

# RI MARINE FISHERIES COUNCIL

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April 1, 2019



# Aquaculture Lease Application

## 2018-05-159, Pinsky - Ninigret Pond

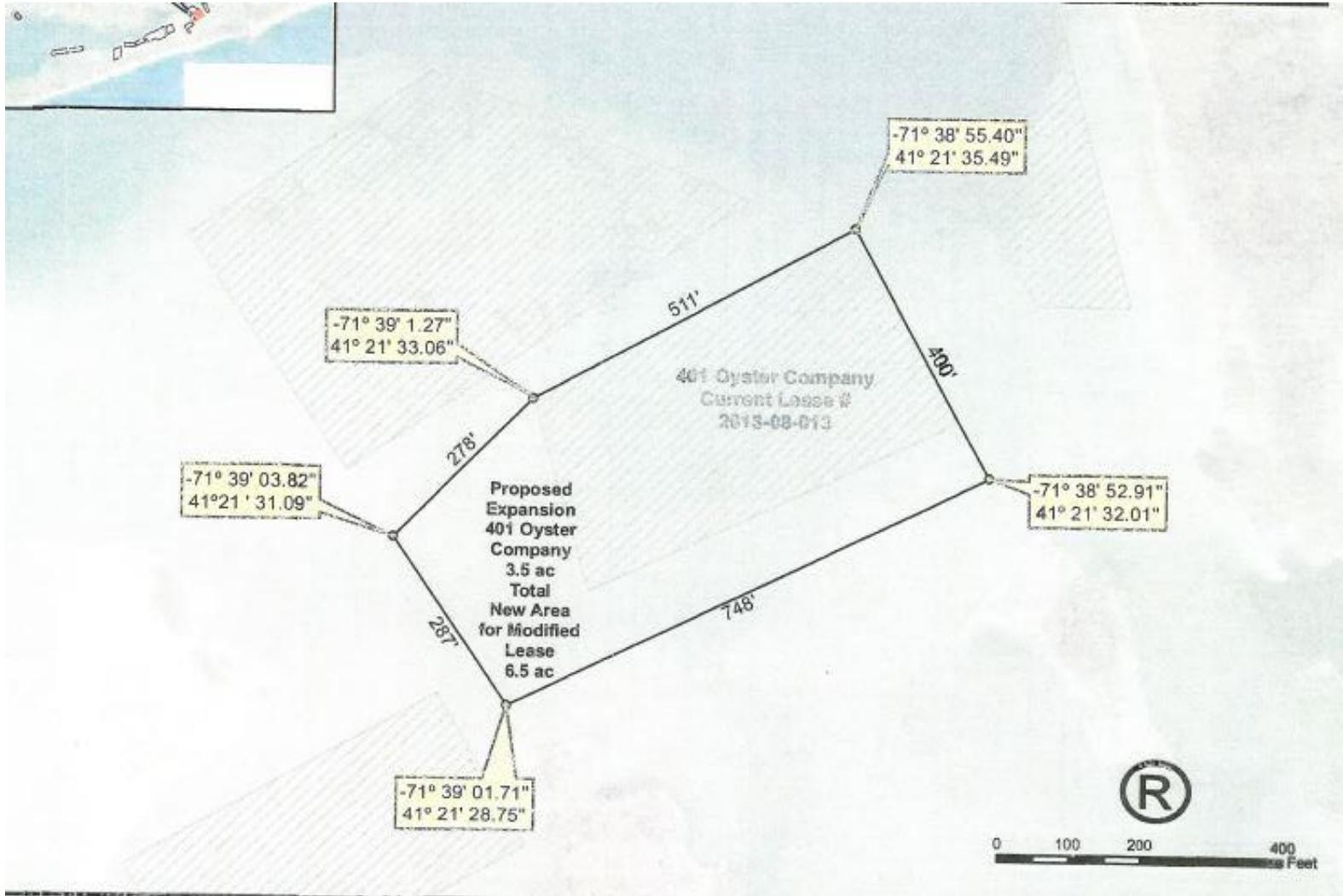


- Existing lease expansion of 2.8 acres to 6.5 acres total for oysters

Current lease footprint



# Aquaculture Lease Application 2018-05-159 - Pinsky - Ninigret Pond





# Aquaculture Lease Application 2018-08-071 Matthew Griffin West Passage Narr. Bay (south of Rome Pt.)



- 4.2 acre lease for oysters, bay scallops and kelp

- 516 floating cages for oysters
- 50 bottom cages for bay scallops
- Longlines for kelp



# Summer Flounder 2019 Recreational Management



Proposal 1: Annual management review – no changes proposed.

Min. Size	Season	Possession Limit
19"	May 1 – Dec. 31	6 fish

Proposal 2 (Industry): Special shore provision proposal\*

Mode	Min. Size	Season	Possession Limit
<u>Special Shore*</u>	<u>16"</u>	<u>May 1 – Dec. 31</u>	<u>2 fish</u>

- \* This will need to be vetted by the ASMFC, assessment delay may impact our ability to achieve in 2019.
- \* 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. (same as scup sites)
- **Maximum 6 fish/day, with 2 fish @ minimum size 16" allowed if at a special shore site.**
- **NOTE: Based on initial projections, rec. season would have to start May 3 if adopting special shore rule.**

# Summer Flounder 2019 Commercial Management



Option 1: Status quo.

Min. Size	Season	Allocation	Days closed	Starting Poss. Limit
14"	1/1 – 4/30	54%	N/A	100 lbs/day
	5/1 – 9/15	35%	Fri/Sat/Sun	50 lbs/day
	9/16 – 12/31	11%	N/A	100 lbs/day
	2/5 – 4/30	Agg. Program	N/A	1,500 lbs/2 wks

Option 2: Division proposal to re-open on Sunday during the Summer sub-period.

14"	5/1 – 9/15	35%	Fri/Sat/ <del>Sun</del>	50 lbs/day
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Option 3: Division proposal to re-open on Friday and Sunday during the Summer sub-period.

14"	5/1 – 9/15	35%	<del>Fri</del> /Sat/ <del>Sun</del>	50 lbs/day
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Option 4: Division proposal to re-open on Saturday and Sunday during the Summer sub-period.

14"	5/1 – 9/15	35%	Fri/ <del>Sat</del> / <del>Sun</del>	50 lbs/day
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# Summer Flounder 2019 Commercial Management



## Considerations:

- Average daily harvest in Summer 2018 was ~4,000lbs/day. The season did not experience any early closures.
- A 70% increase in quota is anticipated for 2019. At current average rates (4,000lbs/day), this would give us **149 days of fishing.**

Additional Open Days	Days in Season
1 day	99
2 days	109
3 days	138



# Black Sea Bass 2019 Recreational Management

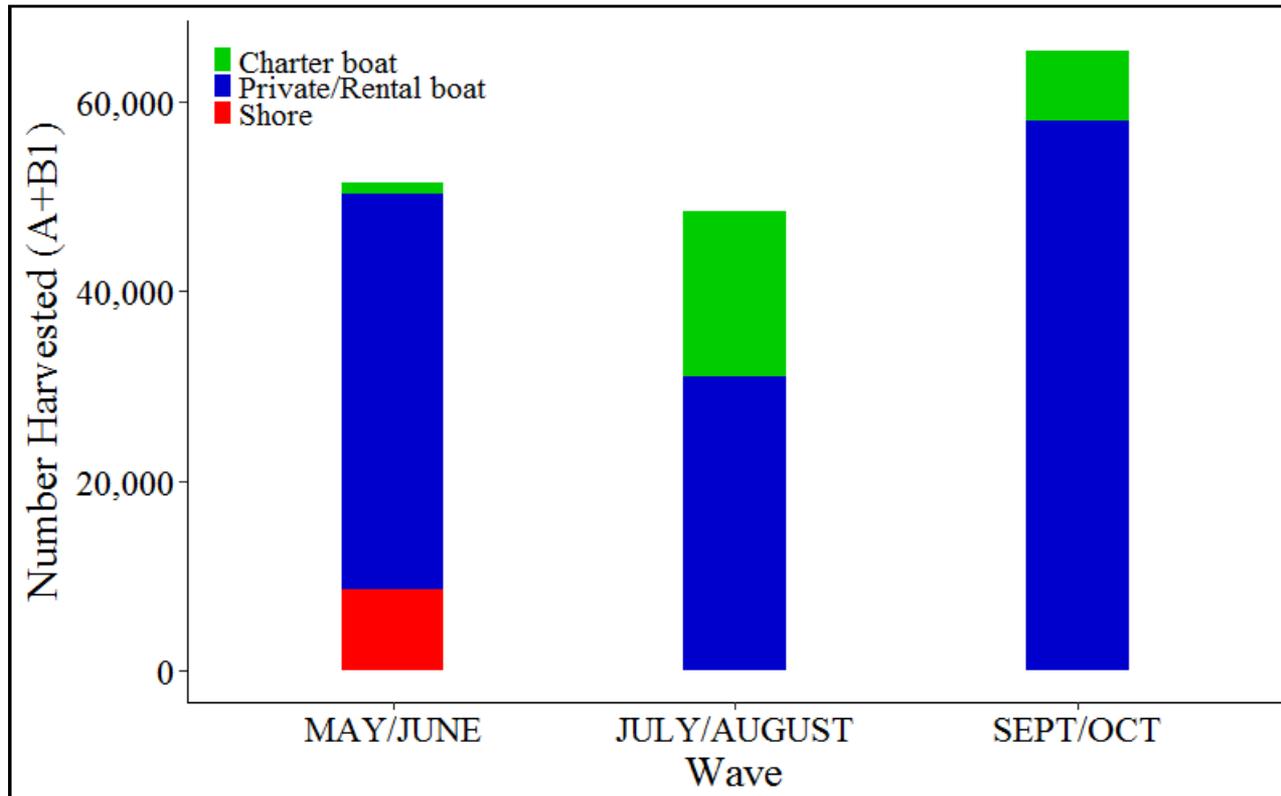
- No amendments proposed for 2019.

## Current Rules:

Min. Size	Season	Possession Limit
15"	1/1 – 6/23	Closed
	6/24 – 8/31	3 fish
	9/1 – 12/31	7 fish

Note: Season currently in effect is as shown, which was modified on May 9, 2018, pursuant to the Department's authority under R.I. Gen. Laws § 20-1-12.1. *Modifications to possession limits and seasons for marine species managed under quotas.* Current rule does not reflect this modification, and therefore must be amended as such to sync rule with this filed modification.

# 2017 RI Recreational Black Sea Bass Fishery Performance



Min. Size	Season	Possession Limit
15"	5/25 – 8/31	3 fish
	9/1 – 9/21	7 fish
	9/22 – 10/21	Closed
	10/22 – 12/31	7 fish

# Black Sea Bass 2019 Commercial Management



Option	Min. Size	Season	Allocation	Starting Poss. Limit
<u>Option 1:</u> Status Quo.	11"	1/1 – 4/30	25%	500 (vsl/week)
		5/1 – 6/30	25%	50 (vsl/day)
		7/1 – 7/31	19.5%	50 (vsl/day)
		9/15 – 10/31	19.5%	50 (vsl/day)
		11/1 – 12/31	11%	50 (vsl/day)
<u>Option 2:</u> Industry proposal	11"	1/1 – 4/30	25%	500 (vsl/week)
		<del>5/1</del> <u>5/1</u> – 6/30	<del>25%</del> <u>44.5%</u>	<del>50 (vsl/day)</del>
		<del>7/1</del> <u>5/1</u> – 7/31	<del>19.5</del> <u>44.5</u> %	50 (vsl/day)
		<del>9/15</del> <u>9/15</u> – 10/31	<del>19.5</del> <u>30.5</u> %	<del>50 (vsl/day)</del>
		<del>11/1</del> <u>9/15</u> – 12/31	<del>11</del> <u>30.5</u> %	50 (vsl/day)

# Black Sea Bass 2019 Commercial Management



Option	Min. Size	Season	Allocation	Starting Poss. Limit
<u>Option 3:</u> Industry proposal to align better with Summer Flounder fishery	11"	1/1 – 4/30	25%	500 (vsl/week)
		5/1 – 6/30	25%	50 (vsl/day)
		7/1 – 7/31	19.5%	<del>50</del> <u>85</u> (vsl/day) ( <u>close Fri, Sat, Sun</u> )
		9/15 – 10/31	19.5%	50 (vsl/day)
		11/1 – 12/31	11%	50 (vsl/day)



# Scup

## 2019 Recreational Management

Option 1: Status quo.

<b>Mode</b>	<b>Min. size</b>	<b>Season</b>	<b>Possession Limit</b>
Recreational	9"	5/1 – 12/31	30 fish
P/C	9"	5/1 – 8/31	30 fish
		9/1 – 10/31	45 fish
		11/1 – 12/31	30 fish
Special Shore	8"	5/1 – 12/31	30 fish

# Scup

## 2019 Recreational Management



### Option 2: Division proposal - earlier opening date.

Mode	Min. size	Season	Possession Limit
Recreational	9"	<del>5/1</del> <u>1/1</u> – 12/31	30 fish
P/C	9"	<del>5/1</del> <u>1/1</u> – 8/31	30 fish
		9/1 – 10/31	45 fish
		11/1 – 12/31	30 fish
Special Shore	8"	<del>5/1</del> <u>1/1</u> – 12/31	30 fish

### Option 3: Division proposal - Increase poss. limit for P/C.

Mode	Min. size	Season	Possession Limit
Recreational	9"	5/1 – 12/31	30 fish
P/C	9"	5/1 – 8/31	30 fish
		9/1 – 10/31	<del>45</del> <u>50</u> fish
		11/1 – 12/31	30 fish
Special Shore	8"	5/1 – 12/31	30 fish

# Scup - 2019 Recreational Management



## Option 4: Division proposal - Amend season and poss. limit for P/C.

Mode	Min. size	Season	Possession Limit
Recreational	9"	5/1 – 12/31	30 fish
P/C	9"	5/1 – <del>8/31</del> <u>6/30</u>	<del>30</del> <u>50</u> fish
		<u>7/1 – 8/31</u>	<u>30</u> fish
		9/1 – 10/31	<del>45</del> <u>50</u> fish
		11/1 – 12/31	30 fish
Special Shore	8"	5/1 – 12/31	30 fish

## Option 5: Division proposal - Increase poss. limit for P/C.

Mode	Min. size	Season	Possession Limit
Recreational	9"	5/1 – 12/31	30 fish
P/C	9"	5/1 – 8/31	30 fish
		9/1 – 10/31	<del>45</del> <u>50</u> fish
		11/1 – 12/31	<del>30</del> <u>50</u> fish
Special Shore	8"	5/1 – 12/31	30 fish



# Commercial Scup

## Gear-based possession limit thresholds

- Adjust the commercial Scup gear-based possession limit thresholds consistent with the final rule published by NOAA (effective date 1/1/2019).

Proposed language (section 3.8.3(C)): Trawl vessel gear restrictions - minimum mesh size: Owners or operators of otter trawl vessels possessing ~~five hundred (500)~~ greater than one-thousand (1,000) pounds ~~or more~~ of scup from ~~November 1~~ October 1 through April ~~30~~ 14; or greater than two-thousand (2,000) pounds or more of scup from April 15 through June 15; or greater than two hundred (200) pounds ~~or more~~ of scup from ~~May 1~~ June 16 through ~~October 31~~ September 30, may only fish with nets that have a minimum mesh size of five (5) inches 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 minimum size diamond or square mesh.

# Striped Bass 2019 Recreational Management



- No amendments proposed for 2019.

## Current Rules:

<b>Min. size</b>	<b>Season</b>	<b>Possession Limit</b>
28"	1/1 – 12/31	1 fish

# Striped Bass - 2019 Commercial General Category Management



Option	Min. Size	Season	Allocation	Possession Limit
Option 1: Status quo	34"	5/20 – 8/4 (closed Fri & Sat)	70%	5 fish/person/day (max 5 fish/vessel)
		8/5 – 12/31 (closed Fri & Sat)	30%	
Option 2: Industry proposal		5/20 – <del>8/4</del> <u>12/31</u> (closed Fri & Sat)	<del>70</del> <u>100</u> %	
		<del>8/5 – 12/31 (closed Fri &amp; Sat)</del>	<del>30</del> %	
Option 3: Industry proposal		<del>5/20</del> <u>6/2</u> – <del>8/4</del> <u>12/31</u> (closed Fri & Sat)	<del>70</del> <u>100</u> %	
		<del>8/5 – 12/31 (closed Fri &amp; Sat)</del>	<del>30</del> %	

# Striped Bass - 2019 Commercial Floating Fish Traps Management



- No amendments proposed for 2019.

## Current Rules:

<b>Min. Size</b>	<b>Season</b>	<b>Possession Limit</b>
26"	4/1 – 12/31	Unlimited



# Tautog

## 2019 Party/Charter possession limit

- Recreational possession limit was amended from 6 fish to 5, as well as extending the season to Dec 31, as a result of public hearing February 2018. These changes were also to apply to the party/charter regulations, but were inadvertently missed at that time.

### Option 1: Amend possession limit.

Season	Possession Limit
1/1 – 3/31	Closed
4/1 – 5/31	3 fish/day
6/1 – 7/31	Closed
8/1 – 10/14	3 fish/day
10/15 – 12/31	<del>6</del> <u>5</u> fish/day



# Bluefish

## 2019 Recreational Management

- No amendments proposed for 2019.

### Current Rules:

<b>Min. size</b>	<b>Season</b>	<b>Poss. Limit</b>
No min. size	1/1 – 12/31	15 fish

# Bluefish

## 2019 Commercial Management



Option	Min. size	Sub-period	Poss. Limit
<u>Option 1:</u> Status Quo	12"	1/1 – 4/30	1,000 lbs/2 wks
		5/1 – 2 <sup>nd</sup> Sat. in Nov.	6,000 lbs/wk
		2 <sup>nd</sup> Sun. in Nov. – 12/31	500 lbs/wk
<u>Option 2:</u> Division proposal - Increase possession limit		1/1 – 4/30	1,000 lbs/2 wks
		5/1 – 2 <sup>nd</sup> Sat. in Nov.	<del>6,000</del> <u>8,000</u> lbs/wk
		2 <sup>nd</sup> Sun. in Nov. – 12/31	500 lbs/wk

# Bluefish

## 2019 Commercial Management



Option	Min. size	Sub-period	Poss. Limit
<u>Option 3*</u> : Division “Contingency” proposal	12”	1/1 – 4/30	<del>1,000</del> <u>500</u> lbs/2 wks
		5/1 – 2 <sup>nd</sup> Sat. in Nov.	<del>6,000</del> <u>1,000</u> lbs/wk
		2 <sup>nd</sup> Sun. in Nov. – 12/31	<del>500</del> <u>250</u> lbs/wk

\* Proposed as a contingency if recreational to commercial quota transfer not approved by NOAA. Quota transfer of 272,344 lbs has been approved.

# Blacknose shark possession limit



- Seeks consistency with the 2019 ASMFC specifications for coastal sharks, which prohibits possession of Blacknose sharks north of 34°N latitude in the commercial fishery.

## Noticed language (Part 3, section 3.19.2.):

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.

1. Possession limit: Smoothhound, Non-Blacknose Small Coastal, **Blacknose**, and Pelagic shark species groups: Unlimited.

# Cod - Recreational minimum size



- Seeks consistency with the 2018 federal specifications for the Georges Bank (GB) recreational Cod fishery.

## Noticed language (Part 3, section 3.20.1):

- A. Minimum size: ~~Twenty-two inches (22")~~ Vessels in state waters may harvest, possess, or land cod in state waters at the minimum size equal to that allowable for federal waters, Outside Gulf of Maine (GOM) Regulated Mesh Area as codified at 50 C.F.R. §648.89.b. A summary of the current minimum size for Atlantic Cod in federal waters, Outside GOM Regulated Mesh Area can be found at NOAA Fisheries: <https://www.greateratlantic.fisheries.noaa.gov/sustainable/recfishing/regs/index.html>.
- B. Possession limit:
- Ten (10) fish per person per calendar day.
  - Vessels in possession of a federal permit authorizing the recreational harvest of cod in federal waters may harvest, possess, or land cod in state waters in the amount equal to the federal regulations.

# Cod - Recreational minimum size



## Proposed final language:

- A. Minimum size: ~~Twenty-two inches (22")~~ 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: ~~Ten (10) fish per person per calendar day~~ 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).



# Menhaden 2019 Commercial Management

**Proposal 1:** Division proposal to broaden the commercial vessel restrictions to apply to all commercial vessels (other than small-scale fisheries and floating fish traps); currently applies only to purse seines (section 3.22.2(A)(2)).

- Rule currently applies **only** to purse seine operations. Would broaden to apply to all commercial vessels other than small-scale (defined in rule) and floating fish traps.

# Menhaden

## 2019 Commercial Management



**Proposal 2:** Industry proposal to restrict vessel size (new sections 3.22.2(A)(2)(e) and 3.22.2(A)(2)(f)).

- Vessel “useable fish storage capacity” would be limited to a maximum of 120,000 lbs. Vessels could no longer have additional fish storage capacity greater than 120,000 lbs if rendered “unusable” by a certified marine surveyor.
- Vessel length shall not exceed 80 feet.

# Menhaden

## 2019 Commercial Management



**Proposal 3:** Division proposal to replace instances of “landing limit” with “possession limit” (several instances in section 3.22.2(B)).

- **Rationale:** Original intent was to still allow for possession once the state quota and episodic had been reached if the management area remained open, and prohibit landing. Requirement felt no longer necessary due to Amendment 3 quota increase.

# Menhaden

## 2019 Commercial Management



**Proposal 4:** Industry proposal to add a reduced possession limit trigger under the State Quota Program (section 3.22.2(B)(2)).

**Noticed language:** Once 50% of 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~~ possession limit will be 80,000 pounds per vessel per day.

# Menhaden

## 2019 Commercial Management



**Proposal 5:** Division proposal to clarify the transiting rule as it pertains to the commercial menhaden fishery (proposed new section 3.22.2(B)(4)).

**Noticed language:** 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.

*Rule 1.6(C)(1)(b): A federally permitted vessel fishing in the Exclusive Economic Zone may transit Rhode Island state waters for the purpose of landing a species in Rhode Island, provided that the species in possession do not have a state allocated quota that is currently closed, provided the vessel is in compliance with their federal permit, provided the vessel nets are stowed, and provided that the owner or operator possesses a valid RI Landing License.*

# Menhaden 2019 Commercial Management



**Proposal 6:** Division proposal to amend the date of the end of the Episodic Event Set Aside Program consistent with the ASMFC FMP (section 3.22.2(C)(2)).

**Noticed language:** The Episodic Event Set Aside Program will end on ~~November 1~~ **October 31** annually, or when the Set Aside quota has been harvested, whichever first occurs.



# Whelk Management

- Amend the whelk minimum size measurement (Part 4 – Shellfish; section 4.9(F)).

## Noticed language:

- Three inches (3") ~~(76.2mm)~~ shell width ~~or five and three eighths inches (5 3/8") (136.5 mm)~~ shell length.
- Shell width is measured as the longest straight-line distance from one shell margin to the opposite shell margin when the shell is positioned flat on a horizontal surface with the aperture opening facing down, and oriented such that the columella axis is parallel to a vertical surface.

# Whelk Management



- Industry proposal to adopt a whelk pot tagging program (Part 4 – Shellfish; proposed new section 4.18)).
  - Establishes commercial whelk pot tagging requirements
  - Would be administered similar to lobster tag program.
  - Maintain 300 pot limit (no changes proposed).
  - Allow for 10% extra for routine loss.
  - Fastenable single use tag.
  - Tag cost ~ \$0.14 per tag borne by license holder.
  - Tags proposed to be valid from March 1 through the last day in February annually.
  - Rule would take effect in 2020.
  - For all proposed changes see the noticed annotated language.



# Lobster Trap Tag Management

- Division proposal to replace original lobster trap tags ordered but not initially received with catastrophic tags, in the event tags were not received and are presumed lost (Part 5 – Lobsters, Crabs, and Other Crustaceans; section 5.8.1(R)(11)(c)).

Proposed language: Catastrophic loss trap tags: Commercial licensees may order up to two (2) complete sets of catastrophic loss trap tags, in an amount equal to the number of original tags ordered, to be used in the event of catastrophic loss or to replace original trap tags not received.

# Upper Narragansett Bay Trawling Area



- Clarification of open and closed periods of the Upper Narragansett Bay Trawling Area to trawling (Part 6 – General Equipment Provisions; section 6.8.2(C)(1)).
  - Clarify rule regarding open/closed times of year to trawling.

## Proposed language:

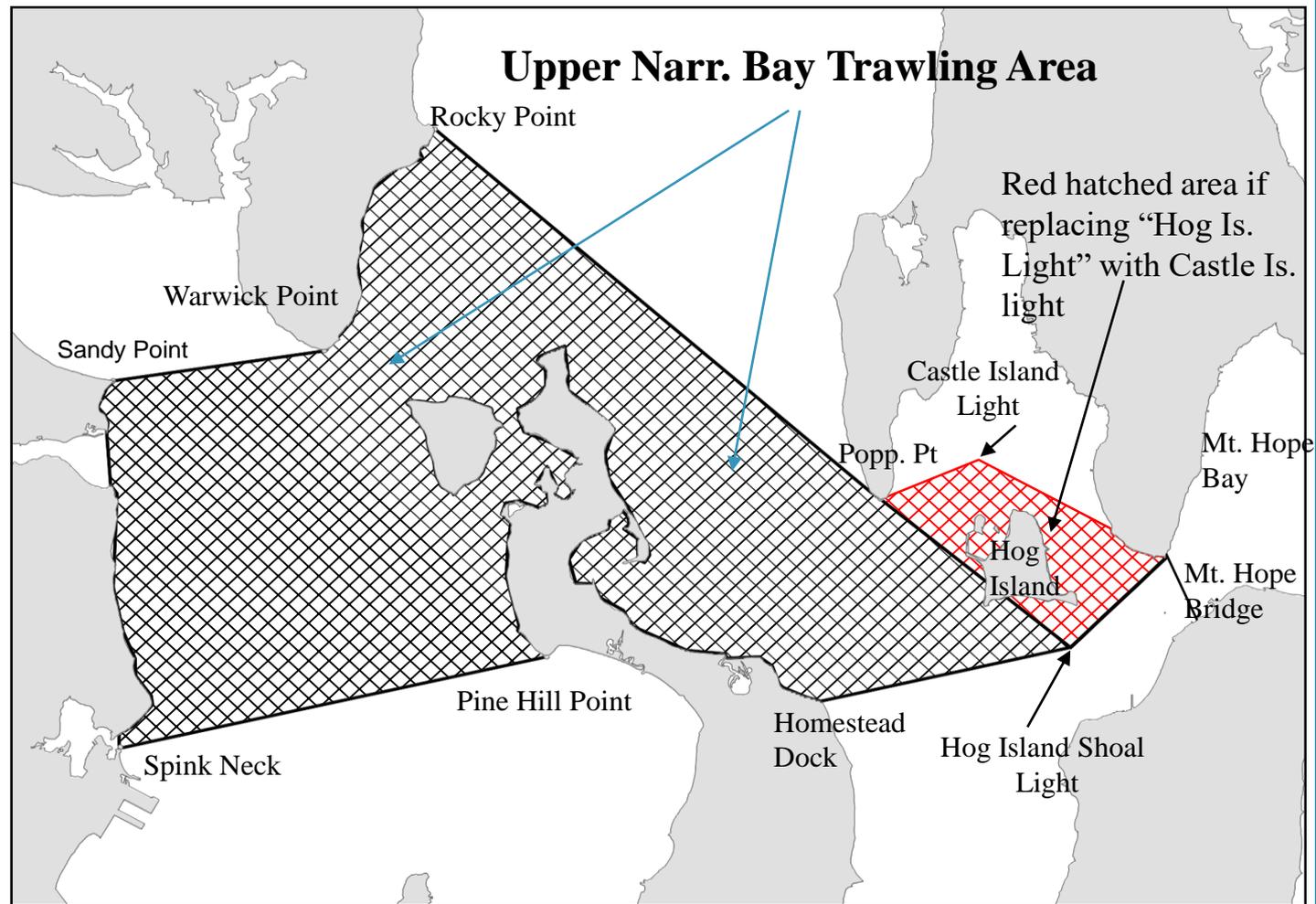
- Prohibited areas: In addition to those waters where all netting is prohibited, a trawling device is prohibited in the following areas:
  - In the Upper Narragansett Bay Trawling Area from November 2 through June 30; and
  - On any Saturday, Sunday, or legal State holiday between from July 1<sup>st</sup> and through November 1<sup>st</sup> annually.

# Upper Narragansett Bay Trawling Area

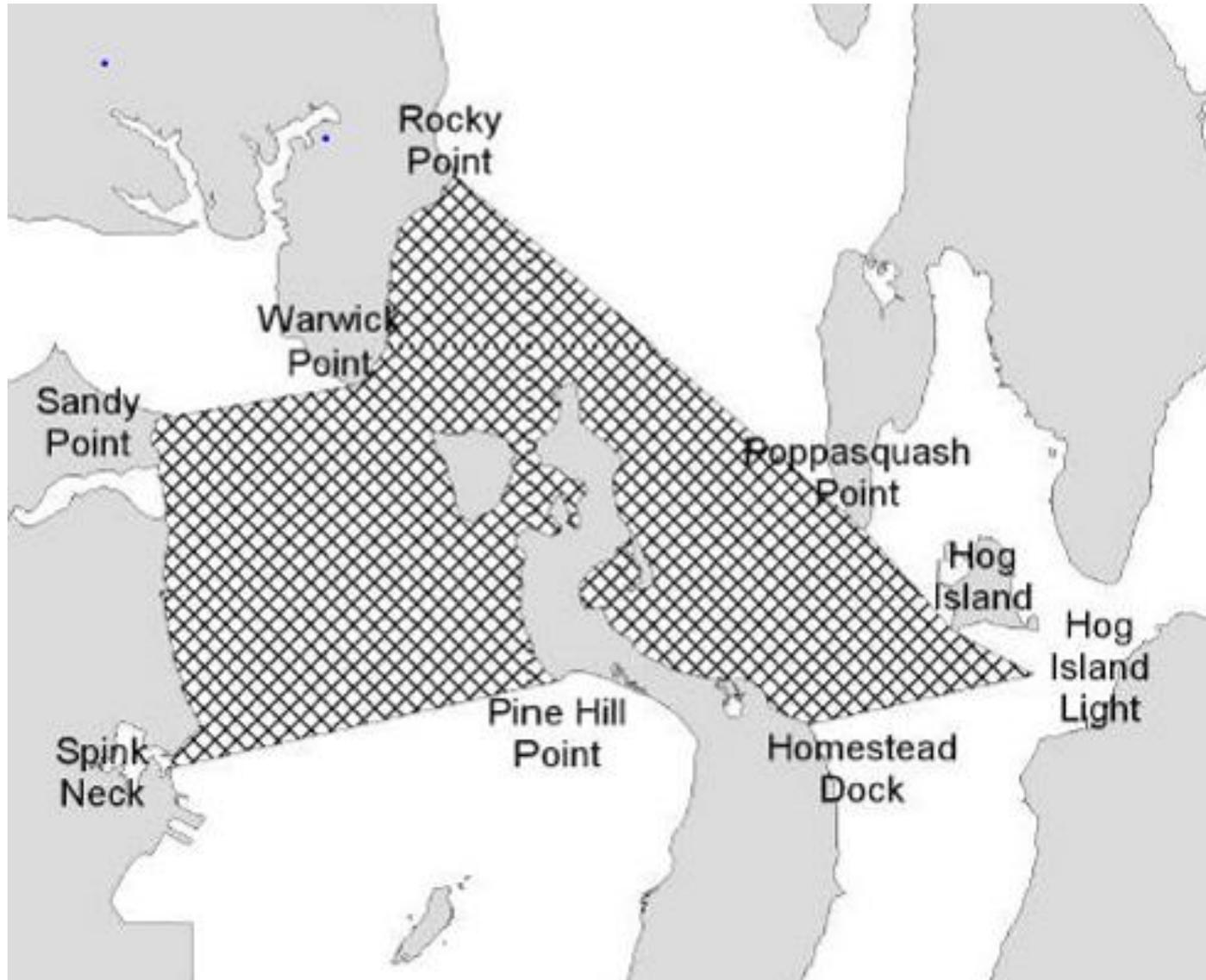


- Clarification of area description of the Upper Narragansett Bay Trawling Area (Part 6 – General Equipment Provisions; section 6.8.2(C)(1)(a)).

- As written, description of area is unclear in the area of Hog Island and the Mt. Hope bridge



# Upper Narragansett Bay Trawling Area

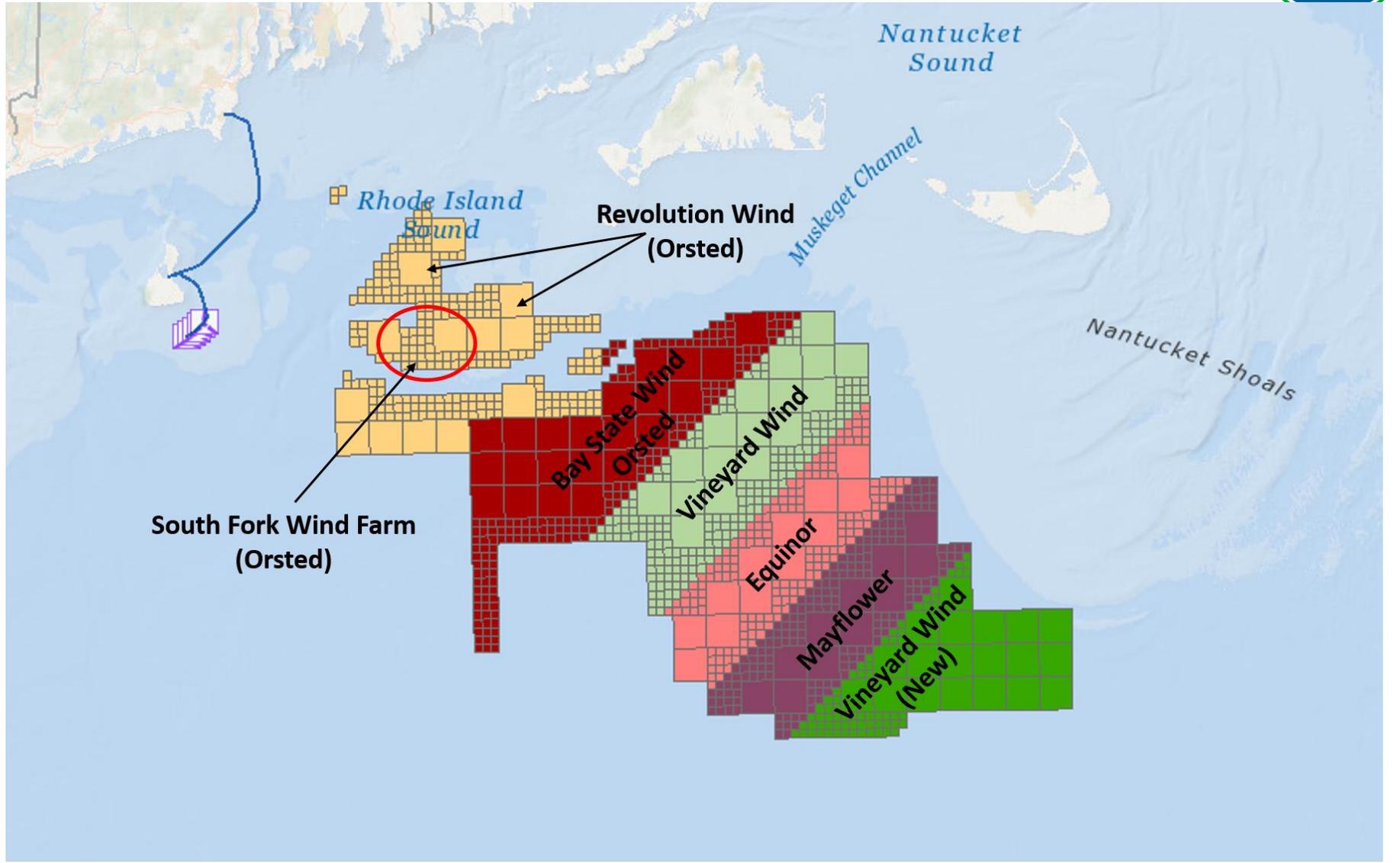


# Extension of gill net tag valid dates (Part 6, section 6.8.3(I)(6)).



Proposed language: ~~Tags shall be valid in 2-year increments beginning January 1 and ending December 31 the following year. Nets are required to be tagged beginning January 1, 2017. The current valid tags are colored orange and will be valid until January 1, 2021.~~

# Offshore Wind



End of Slides!



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