

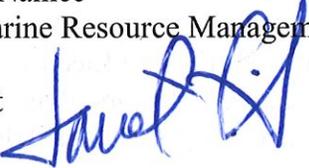


RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

OFFICE OF THE DIRECTOR

235 Promenade Street, Room 425
Providence, Rhode Island 02908

To: Jason McNamee
Chief, Marine Resource Management

From: Janet Coit
Director 

Date: November 1, 2019

Re: Final Decisions Pertaining to September 10, 2019 Marine Fisheries Public Hearing Items; and 2019 Winter Harvest Schedule for Greenwich Bay and Bissel Cove/Fox Island Shellfish Management Areas

I have received and reviewed your memo to me, dated October 16, 2019, and attached herewith, regarding the public hearing items from the September 10, 2019 public hearing and the 2019 Winter Harvest Schedule for Greenwich Bay and Bissel Cove/Fox Island Shellfish Management Areas. I have also received and reviewed all relevant supporting documentation, including the public hearing documents, the summary report (draft meeting minutes) from the October 15, 2019 meeting of the RI Marine Fisheries Council (Council), and the minutes from the September 25, 2019 meeting of the Council's Shellfish Advisory Panel.

I hereby approve all the recommendations, as set forth in your memo, which are consistent with those provided by the Council. The specific regulatory items, and the final decisions for each, are as follows:

- 1. Clarify reporting documentation requirements as they pertain to commercial trip data reporting**
 - **Decision:** Adoption of the new provisions as proposed, which differentiate between the "logging" and "submittal" of trip reports, establish the deadline for logging trips as "prior to offloading," and establish the trip data elements that are required to be reported.
 - **Comment:** I concur with your recommendation, which is consistent with that provided by the Council, to strike the "Dealer sold to" trip data element as a logging requirement while maintaining it as a submittal requirement. I also acknowledge your recommendation that, for those not logging their trips electronically, sheets from the Paper Catch and Effort Harvester logbook must be used to log trips, consistent with the language set forth in regulation.

2. Clarify due dates for the submittal of commercial trip data reporting

- Decision: Adoption of the amended provision as proposed, which clarifies the due dates for the submittal of paper reports and modifies the deadline for the submittal of electronic reports from “upon landing” to “not later than forty-eight hours after the end of the trip.”

3. Amend the standard of “Actively Fishing” as it pertains to eligibility for the issuance of a new Commercial Fishing License with Quahaug endorsement for holders of a Student Shellfish License

- Decision: Adoption of the new provision as proposed, which allows for the upgrade of a Student Shellfish License to a Commercial Fishing License with Quahog endorsement for licensees who age out (i.e., turn 24 years of age) after holding the license for a single year, provided the license is actively fished during that year.

4. Clarify licensing provisions governing applicants whose residency status changes during license year

- Decision: Adoption of the new provision as proposed, which establishes that Rhode Island residency status must be maintained for applicants applying for the renewal of a resident license, and that non-residency status must be maintained for applicants applying for the renewal of a non-resident license.

5. Amend the eligibility requirements for the prioritization of the issuance of new licenses

- Decision: Adoption of the new provision as proposed, which holds that in cases where an applicant has previously surrendered a license to the Department pursuant to the sale of vessel and/or gear, and the applicant has subsequently acquired a new license, the applicant must have held the new license for a minimum of seven (7) years before being eligible for priority status.

6. Require dealer reporting compliance as a condition of dealer license renewal

- Decision: Adoption of the new provision as proposed, which establishes that no application for the renewal of a dealer license will be accepted from a licensee who has failed to submit required dealer reports.

7. Clarify the trip reporting requirements for the Party/Charter sector

- Decision: Adoption of the amended provisions as proposed, which differentiate between the “logging” and “submittal” of trip reports, establish the required timeframe for logging trips as “prior to the termination of the trip,” reiterate that the timeframe for electronically submitting trip reports is “within forty-eight hours of the end of the trip,” and establish the trip data elements that are to be reported.

8. For licensed Party/Charter vessels/captains, add reporting compliance as a condition of maintaining and/or renewing Party/Charter licenses

- Decision: Adoption of the new provision as proposed, which establishes that failure to submit required reports will result in license suspension, revocation, or ineligibility for license renewal.

9. 2019 Winter harvest schedule for Greenwich Bay and Bissel Cove/Fox Island Shellfish Management Areas

- Decision: Adoption of the amended provision as proposed, which establishes a December 2019 harvest schedule in Greenwich Bay and Bissel Cove/Fox Island Shellfish Management Areas that includes three additional harvest days: December 24, 26, and 31.

