	SH	28	49	11	7	41	1.75
2018			636	3928	2297	499	1521	6.57

Table 4b. APAIS Interview Statistics from 2019 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
2019	2	CH	3	0	0	0	0	0
2019	2	HB	5	53	14	10	0	10.6
2019	2	PR	13	43	8	18	0	3.31
2019	2	SH	30	103	41	3	0	3.43
2019	3	CH	37	258	234	2	10	6.97
2019	3	HB	16	225	124	38	0	14.06
2019	3	PR	42	230	50	20	0	5.48
2019	3	SH	61	288	52	82	1	4.72
2019	4	CH	61	417	283	11	24	6.84
2019	4	HB	19	357	294	16	0	18.79
2019	4	PR	80	674	133	75	9	8.43
2019	4	SH	51	211	55	45	2	4.14
2019	5	CH	28	156	141	8	7	5.57
2019	5	HB	12	122	68	50	0	10.17
2019	5	PR	58	566	100	53	5	9.76
2019	5	SH	44	200	45	71	3	4.55
2019	6	CH	6	19	44	6	0	3.17
2019	6	HB	7	77	29	16	0	11
2019	6	PR	14	0	0	0	0	0
2019	6	SH	25	44	2	5	0	1.76
			612	4043	1717	529	61	6.64

Table 5. Summary of APAIS interview Statistics from 2016 – 2019 assignments by wave.

Year	Wave	Completed	Refused	Missed	Percent Refused	Percent Complete
2016	2	116	63	8	35.20%	62.03%
2016	3	396	549	65	58.10%	39.21%
2016	4	857	1157	260	57.45%	37.69%
2016	5	665	557	143	45.58%	48.72%
2016	6	111	61	4	35.47%	63.07%
2016		2145	2387	480	53.00%	42.80%
2017	2	124	15	13	10.79%	81.58%
2017	3	759	579	146	43.27%	51.15%
2017	4	1908	1011	629	34.64%	53.78%
2017	5	901	518	267	36.50%	53.44%
2017	6	149	94	37	38.68%	53.21%
2017		3841	2217	1092	36.60%	53.72%
2018	2	149	46	19	23.58%	69.63%
2018	3	782	532	277	40.49%	49.15%
2018	4	1740	989	704	36.24%	50.68%
2018	5	1058	583	434	35.53%	50.99%
2018	6	199	147	87	42.48%	45.96%
2018		3928	2297	1521	36.90%	50.71%
2019	2	199	63	31	21.50%	67.92%
2019	3	1001	460	188	27.90%	60.70%
2019	4	1659	765	431	26.80%	58.11%
2019	5	1044	354	249	21.49%	63.39%
2019	6	140	75	10	33.33%	62.22%
2019		4043	1717	909	25.75%	60.62%

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 successfully rolled out a new outdoor recreational licensing system which will allow saltwater, freshwater, and hunting licenses to be purchased over the internet at once. 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 has resulted in the saltwater license being available at more brick and mortar locations. Saltwater recreational fishing licenses are now sold at over 30 locations throughout the state including municipalities and the RIDEM Boating Registration office. This increased access to the fishing license and a sustained outreach campaign associated is the likely reason that license sales remained relative level in FY2019.

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 have reduced 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 2018 and 2019 fiscal cycles, this number increased to ~50,000 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 Departments 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 FY2019 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 executed these email reminders beginning in 2017 and will continue to do so. 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. FY19 Expenditures

During the 2019 fiscal year, a total XXX of was spent on the Rhode Island Marine Recreational Fishing Program (Table 6). This amount is down from the \$109,267 expended in FY2018. Of that total:

- \$15,776 was used to hire two additional seasonal field interviewers to accomplish additional MRIP intercept interviews.
- \$115,172 was used for personnel (\$98,545) and equipment costs (\$16,627) in support of the Division's finfish surveys for stock assessments.
- \$12,726 was used for the management of the Marine Recreational Fisheries Program.

- \$12,726 was used to support the Division's boating/fishing access site maintenance program. Maintenance was performed at marine shore fishing access sites including mowing, brush removal, tree limbs and downed trees removal. Litter and trash is removed weekly, or biweekly as needed. Fishing line recycle boxes under our oversight are emptied of fishing line. Snow was plowed in some saltwater access areas. Location and regulation signs were inspected monthly at each fishing site and repaired or replaced as needed. Specifically:
 - Camp Cronin – grade and repair parking area, installed signs and trash removal;
 - Contracted portable sanitary facilities for Quonochontaug, Galilee, Deep Hole, Sakonnet, Black Point, Weekapaug, and Camp Cronin, salt water fishing access areas from April through December by Hallman Portable Sanitary Services;
 - Weekapaug fishing access-grade road and parking area, install new location sign, trash and paint gates. Removed trash following volunteer cleanup;
 - Charlestown Breechway-periodically checked area;
 - Quonochontaug- repair and grade road and parking area, repair top of ramp, signs replaced, trash removal, cut back road side, remove and dispose of discarded boat trailer;
 - Sapowet- signage and grade parking area;
 - Deep Hole fishing area- signage, repair snow fence, grade parking lot and road;
 - Kings Beach Fishing access- delivered gravel;
 - Black Point-replaced signs.
 - Removed trash from portajons at Cronin, Deep Hole, Weekapaug and Quonochontaug.
 - Supervised and provided oversight at annual float removal and winter storage of docks at Mt Hope, Haines Park, Galilee and Fort Adams boat ramps with contract vendor- Steel Giraffe. Assisted with the spring installation.
 - Colt Park-checked periodically, contracted dock services, and grating repairs;
 - Haines Park-contracted dock services, removed and disposed of derelict dock and discarded boat from ramp;
 - Mount Hope- contracted dock services;
 - Goddard Park-contracted dock services and removed debris from ramp area;
 - Narrow River Ramp- graded parking area and ramp repairs, and signage;
 - Pawcatuck River Boat Ramp, Westerly- signage, removed debris and trash. Continued to monitor ramp damage;
 - Passeonquois Cove-signage and remove debris;
 - Sakonnet Point boat ramp-signage, reposition no parking signs, install new handicap parking only sign and graded ramp;

- Galilee Boat Ramp-delivered gravel, repaired parking lot, contracted dock services, checked periodically, replaced signs, and removed piling from ramp;
 - Charlestown Breachway- periodically checked and ramp repairs;
 - Ft. Adams - transported gravel for repairs and contracted dock services;
 - Gull Cove-picked up trash from citizen cleanup and signage.
- \$8,036 was used for public education, information, and outreach, including production of the sixth annual Rhode Island Recreational Saltwater Fishing Guide, the one page laminated fishing abstract, and other outreach materials.

Table 6. FY2019 Recreational Saltwater License Program budget.

Category	FY18 Carryover	FY19 Revenue	FY19 Available	FY19 Expended
Enhanced MRIP Data Collection	\$76,271	\$0	\$76,271	\$15,776
Boating/Fishing Access I	\$114,652	\$41,609	\$156,261	\$575
Boating/Fishing Access II	\$48,904	\$0	\$48,904	\$10,140
Rec Fisheries Support	\$33,510	\$10,402	\$43,912	\$12,726
Fish Stock Assessment Support	\$63,083	\$124,827	\$187,910	\$115,172
Artificial Reef	\$11,697	\$20,805	\$32,502	\$0
Public Education, Information, and Outreach	\$38,816	\$20,805	\$59,621	\$5,239
TOTAL	\$386,933	\$218,448	\$605,381	\$159,628

c. FY20 Budget

The budget for FY20 is described in Table 7. It is anticipated that the restricted receipt account will receive another \$200,000 from FY20 license sales, and the proposed FY20 Programmatic Budget, as set forth below, is based on that amount. The revenue will be allocated into each of the budget categories based on projected short and long term spending.

Table 7. FY2020 Recreational Saltwater License Program budget.

Category	FY19 Carryover	FY20 Revenue	FY20 Available	FY20 Budgeted
Enhanced MRIP Data Collection	\$60,495	\$10,000	\$70,495	(\$15,000)
Boating/Fishing Access I	\$155,686	\$30,000	\$185,686	(\$150,000)
Boating/Fishing Access II	\$38,764	\$0	\$38,764	(\$10,000)
Rec Fisheries Support	\$31,186	\$10,000	\$41,186	(\$10,000)
Fish Stock Assessment Support	\$72,738	\$140,000	\$212,738	(\$150,000)
Artificial Reef	\$32,502	\$0	\$32,502	(\$0)
Public Education, Information, and Outreach	\$54,382	\$10,000	\$64,382	(\$10,000)
TOTAL	\$445,753	\$200,000	\$645,753	(\$345,000)

1. Enhanced MRIP Data Collection (\$15,000)

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 \$15,000 investment will leverage an additional \$45,000 in federal (SFR) funds to provide \$60,000 in total programmatic benefits. The \$60,000 will allow the Division to hire three additional seasonal field interviewers to staff additional samples ordered from NOAA Fisheries. The addition of these three staff members plus the full time coordinator, one full time field interviewer, and four seasonal field interviewers funded via NOAA Fisheries base MRIP grant bring the total number of staff working on the APAIS to nine. The Division has a contract with the Atlantic States Marine Fisheries Commission to provide staffing support for these employees. The \$15,000 figure was derived from personnel costs incurred in 2019.

2. Boating/Fishing Access I (\$150,000)

Proposal. Major renovations at Quononchontaug boat ramp.

Rationale. The next fishing access projects to be funded with recreational saltwater license funds will be the ramp located at the Quononchontaug fishing area. This boat ramp is heavily used during the summer and fall. During the winter of 2017 the ramp sustained significant erosional damage and needs repair. The damage is such that the existing ramp will need to be completely replaced and regraded. Originally the project was to have been complete in spring of 2019 but it has been delayed by a year. . The project is currently underway and on track to be completed by April 2020. The funding provided by the Saltwater Recreational Fishing License and USFWS SFR will begin once the construction has started at the site. Using \$150,000 in licensing to leverage \$450,000 in SFR funds frees up \$600,000 to be used on this project, expediting the public access program as a whole.

3. 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. It should be noted that last year there was some

confusion with the accounts charged to accomplish the maintenance work at the access sites. A new funding source was secured to accomplish some of the work done by the RIDEM development crew. The original plan was to draw from both grant where appropriate. Due to overlap in work scope far less than anticipated was drawn from this grant in FY18. This was be addressed in FY19 such that this account is drawn from as in the past and work expanded if possible.

4. 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.

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

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. The amount allocated for this category is being increased in anticipation of providing partial funds to purchase a new research vessel which will be used as the platform for the RIDMF black sea bass pot survey, being built in 2019. The vessel build is on track and RIDMF expects to take delivery of the boat in May 2020.

6. Artificial Reef Support (\$0)

Proposal. The Division has successfully deployed a small scale artificial reef adjacent to the state fishing pier at Sabin Point. No new artificial reef projects have been proposed currently hence no budgeted expenditures for FY2020. The Division anticipates more artificial reef work to in the future and will keep the \$32,502 in this budget category to be used as match for future projects.

Rationale. The Division is currently working on a fish habitat enhancement project with support from The Nature Conservancy and the USFWS SFR program. The project 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. Now that Sabin Point is complete, the Division will evaluate other locations for deployment, likely the newly built Rocky Point Fishing Pier.

7. Public Education, Information, and Outreach (\$10,000)

Proposal. To continue the annual one-page water resistant regulation abstract and the Rhode Island Recreational Saltwater Fishing Magazine, fund a youth fishing camp conducted by the Rhode Island Saltwater Angler's Association, and purchase new field interviewer uniforms. Additionally, RIDMF staff will be creating instructional videos on a range of saltwater fishing topics including safe handling practices, use of circle hooks, fish identification, as well as other relevant topics. This will require additional staff time,

the purchase of a go pro style camera and some video editing software hence the increase in projected budget in this category.

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 2019, the Division published the sixth annual edition of the Rhode Island Recreational Saltwater Fishing Magazine. The publication, done in a colorful and appealing magazine style, offers a wealth of information of interest to the marine recreational fishing community in the State. The guide informs fishermen on the issues associated with the licensing program and the associated benefits. It also provides recreational fishing information as well as other issues of interest to the community, including current regulations, informative articles, and lists of local bait and tackle shops and party/charter boat services. While the Division continues to provide information to the Rhode Island recreational fishing community via the Division's website and an annual abstract that features recreational and commercial fishing regulations, the magazine enhances the Division's ability to connect with and inform recreational fishermen, and to promote recreational fishing in Rhode Island. The publication has been well-received, and so it makes sense to continue utilizing a small portion of funds from the license account to fund it annually.

Since 2016, the Division has participated in the Rhode Island Saltwater Anglers Association's (RISSA) youth fishing camp. Prior to 2016, there were no dedicated Saltwater Fishing community based instructional programs in Rhode Island. Each year, RISSA has conducted a successful pilot youth fishing camp for 50 children between the ages of 7 and 14 at the end of June. The camp doesn't just focus on fishing techniques but additionally taught the attendees about fishing regulations, ecology and sustainable practices. Youth programs have been recognized as important to keeping vitality in the recreational fishing industry as well as developing a more informed and responsible fishing populace. (1) This educational program was a pilot program intended to show proof of concept, funding is required to keep it going into the future. The Division provided funding to RISSA in 2017 to keep the program going into future to fill this programmatic gap.

The 2017 camp began to be funded completely by the Division's Aquatic Education program via credits for volunteer hours spent by RISAA member's and USFWS Sportfish Aquatic Education grant. The Division proposes to continue to support and fund the camp into the future. While it is anticipated that volunteer hours will provide the match for the 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 \$10,000 of Recreational Saltwater Fishing License funds to leverage additional \$30,000 in USFWS SFR funding resulting in \$40,000 used for outreach and education pertaining to the recreational fishing license.

VII. Looking Ahead to FY20

There is cautious optimism that the increased revenue generated in FY16 – FY19 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. Additionally, as mentioned above, the Division is in the build phase of purchasing of a new research vessel. This vessel will be used to survey sportfish species and specifically be used to conduct the Black Sea Bass pot survey in 2020 (among other activities). It is anticipated that recreational saltwater license fees will be used to partially match the federal funding required for this purchase. Also be sure to look out for us on social media as we have plans to increase our presence in the form of instructional videos and other educational topics relative to Marine Fisheries.

Rhode Island Marine Fisheries Council

2019 Annual Report



Approved by the RI Marine Fisheries Council on March 2, 2020
Submitted to the Governor and Rhode Island General Assembly on **DATE**

Prepared pursuant to R.I. Gen. Laws § 20-3-2

Introduction

In accordance with R.I. Gen Laws § 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 2019.

Council Responsibility

The Council is established in accordance with R.I. Gen Laws § 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 R.I. Gen Laws § 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 R.I. Gen Laws § 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 R.I. Gen Laws § 20-2-28.2.

In accordance with R.I. Gen Laws § 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 2018, the Council consisted of the following membership:

- Robert Ballou, Assistant to the Director: Chair

- Travis Barao: Sport fishing industry (appointed June 2016; 1st full term expires April 2020)
- Andrew Dangelo: Sport fishing industry (appointed June 2015; reappointed June 2019; 2nd full term expires April 2023)
- Katie Eagan: Commercial fishing industry (replacement for Jeff Grant; appointed June 2019; 1st full term expires April 2023)
- Jason Jarvis: Commercial fishing industry (appointed June 2018; 1st full term expires May 2022)
- David Monti, Vice-Chair: Sport fishing industry (appointed June 2011 (partial term); re-appointed May 2014; reappointed June 2019; 2nd full term expires April 2023)
- Christopher Rein: Conservation and management of fisheries resources/marine biology (appointed May 2013 (partial term); re-appointed May 2014; reappointed June 2019; 2nd full term expires April 2023)
- Dr. Michael Rice: Conservation and management of fisheries resources/marine biology (appointed May 2013 (partial term); re-appointed June 2016; 1st full term expires February 2020)
- Michael Roderick: Commercial fishing industry (appointed June 2016; 1st full term expires April 2020)

Council Meetings

In 2019, the Council met on four (4) occasions: April 1, September 9, October 15, and December 2.

Additionally, the Council's [Industry Advisory Committee](#) met on August 19, and the Council's [Shellfish Advisory Panel](#) met on three occasions: February 20, September 25, and October 23.

The minutes for all meetings are posted to the [Sec. of State website](#) pursuant to [R.I. Gen. Laws Chapter 42-46](#), and also the [Council's webpage](#) as an added convenience to the public.

Council Advice – Regulatory Proposals

In 2019 the Council provided recommendations to DEM Director Coit on the following regulatory proposals brought forth by the Division of Marine Fisheries:

- Recreational and commercial black sea bass for annual review of management plan and/or consistency with the Fishery Management Plans (FMP) for black sea bass
- Recreational and commercial scup for annual review of management plan and/or consistency with the FMP for scup
- Recreational and commercial striped bass for annual review of management plan and/or consistency with the FMP for striped bass
- Recreational and commercial summer flounder for annual review of management plan and/or consistency with the FMP for summer flounder
- Recreational and commercial tautog for annual review of management plan and/or consistency with the FMP for tautog
- Recreational and commercial bluefish for annual review of management plan and/or consistency with the FMP for bluefish

- Commercial menhaden for annual review of management plan and/or consistency with the FMP for menhaden
- Recreational cod for consistency with the FMP for Cod
- Whelk minimum size and whelk pot tagging
- Lobster trap tag requirements
- Gill net tag requirements
- Clarification of applicable dates and the area description of the Upper Narragansett Bay Trawling Area
- Mako shark minimum size for consistency with the Fishery Management Plans 2006 Consolidated Highly Migratory Species FMP
- Dealer regulations for consistency with the Division of Agriculture aquaculture regulations
- Commercial Licensing – annual review of rules and programmatic requirements
- High-grading
- Ocean pout for consistency with the FMP for Ocean pout
- Atlantic wolffish for consistency with the FMP for Atlantic wolffish
- Research Pilot Aggregate Program for the commercial harvest of Black sea bass and Summer flounder
- Cooperative Multi-State Possession and Landing Pilot Program for Summer Flounder
- Shellfish Management Area winter harvest schedules

Council Advice – Aquaculture Lease Proposals

The Council Shellfish Advisory Panel provided recommendations to the CRMC on a total of five (5) aquaculture lease applications. Due to requests from either the applicant or a member of the Council, three (3) applications were brought to the full Council for review and recommendation. In the opinion of the Council, all five (5) 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 meeting on March 2nd, the Council reviewed the Annual Report for the RI Saltwater Recreational Fishing Program for Fiscal Year 2019, 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 [Division's webpage](#).

Advisory Panel appointments

Two (2) new members were appointed to the Council's [Shellfish Advisory Panel](#).

Other Topics heard by the Council

- Comm. Horseshoe Crab quota and harvest
- Allowance for two possession limits from single vessel
- Allowance of direct sales for marine products from vessels to consumers
- Regional fisheries science effort to evaluate impacts of and prepare for offshore wind development
- Economic impact of fishing

- Weekly aggregate possession limits for Skate and Monkfish
- Transiting to/from Block Island with summer flounder, scup, and black sea bass consistent with the NOAA FMP for Summer Flounder, Scup, and Black Sea Bass
- Review of the Division's annually updated Sector Management Plan

Draft

2020 Proposed Licensing Restructure Initiative to Streamline and Calibrate the Rhode Island Commercial Marine Fishing Licensing System

Authored by the Rhode Island Department of Environmental Management

Division of Marine Fisheries

Last updated: January 2020

Introduction

The following document describes a proposal in the Governor's proposed budget to restructure the existing commercial fishing licensing system in Rhode Island (RI). The intent of this restructuring is to streamline the existing system per the desire of many in our commercial fishing industry. In addition to the restructuring, cost recovery needs of the Marine Fisheries program are also addressed. We believe that addressing these two elements will lead to the opportunity for job creation as well as supporting and enhancing economic opportunities in the marine fishing industry in RI. The document goes through the background of the existing licensing program, illustrates the need for rethinking this system, provides the goals of the initiative, and provides some projections on the financial impact of the proposal.

Background

The current commercial licensing system enacted in 2003 was created to modernize the haphazard structure of the commercial licensing system that had previously been in place in RI. The 2003 licensing system was created as commercial fisheries were moving into the era of quota systems and more constrained management. This transition reflected a better understanding that marine resources are not limitless, and a recognition of the need for smart and controlled management that could be accomplished, in part, through the creation of licenses specific to each fishing type. The old licensing system (prior to 2003) was created without an overall plan, and new license types accumulated as new needs arose over time, leading to a system with numerous specific licenses, many of which constrained the ability to incorporate new fishing effort.

The system developed in 2003, under the "Marine Fisheries Management Modernization" legislation, sought to both increase the opportunities for fishermen to gain access to a career in fisheries and create a tool that better controlled and characterized effort in RI's fisheries. The system has a tiered structure with an overarching license type, onto which species or gear specific "endorsements" are added. The current system worked well at its advent, allowing new entrants into "non-restricted" categories, and helping to better characterize the types of fisheries in which fishermen were participating. However, vestiges of the previous license structure confounded this characterization to a large extent, and the endorsement system created a boom in new endorsements that led to an increase in license system complexity, and a disparity in the cost equity between licenses that have similar functionality.

The incentive for the Governor's proposed initiative is to improve the RI system to account for the evolution in fisheries management and fisheries accounting technologies, and to simplify the structure of the licensing system. Streamlining the licensing system will create logistical efficiencies for fishermen and fishing processors in the state and reduce some administrative burden on the state agency that manages this licensing system. Given the introduction of electronic reporting, characterizing effort by license type is no longer needed as we have close to real time accounting for the types of fishing individual license holders participate in. Additionally, a simpler system will decrease the number of unforeseen complexities in cost and reporting that the current system incentivizes, such as single fishermen having multiple licenses

to keep license costs down, which leads to a decrease in data quality for fisheries overall. It will also decrease the disparity among fishermen who have licenses that do similar things, but that unintentionally cost very different amounts.

As a final point, the license cost structure that currently exists has not changed dramatically in decades. During this same time period, the needs of fishermen have increased significantly. The number of species managed has increased in both volume and in complexity of management for most species. The need for highly skilled fisheries analysts has increased for the RIDEM Division of Marine Fisheries to keep up with the management plans that exist for species of great importance to RI. Further, the fisheries infrastructure in the state has also lagged behind the times in particular in the face of climate change and sea level rise. The need for “match money” to unlock federal funds has never been higher; the state needs increased funds to take full advantage of federal grants to improve infrastructure. An analysis of the RI fee structure in relation to our neighboring states, as well as the programmatic and infrastructure needs of RI, informed the proposed recalibration of the cost structure of the RI commercial licensing system.

Goals

There are four main goals that can be achieved with a restructuring of the commercial fishing licensing system. The goals are:

1. Maintain a healthy fishing community in the state of RI

Maintaining a healthy and diverse fishing fleet is a priority for the state. One of the strengths of RI’s fishing industry has always been its diversity in make-up, which makes it resilient to changes in marine resource populations. As an example, as groundfish resources became constrained, many of our vessels that focused on groundfish switched to the squid fishery as a major target species, allowing them to persist through tough economic times. Maintaining this diversity means the RI commercial fishing fleet should continue to be comprised of vessels with differing capacities (i.e. small skiffs, medium sized inshore vessels, and large offshore vessels). Another aspect of diversity is in the species harvested by each individual operation. Maintaining and improving fishermen’s flexibility are key to maintaining a healthy fishing community in RI. A new approach is needed to allow us to create systems that allow for flexibility where possible to keep fishing communities nimble when species populations fluctuate.

Another way for the state to help maintain the health of our fishing community is to devote state resources to areas that improve the quality of living for commercial fishermen, such as port infrastructure, and to make sure we maintain and improve support on fisheries analytics. If we better rationalize our license fees, the state’s revenue resources can expand and be better applied to improve existing support, as well as to expand the areas in which support will be offered.

2. Maintain flexibility for fishermen and allow for diversification of their fishing portfolio

Maintaining a diverse fishing fleet as described above allows our fishermen flexibility in their businesses and provides opportunities in different fishing sectors. When managing natural resources that are dynamic in nature, the ability to maintain flexibility and move fishing practices to areas and species where opportunities might exist and away from areas where conservation is

needed without significant repercussions is a key to maintaining a fishing business that will not be harmed due to a single resource that may be entering a period of decline. Additionally new marine products come to the fore periodically, and a flexible system will allow our fishermen to take advantage of these opportunities as they arise.

The needs of fishing businesses also change through time. Allowing our fishermen ease to be able to upgrade or downgrade their operations as best suits their interests without impediments is another flexibility goal of this initiative. This would include a fisherman downgrading their operation as they go in to semi-retirement and making other business alterations simpler, such as the sale of their business and subsequent transfer of license with that sale.

3. Increase simplicity and understanding of the system for fishermen and seafood dealers

The current system has become very specified and overly complex, and this new initiative seeks to simplify this system. One of the ways it accomplishes this is by allowing for an unlimited category license to qualify for the harvest of all species, rather than having to buy multiple individual endorsements to accomplish the same thing. Additionally, one of the main points of the 2003 initiative was to allow new entrants in to the commercial fishing industry. In keeping with this aspect of the licensing initiative from 2003, new entrants in to fisheries will have opportunities through an open limited license category. These new fishermen will have an opportunity to fish for species without quotas or fishery management plans at a reduced cost through this limited license category. These limited licenses will be open entry, providing opportunities to new entrants without impacting resources that are constrained due to management measures. The limited license category could potentially allow for automatic upgrading after a period of activity as conditions warrant.

The simplification of the licensing system will improve data quality, administration of the licensing program, and our ability to manage fisheries. It is critical that our licensing system be simple and understandable so fishermen and seafood processors (who buy product from numerous small fishing businesses) are aware of the opportunities available to them.

4. Increase and support resources for RI's contemporary marine fisheries needs

While license investment may increase, there will be a return on that investment through new infrastructure investments and increased support for the Marine Fisheries program, which in turn supports our fishing community. In this context, infrastructure refers to all of the potential types of infrastructure that are needed in a modern marine fisheries system (e.g., electronic monitoring, port infrastructure, analytics, etc).

Investment in our marine fisheries infrastructure will be needed to meet the challenge of climate change. This has already impacted the characteristics of our local fisheries and the species that are landed in our ports. Without additional resources, it will be difficult for the marine fisheries program to keep up with the demands of increasing infrastructure needs given our changing climate, as new analyses will be required to understand the effects of climate change on our resources, and building systems that are robust to these changes will also be needed.

The RIDEM Division of Marine Fisheries requires additional support in order to meet these needs and demands. For example, increased staffing levels to provide more support and services such as allowing for more customized management programs for certain species. The Division of Marine Fisheries could devote more resources to commercial only species (squid, lobster, shellfish, etc), which currently do not get the level of services needed given constraints with many of the Division of Marine Fisheries grants, which are recreational fishing focused. With more resources, the Division of Marine Fisheries could add research funds for industry prioritized projects, meeting the need to improve and keep up with marine fisheries science due to the dynamic and changing nature of the natural resources this industry depends on, in particular due to the changes occurring on account of climate change.

An additional strain on the Division of Marine Fisheries is the loss of federal funding in important areas such as managing our electronic seafood dealer program, known as the Standard Atlantic Fishery Information System (SAFIS). In May of 2015, the Atlantic Coastal Cooperative Statistics Program (ACCSP) decided it would phase out the funding of long-term maintenance proposals (ACCSP 2015). The state of RI uses this funding source to manage our SAFIS program, which requires data auditing, customer service, and compliance management. This funding source supports one and one-half employees who manage this program in its entirety for Rhode Island. It is worth noting that Massachusetts has an entire section devoted to this program with seven full time employees. The loss of this funding source will represent a loss of on average \$100,000 annually to the Division of Marine Fisheries; more importantly, it puts at risk this vital piece of RI's marine fisheries infrastructure. Coupled with this loss of ACCSP funding is the loss of a second source of funding that has supported the Division of Marine Fisheries interaction with the growing offshore wind industry. During the development of the Deepwater Wind (DWW) test project, DFW provided \$60,000 per year for five years to help the Division of Marine Fisheries manage the research and data collection that was planned for the project. The tasks associated with this pilot project quickly grew in to management of permit reviews, customer service to our fishing industry, support in the management of mitigation efforts for the fishing industry and contending with the burdens produced from the multiple new lease areas currently being developed all along the Atlantic Coast. The offshore energy industry is in its infancy, and there will be an ongoing need for the Division of Marine Fisheries to invest resources in this area. The original funding provided for the Division of Marine Fisheries by DWW will run out in 2019. This is another area where an important funding stream will end, while the tasks associated with the original funding will continue and gain in demand. There are services that the Division of Marine Fisheries provides that are solely for the fishing industry with respect to these impacts. Cost recovery from our licensing system would help the Division of Marine Fisheries maintain these two critical functions.

A final improvement that can occur with an increase in license investment would be a major upgrade to RI's physical licensing system. Swipe card systems, improved physical licenses with photographs, and improved licensing database infrastructure could be achieved and would pay dividends to the fishing community and the administration of the programs upon which they depend.

Structure

The crux of this licensing initiative is to change the structure of our licensing system. The system designed in 2003 has grown in complexity (Figures 1, 2, and 3) and creates inequitable fiscal situations in some cases (Table 3). The re-envisioned licensing structure simplifies the system and removes the species specific endorsements that currently exist, thus simplifying and creating an equitable program across license types.

The main structure of the new licensing system will consist of licenses for our three main fishing sectors: Shellfish, Finfish, and Crustaceans. In each of these sectors there will be an open license category for species that are not currently constrained by a quota, along with a license category that allows for the harvest of species with quotas or other related regulatory plans. Table 4 describes the restricted species in each sector. The open license category would allow harvest of any other species not explicitly noted in the restricted list. The restricted license (hereafter referred to as “Unlimited”) will allow the harvest of all species, so will be inclusive of the non-restricted category (hereafter referred to as “Limited”). Over time, a new fisherman building their fishing business could acquire all three unlimited license categories. In this case the licensee will be upgraded to a multipurpose license, providing that fisherman with maximum flexibility to harvest all species. If you view Figure 4 in the context of the current system (Figures 1, 2, and 3), you can see the degree of streamlining achieved under the new system.

As a new element to the new licensing system, a fishing license owner with a multipurpose license will have an opportunity to turn that license in and convert it in to a vessel license (Figure 4). This can only be done for a multipurpose license, and can only be converted from an existing individual based multipurpose license. This element is being added to allow owners with multiple vessels the ability to have more flexibility in the captains they can choose to operate their vessels. Under the current system, the owner would be constrained to a pool of candidates in the state that already have an appropriate license. In most cases, captains with licenses already have their own fishing business, thereby further constraining the pool of qualified candidates to fishing fleet owners. This new system allows for more flexibility for fishing business owners. With the conversion to a vessel license, that vessel can now be operated by any captain, who would now be able to land any species available for harvest while on the licensed vessel. The number of vessel licenses could be capped, for instance at 10% of the total licenses available in any given year, as a way to proceed with this new licensing element in a cautious manner.

Some elements of the current system will remain. There will still be a gear endorsement requirement for gillnets, which will function in the same way as the current system. Additionally, landing licenses will remain in their current form as these licenses were recently streamlined through regulation; however, landing license cost recovery will be addressed in an effort to make the system rational across license categories. The final element addressed are seafood dealer’s licenses. There are a couple of dealer license categories that are no longer needed; therefore these licenses were also simplified and will have their fees adjusted to equate to the license cost for fishermen.

Financial Information

RI's license fees have been stagnant for decades. During this same period, the number of managed species has increased dramatically, and the complexity of that management has also increased significantly. In fact, during the period where license fees have been stagnant, the number of fishermen purchasing licenses has been declining, exacerbating the issue of decreasing state sourced funds to match federal granting opportunities, or to accomplish other commercial fisheries related tasks. This decline is actually built into the existing structure of the licensing system through the use of "exit entry" ratios (meaning the system in some cases will only allow one new license to be issued upon the retirement of two existing licenses, a 2:1 exit:entry ratio). This systematic decreasing of license holders was an effort to cull out latent effort from the licensing system, but this has now decreased license revenues to a critical point (Figure 5), and a new system that does not continually encourage attrition is needed moving forward.

The Marine Fisheries program in RI is highly dependent on federal grants, with the vast majority of state-generated revenue being used as match for those grants. As an additional complication, much of the federal money used by the Marine Fisheries program is earmarked for sportfish and other recreational uses, thus constraining the Marine Fisheries program's ability to do needed commercial fisheries focused work. This is one of the key reasons for recalibrating the license cost structure in the state; to allow the Marine Fisheries program to give the needed focus to purely commercial species such as lobster, shellfish, and other critical species such as squid, herring, whiting, monkfish, and mackerel. To illustrate this need, the General Assembly passed legislation in 2015 making calamari the official state appetizer, but the Marine Fisheries program does not have a dedicated staff person assigned to squid resources. In addition, fishermen will also receive other important support as outlined previously in the document.

Since the inception of the 2003 license restructuring initiative, the Marine Fisheries program has seen a steady increase in program costs. These increases come from several sources. The costs associated with equipment needed to run a modern marine fisheries program have increased. Costs have increased due to an increase in the number of responsibilities (i.e., more management plans to administer, more quotas to manage, analytics needed to represent RI fisheries in the federal management system have increased in complexity, etc.), and inflation has occurred while support to the marine fisheries program has remained static. To illustrate this point, Figure 6 shows expenditures from the restricted receipt account (the account the commercial license revenues go in to) since 2010. The expenditures over the past decade have continued to climb as indicated by the trend line on the plot. It is important to note that this account is only a small portion of the overall program expenditures, and therefore is just an example of the overall issue. A second illustration is in personnel expenditures (Fig 7). Personnel costs for the program have increased in the past decade as noted by the trend line on the plot. This increase occurs during the same period where multiple mass retirement events occurred, which impacted the Marine Fisheries program significantly. The program lost upwards of 40% of its staff during each of these events. The Marine Fisheries program has been able to rehire all the lost positions, but despite hiring new employees that do not have employment benefits such as longevity and

incentive credit increases, personnel costs have still risen. This is driven by the general increase in the overall costs of benefits, and the rise in salaries due to inflation. These two figures show how program costs have risen during the same period that the revenues from the sale of commercial licenses have declined.

So as to avoid putting our state licensing cost structure into a situation where it is not competitive with neighboring states, a full analysis of license fees in our neighboring states (New York, Connecticut, Massachusetts) was conducted. This analysis is not necessarily straight forward; so we attempted to make comparisons between similar license types. Table 1 shows the various states and fees for similar license types. In many cases, the cost depends on the species being endorsed by the license; so ranges of license fees are offered to give a full sense of the cost across species. Additionally, the fees in other states interact with the size of the vessel being used; so again, the ranges offered seek to capture the differences across multiple license types. As can be seen from the multistate analysis, RI license fees are at the lower end of the spectrum, in particular for non-resident licenses.

In recent years, multiple options for recalibrating the RI commercial license cost structure were developed and vetted with industry leaders in the state. The options ranged from setting the RI licenses at an average rate relative to neighboring states, to a second option that increased costs at a more modest rate relative to taking the average of our neighboring states. A compromise option was created after an initial round of feedback from various segments of the marine fishing industry. This compromise option is reflected in the Governor's proposed budget, and continues with the concept of a rationalized system, meaning there is a logic to the progression in the license fee and the access it provides, but the cost recovery is more modest than that originally proposed. The new fee structure represented in Table 2 would add approximately \$300,000 in cost recovery.

To put the license cost in the context of the overall value of what the commercial licensing system allows by way of fishing access and revenue generated, a calculation was performed based on the total ex-vessel value of commercial fisheries in RI in 2018. The ex-vessel value (the value of the fish paid to the fishermen by seafood processors) for 2018 in RI was \$105,116,330 (ACCSP 2019). As a very general calculation, this ex-vessel value can be divided equally across all licenses in the state. In 2018 there were 2,165 licenses issued. This results in an average value per license of \$48,552. This would indicate that the investment in the license is small relative to the value that can be generated. It is important to caveat that there is high variability in the performance and value attributed to each license depending on the type of fisherman and the size of the business. This calculation gives an overall sense of the scale of the fisherman license investment and the value that can be generated from that investment. Additionally, the overall benefit per investment is much greater to the overall state economy once economic multipliers are added as seafood products enter the market and as services for the industry are factored in. Sproul (2018) noted that the overall economic impact to the RI economy from the commercial marine fisheries sector was \$419,830,000 in 2016 (see attachments).

The additional cost recovery will be used to increase services to the commercial fishing industry. One of the critical areas of need for the Marine Fisheries program is to provide resources that

would allow for a focus on commercial only species such as squid, mackerel, butterfish, lobster, and shellfish species. This will allow the Marine Fisheries program to better serve the industry by applying expertise to species that are critical to RI but are currently underserved due to budgetary constraints. The purchase of equipment, such as electronic tablets, could be used to do things like better enforce more customized management programs (i.e. aggregate programs). As another critical area of need, creating resources to allow the state some leverage to develop special projects would provide much needed data, science, and collaborative opportunities in service to our commercial fishing industry. This could include things like: 1. reinstating the states paid shellfish transplant program, which was discontinued due to funding constraints, 2. increase our participation in and contributions to some of the public enhancement projects underway with shellfish, 3. create a source of match for industry focused and collaborative research projects such as those administered through the RI Marine Fisheries Institute (RIMFI) or in partnership with other nongovernmental organizations such as the Commercial Fisheries Research Foundation (CFRF), 4. improvements to DEM's commercial licensing system through improvements in technology (i.e. swipe card systems), and 5. other related expenditures that will improve services and science for the marine fisheries industry.

The cost recovery scenario identified in Table 2 constrains our ability to do all the service improvements noted above. It is understood that tradeoffs between what is ideal and what is too onerous for the industry need to be made. The Table 2 scenario would still be a great benefit to RI, and would give more flexibility in the Marine Fisheries budget, so many of the additional benefits mentioned in the sections above could still be achieved with careful planning. Services and support could still be a major improvement over current levels. It was mentioned that the Division of Marine Fisheries is scheduled to lose approximately \$160,000 in annual funding that it uses to manage two important programs. The potential cost recovery represented in Table 2 would be approximately \$300,000, leaving only \$140,000 for the other items mentioned in this document.

Conclusion

The main goal of this licensing initiative, as included in the Governor's proposed budget, is to simplify the commercial licensing system in the state of RI. Since the 2003 licensing initiative was created, there have been major changes in the way species are managed, the complexity of the science and management for these species, and the infrastructure needs of the fishing community. There have also been negative unintended consequences with the current system, such as individuals having to acquire multiple licenses, and costs between similar licenses being very different from each other. The need to have a very specific licensing system has also decreased in importance given improvements and streamlining in reporting technologies in RI and along the coast.

This proposal addresses these issues through its streamlined structure. Many of the proposed modifications were not developed by DEM, but rather by the fishing industry itself. The industry is seeking a simpler system that allows for greater flexibility in their business operations. This proposal seeks to create a simple and flexible type of system that will modernize RI's licensing system and improve the state support for our fishermen's license investment.

Adjustments to the cost structure are also included. These adjustments are critical to keep RI competitive with our neighboring states, as well as to create cost recovery to support contemporary marine fisheries support needs. This is of particular importance in the face of climate change that impacts the resources our fishermen depend on. The cost structure alternatives were analyzed across the Southern New England and New York region, and are set so as to not impact our fishermen negatively in relation to our neighboring states. The cost recovery generated will go directly back in to the marine fisheries system and will create opportunities for improved support to our purely commercial fisheries, which are currently lacking due to budgetary constraints.

Based on feedback received during the discussions with fishing industry associations in the state, a couple of additional adjustments were made to the proposed initiative. One important adjustment had to do with the priority candidates for new licenses. Priority categories were developed for individuals with military service and for individuals enrolled in commercial fishing training programs. Preference for military service is a way to allow for alternative business opportunities for veterans. The preference for enrollment and completion of training programs ensures that new fishermen entering the industry have a better sense of the modern complexities involved with operating this type of business. These complexities include the science behind the development of fisheries management systems, and the technologies involved with fishing for both business and safety aspects of the industry.

This proposal seeks to create a system that better supports the priorities of our industry, namely simplicity and flexibility. The proposal also looks to bolster the return our fishermen receive on their license investment. These improvements will help RI remain nimble in the face of the variability that will occur due to climate change, and will meet the goals as set forth above including: 1. Maintaining a healthy fishing community in the state of RI, 2. Maintaining flexibility for fishermen and allowing for diversification of their fishing portfolio, 3. Increasing simplicity and understanding of the system for fishermen and seafood dealers, and 4. Increasing resources for marine fisheries infrastructure.

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Tables

Table 1 – Multistate license fee analysis. Cells with multiple fees represent a range in costs across species or vessel size scalars. Analysis done in 2017.

	CT	NY	MA	RI
Limited License (single sector focus) - Resident	\$790-\$975	\$180-\$450	\$160-\$310	\$209
Limited License (single sector focus) – Non-Resident	\$885-\$2,100	\$275-\$1,250	\$320-\$570	\$460
Maximum Flexibility License - Resident	\$790-\$975	\$780	\$1,240	\$329
Maximum Flexibility License – Non-Resident	\$885-\$2,100	\$1,975	\$2,330	NA
Party and Charter - Resident	\$315	\$250	\$65-\$130	\$25/2years
Party and Charter – Non-Resident	\$315	\$250	\$130-\$260	\$25/2years

Table 2 – Final cost structure adopted for the legislation. This adjustment is based off of industry input. Current participation and monetary information are based on 2019 license information.

License	Current Participants	Current Fee (Average of Existing)	Current Revenue (Actual)	New Fee	Total Revenue
Standard resident commercial fishing license					
+ 1 limited fishery endorsement	73	\$ 74.66	\$ 5,450.00	\$ 150.00	\$ 10,950.00
+ 2 limited fishery endorsement	19	\$ 100.00	\$ 1,900.00	\$ 200.00	\$ 3,800.00
+ 3 limited fishery endorsement	22	\$ 132.95	\$ 2,925.00	\$ 250.00	\$ 5,500.00
+ 1 unlimited fishery endorsement	588	\$ 189.07	\$ 111,175.00	\$ 300.00	\$ 176,400.00
+ 1 unlimited fishery endorsement + 1 limited fishery endorsement	77	\$ 171.43	\$ 13,200.00	\$ 350.00	\$ 26,950.00
+ 2 unlimited fishery endorsement	33	\$ 369.70	\$ 12,200.00	\$ 375.00	\$ 12,375.00
+ 1 unlimited fishery endorsement + 2 limited fishery endorsement	65	\$ 188.46	\$ 12,250.00	\$ 400.00	\$ 26,000.00
+ 2 unlimited fishery endorsement + 1 limited fishery endorsement	13	\$ 478.85	\$ 6,225.00	\$ 425.00	\$ 5,525.00
+ 3 Unlimited fishery endorsement	3	\$ 475.00	\$ 1,425.00	\$ 450.00	\$ 1,350.00
Standard non resident commercial fishing license					
+ 1 limited fishery endorsement	58	\$ 200.00	\$ 11,600.00	\$ 350.00	\$ 20,300.00
+ 2 limited fishery endorsement	0	-	-	\$ 700.00	-
+ 3 limited fishery endorsement	0	-	-	\$1,050.00	-
+ 1 unlimited fishery endorsement	52	\$ 500.00	\$ 26,000.00	\$ 700.00	\$ 36,400.00
+ 1 unlimited fishery endorsement + 1 limited fishery endorsement	1	\$ 600.00	\$ 600.00	\$1,050.00	\$ 1,050.00
+ 2 unlimited fishery endorsement	0	-	-	\$1,400.00	-
+ 1 unlimited fishery endorsement + 2 limited fishery endorsement	0	-	-	\$1,400.00	-
+ 2 unlimited fishery endorsement + 1 limited fishery endorsement	1	\$ 900.00	\$ 900.00	\$1,750.00	\$ 1,750.00
Other Licenses and Gear Endorsements					
Multipurpose License (resident only)	751	\$ 300.00	\$ 225,300.00	\$ 450.00	\$ 337,950.00
Multipurpose Vessel License	0	-	-	\$1,000.00	-
Party and Charter Vessel License - Resident	77	\$ 12.50	\$ 962.50	\$ 100.00	\$ 7,700.00
Party and Charter Vessel License - Non Resident	89	\$ 12.50	\$ 1,112.50	\$ 300.00	\$ 26,700.00
Resident Landing Permit	45	\$ 200.00	\$ 9,000.00	\$ 300.00	\$ 13,500.00
Non Resident Landing Permit	89	\$ 300.00	\$ 26,700.00	\$ 600.00	\$ 53,400.00
Gillnet Endorsements	204	\$ 20.00	\$ 4,080.00	\$ 20.00	\$ 12,220.00
Logbook Endorsements	475	\$ 25.00	\$ 11,875.00	\$ 25.00	\$ 11,875.00
Dockside Sale Endorsements	266	\$ 25.00	\$ 6,650.00	\$ 25.00	\$ 6,650.00
			\$ 491,530.00		\$ 798,345.00

Table 3 – Example of how two similar licenses can have different fees under the existing licensing structure. This table compares a base multipurpose license with a resident Principle Effort License (PEL) that would have all of the needed endorsements to offer the same opportunities as a multipurpose license.

	Cost
Multipurpose	\$300.00
PEL Equivalent License	\$750.00

Table 4 – Species only allowed by “Unlimited” license categories for each fishing sector.
 “Limited” license categories do not have access to these species.

Finfish	Shellfish	Crustacean
Summer Flounder	Bay Quahog	Lobster
Scup	Whelk	
Striped Bass	Soft Shelled Clam	
Tautog		
Black Sea Bass		

Figures

Current Commercial License Types and Endorsements

CFL	PEL	MPURP	
CQUOH	PQUOH		Shellfish Endorsements
CSSCLM	PSSCLM		
CSFOTH	PSFOTH		
	PWLK		
	PRFIN		Finfish Endorsements
CNFIN	PNFIN		
CLOBS	PLOBS		Crustacean Endorsements
CNLOBS	PNLOBS		
CMWPT	PMWPT	MMWPT	Gear Endorsements
CPURSE	PPURSE	MPURS	
	PFTRP	MFTRP	
		MGILL	
CLOGB	PLOGB	MLOGB	Miscellaneous Endorsements
CDOCK	PDOCK	MDOCK	

Figure 1 – Current licensing structure. The top row is the license types: Commercial Fishing License (CFL), Principle Effort License (PEL), Multipurpose License (MPURP). The rest of the boxes represent the myriad of endorsements needed for various species and gear types, which fall along the column for the license type to which they are applicable.

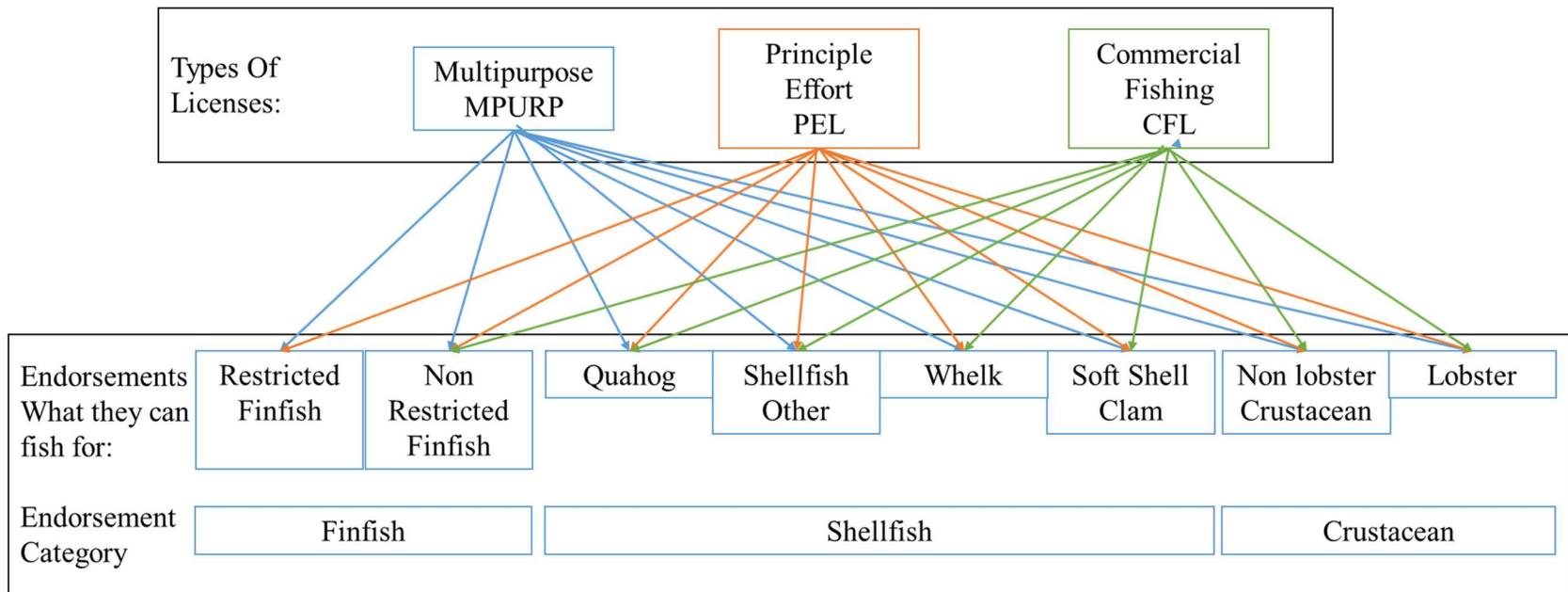


Figure 2 – Current licensing structure. The top box contains the license types and the arrows show which species endorsements are available to that license.

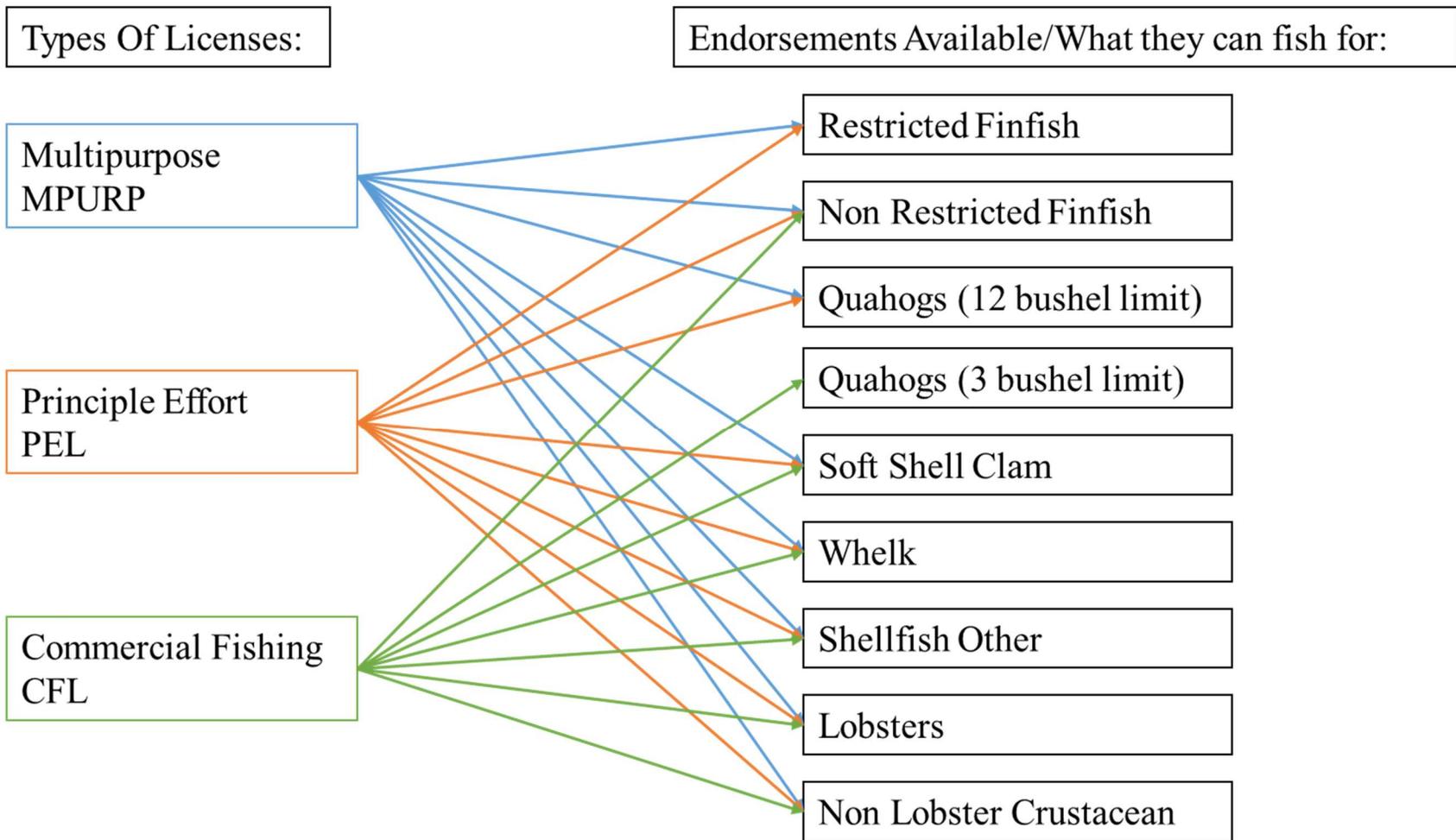


Figure 3 – Current licensing structure. The left side boxes contain the license types and the arrows show which species endorsements are available to that license, as well as where license possession differences exist.

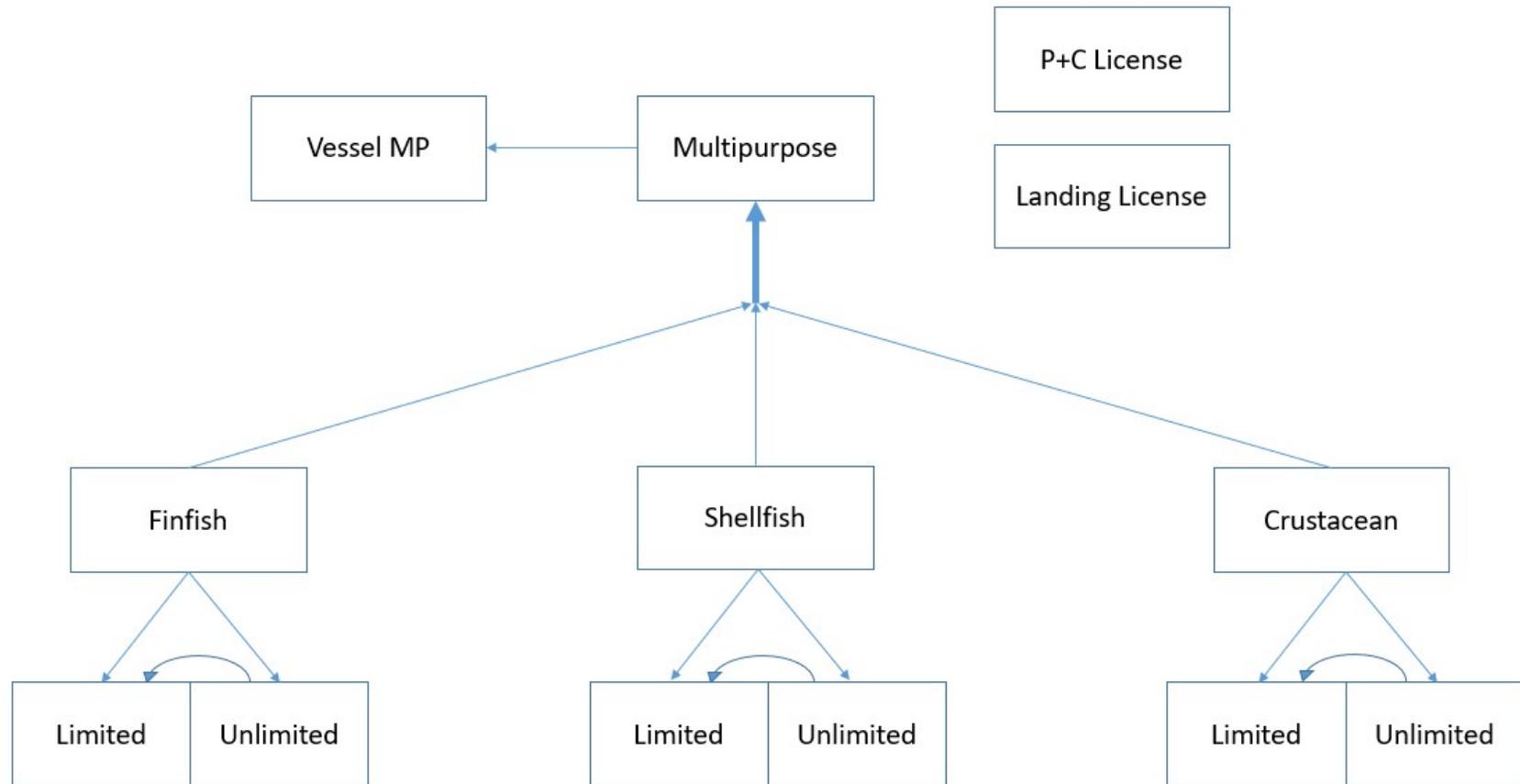


Figure 4 – Proposed licensing structure. Streamlines existing species-specific organization into 2 categories per fishing sector. “Unlimited” endorsements are inclusive of all species in that category, while “Limited” endorsements do not allow for the harvest of species constrained by management and quotas (see Table 4). Limited categories will be open license types (available for purchase annually without restriction).

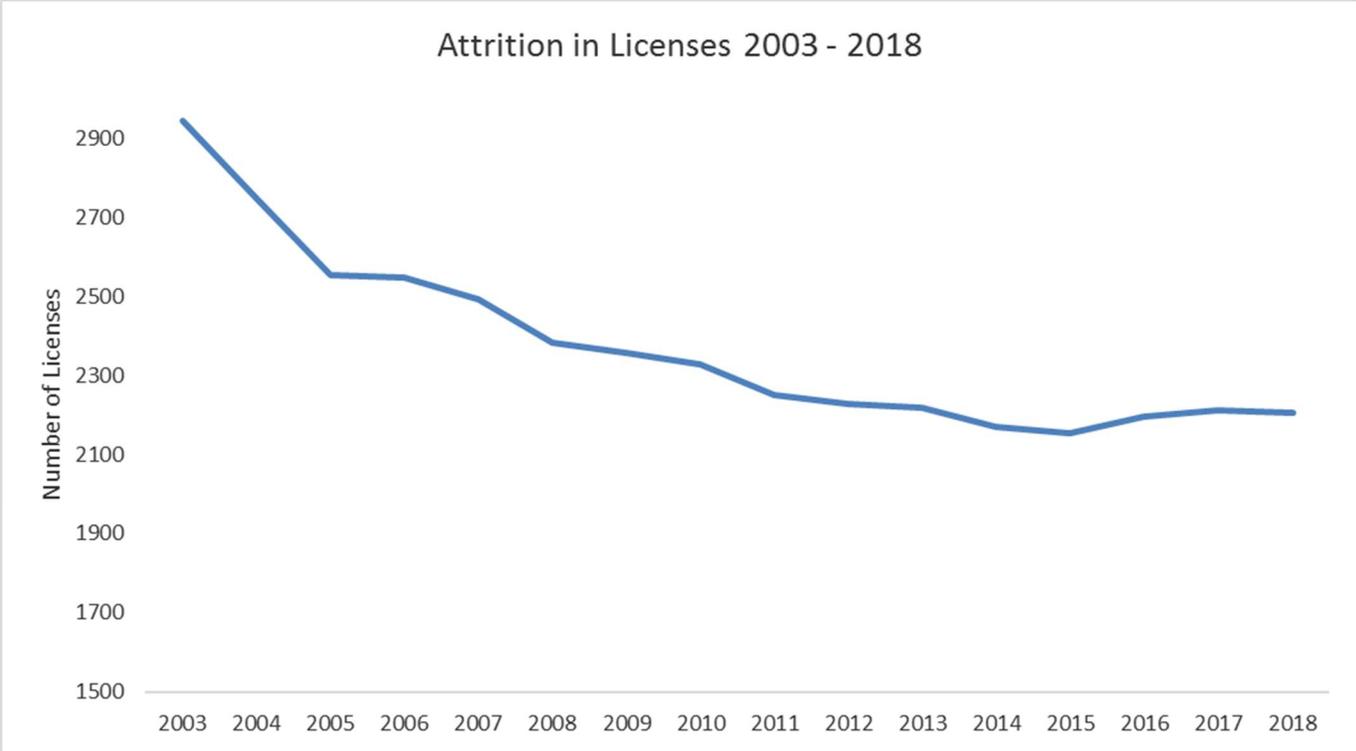


Figure 5 – Attrition of licenses through time under current licensing structure.

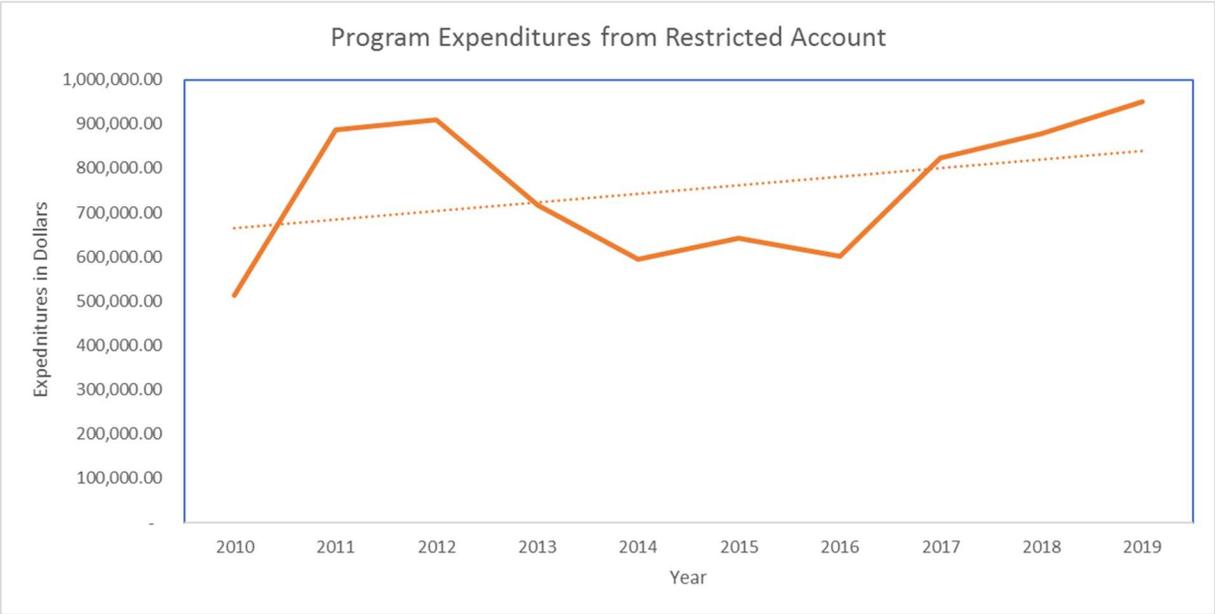


Figure 6 - Annual program expenditures from restricted receipt account. Solid line is the actual expenditures, the dotted line represents a linear regression to indicate the trend.

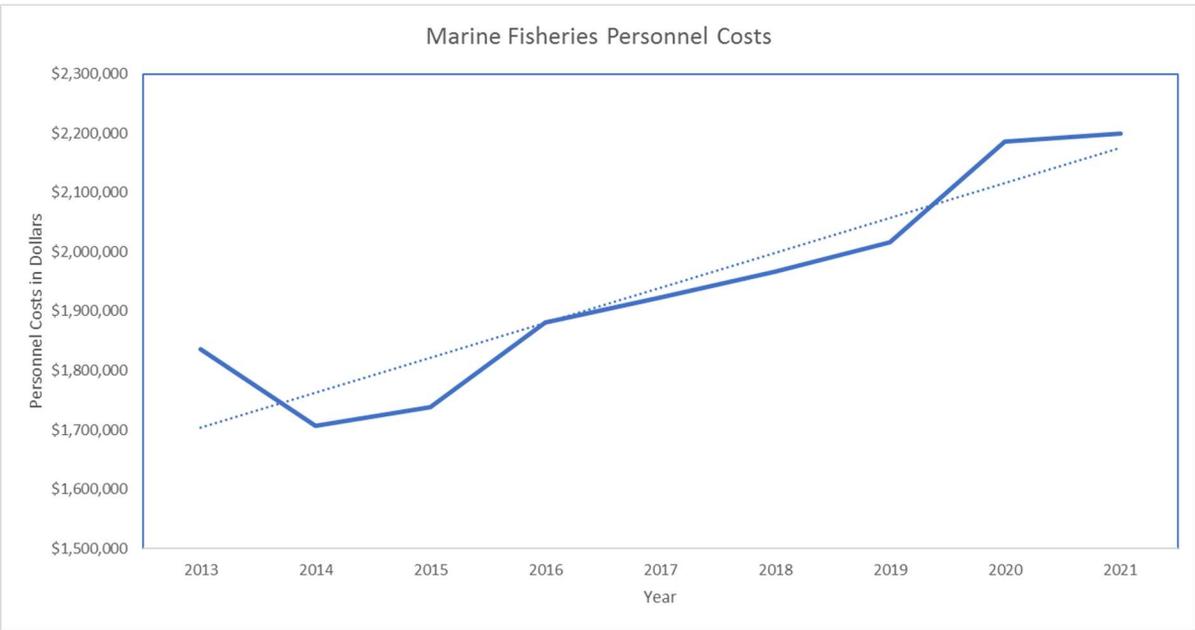


Figure 7 - Annual personnel expenditures For the Marine Fisheries program. Solid line is the actual expenditures, the dotted line represents a linear regression to indicate the trend.¹

¹ Note that these figures pre-date the most recent adjustment in salaries that resulted from a modernization of the biologist job track.