

SUMMARY OF PUBLIC HEARING PROPOSALS

- Notation used on slides:
 - When a “section” is referred to this indicates the section of RI regulations where the language can be found
 - When a “page” is referred to this indicates the page of the summary document
 - Underlined text indicates proposed new language
 - Old language is not given on slides but can be found in the summary document as language with strikethrough



1) Proposed changes to the Recreational Fluke Management Plan (Part 7, section 7.7.4; page 16)

Options	Minimum Size	Season	Bag
Proposal 1 (Status Quo)	19.5"	May 1 – December 31	6 fish
Proposal 2	18.5"	May 1 – December 31	6 fish
Proposal 3	19"	May 1 – December 31	6 fish
Proposal 4	19"	May 1 – December 31	7 fish

Note: All options listed above meet ASMFC compliance



2) Proposed changes to the Commercial Winter Flounder Management Plan (Part 7, section 7.8; pages 29-32)

Proposals	
Proposal 1	Status Quo
Proposal 2	Prohibit the commercial and recreational possession of winter flounder in <u>all</u> coastal ponds.
Proposal 3	Prohibit the commercial and recreational possession of winter flounder in Point Judith pond.



3) Proposed changes to the Recreational and Commercial Tautog Management Plan (Part 7, section 7.9; pages 32-36)

Option	Min. Size	Season	Bag
<u>Proposal 1*</u> (Status Quo)	16"	April 15 – May 31	3 fish
		June 1 – June 30	CLOSED
		July 1 – October 14	3 fish (Rec.) 1fish (P/C)
		October 15 – December 15	6 fish (Rec.)
		October 15 – November 30	8 fish (P/C)
		December 1 – December 15	1 fish (P/C)
<u>Proposal 2*</u> (Drop to 3 fish for Gen. Rec. & P/C)	16"	April 15 – May 31	3 fish
		June 1 – June 30	CLOSED
		July 1 – December 15	3 fish
<u>Proposal 3*</u> (Open fishery 15 days later for Gen. Rec. & P/C)	16"	May 1 – May 31	3 fish
		June 1 – June 30	CLOSED
		July 1 – October 14	3 fish (Rec.) 1fish (P/C)
		October 15 – December 15	6 fish (Rec.)
		October 15 – November 30	8 fish (P/C)
		December 1 – December 15	1 fish (P/C)



* Includes the current 10 fish/vessel limit during all open General Rec. seasons – and does not apply to Party/Charter

3) (Continued) - Proposed changes to the Recreational and Commercial Tautog Management Plan (Part 7, section 7.9; pages 32-36)

Option	Min. Size	Season	Bag
<u>Proposal 4*</u> (Change Party/Charter bag limit)	16"	April 15 – May 31	3 fish
		June 1 – June 30	CLOSED
		July 1 – October 14 (For P/C from 1 fish to 3 fish)	3 fish (Rec.) 3 fish (P/C)
		October 15 – December 15 (For P/C from 8 fish to 6 fish)	6 fish (Rec.) 6 fish (P/C)
<u>Proposal 5</u> (Gen. Rec. & P/C - Spring closure w/decreased Party/Charter possession limit)	16"	August 1 – October 14 (For Rec. & Party/Charter)	3 fish (Rec. & P/C)
		October 15 – December 15 (For Party/Charter - a decrease from 8 fish to 6 fish)	6 fish (Rec. & P/C)
<u>Proposal 5 (continued)</u> (Commercial – Spring closure)	16"	April 15 – May 31	CLOSED
		July 15 – August 29	10 fish
		October 15 – December 31	10 fish



* Includes the current 10 fish/vessel limit during all open General Rec. seasons – and does not apply to Party/Charter

4) Proposed changes to the Recreational Scup Management Plan (Part 7, section 7.11.4; page 47)

Option	Mode	Minimum Size	Season	Bag
Proposal 1 (Status Quo)	Gen Rec.	10.5"	May 24 – September 25	10 fish
	Party & Charter	11"	June 8 – September 6	10 fish
			September 7 – October 11	40 fish

Note: Meets ASMFC compliance



5) Proposed changes to the Recreational Black Sea Bass Management Plan (Part 7, section 7.14.2; pages 51-52)

Option	Minimum Size	Season	Bag
Proposal 1	13"	July 1 – September 30	25 fish
		October 1 - October 31	CLOSED
		November 1 – December 31	25 fish

Note: ASMFC compliance option



6) Proposed changes to the Commercial Monkfish Management Plan (Part 7, section 7.21; pages 54-57)

Option	Minimum Sizes	Possession limit	90% trigger
Proposal 1 (Status Quo)	17" total length or 11" tail length	1,826 lbs. whole weight or 550lbs. tail weight per vessel per calendar day	Decreased to 166 lbs. whole weight or 50 lbs. tail weight per vessel per calendar day when 90% of quota has been harvested.



6) (Continued) - Proposed changes to the Commercial Monkfish Management Plan (Part 7, section 7.21; pages 54-57)

Proposal 2 – T. Mulvey’s proposal for an experimental directed monkfish fishery

Establish an Experimental State of Rhode Island directed Monkfish fishery (attempting to reopen a legitimate RI fishery for individuals with history until such a time that the State of RI can implement a comprehensive directed monk fishery in state waters)

Purpose: to allow RI vessels with a history of targeting monkfish in RI state water to continue to do so if the following conditions can be met.

- (1) open to RI vessels that do not have a federal monkfish permit
- (2) 12 inch gillnets must be used with a twine size of .30 or 90 mm
- (3) maximum of (60) nets fished per vessel
- (4) maximum nets per string would be set at 15
- (5) allow said nets to be soaking for a duration not to exceed 72 hours
- (6) vessels would need permission to transit their catch from Block Island, RI to Point Judith, RI through an approximate 1 mile stretch of EEZ provided the vessels are in transit mode not actively fishing with all gear stowed on board, (there has been a disconnect in the past between state and federal regulations with this)
- (7) observer coverage would be mandated for participating vessels when requested by RI DEM
- (8) trip limit of 550 pounds of tail weight or 1825 pounds of tail weight per trip
- (9) 5-6% overage allowed in the federal monk fishery would be applied to boats in the RI experimental fishery
- (10) functional VMS system installed on each participating vessel
- (11) participating vessels would be allowed to catch and land all other species of fish provided under their corresponding state license and not to exceed the RI trip limit (i.e. skate)
- (12) all gillnets fished in this experimental fishery would be in compliance with existing pinger and weak link requirement as provided by law
- (13) commence said experimental fishery initially with vessels from the following 3 individuals Terrance Mulvey, Todd Sutton, Greg Duckworth. (All individuals have a history of targeting monkfish in RI state water and were eliminated from the RI directed state monk fishery in 2007)
- (14) all participating individuals need to have a State of RI commercial fishing license with gillnet endorsement
- (15) all gillnets fished in the experimental fishery would be spaced 2 micro second apart
- (16) target implementation date would be 4/1/08



6) (Continued) - Proposed changes to the Commercial Monkfish Management Plan (Part 7, section 7.21; pages 54-57)

Proposal 3 – Proposed 2011 regulatory changes for Monkfish from the RI Fishermen's Alliance

7.21.1-1 Minimum size -- No person fishing commercially shall land or possess any monkfish measuring less than seventeen inches (17") total length or eleven inches (11") tail length whether that fish was caught within the jurisdiction of this State or otherwise.

7.21.1-2 Possession Limits –

No person fishing commercially for monkfish in state waters shall possess more than 550 pounds tail weight or 1826 pounds whole weight per calendar day.

7.21.1-3 Every owner of a vessel(s) that qualifies for a federal permit allowing for the harvest of monkfish who intends said vessel to harvest monkfish in state waters shall declare said vessel with the department annually as a federally permitted vessel before the last day in February.



6) (Continued) - Proposed changes to the Commercial Monkfish Management Plan (Part 7, section 7.21; pages 54-57)

Proposal 4 – Prohibit landing of monkfish parts (e.g. livers) in proportions greater than the number of whole fish or tails.

Proposal 5 – Establish a daily possession limit designed to keep the fishery open for the entire fishing year without exceeding the self-imposed state quota

Proposal 6 – Modify Section 7.21.1-2(c) the self-imposed state quota to an amount between 1% and 3% of Southern Management Area Total Allowable Landings (SMA TAL)

Proposal 7 – Any vessel with an in-active permit that does not activate its federal monkfish permit during the fishing year in question shall have any landings attributed to that vessel counted against the self-imposed state quota

Proposal 8 – Modify Section 7.21.1-2(c) to provide when 90% of the self-imposed state quota has been harvested the possession limit will decrease to 50 pounds tail weight or 166 pounds whole weight of monkfish per vessel per calendar day, where it shall remain for the remainder of the fishing year.



7) Proposed changes to the Commercial Cod Management Plan (Part 7, section 7.22; pages 57-59)

Proposal 1 – Status Quo

Proposal 2 – Proposed 2011 regulatory changes for Cod from the RI Fishermen's Alliance

7.22.1-1 Minimum size -- No person fishing commercially shall land or possess any cod measuring less than twenty-two inches (22") total length whether caught within the jurisdiction of this State or otherwise.

7.22.1-2 Possession Limits –

(a) When cod commercial landings from state waters equals one percent (1 %) of the federal New England (Georges Bank) cod quota, no person while fishing commercially in state waters shall possess more than 1000 pounds of cod per calendar day.

(b) Repeal

7.22.1-3 Repeal



Proposal 3 – Close Cox's Ledge to all fishing, except lobstering

8) Proposed changes to the Commercial General Category Striped Bass Management Plan (Part 12, section 12.3; page 5-6)

Proposal 1 – Status Quo

Proposal 2 – Modify sub period quota percentages and the September start date – (Striped Bass AP approved option)

<p>June 6 – August 31</p>	<p><u>Eighty percent (80%)</u> of the commercial quota will be available from June 6 – August 31. The possession limit will be five (5) fish per vessel per calendar day. The fishery will be closed in each calendar week from 12:00 AM Friday until 11:59 PM Saturday during this sub period. There will be no commercial possession or sale of striped bass on these days for non floating trap net commercial fishermen. The fishery will close once <u>eighty percent (80%)</u> of the commercial quota is projected to be harvested if prior to August 31.</p>
<p>September <u>4</u> – December 31</p>	<p><u>Twenty percent (20%)</u> of the commercial quota will be available from September <u>4</u> through December 31. The possession limit will be five (5) fish per vessel per calendar day. The fishery will be closed in each calendar week from 12:00 AM Friday until 11:59 PM Saturday during this sub period. There will be no commercial possession or sale of striped bass on these days for non floating trap net commercial fishermen. The fishery will close when the entire commercial quota is projected to be harvested.</p>



8) (Continued) - Proposed changes to the Commercial General Category Striped Bass Management Plan (Part 12, section 12.3; pages 5-6)

Proposal 3 – Modify June and the September start dates – (Striped Bass AP voted against)

Start on the first Sunday of June annually between 2011 and 2015 – August 31

Seventy-five percent (75%) of the commercial quota will be available starting on the first Sunday of June annually between 2011 and 2015 – August 31. The possession limit will be five (5) fish per vessel per calendar day. The fishery will be closed in each calendar week from 12:00 AM Friday until 11:59 PM Saturday during this sub period. There will be no commercial possession or sale of striped bass on these days for non floating trap net commercial fishermen. The fishery will close once seventy-five percent (75%) of the commercial quota is projected to be harvested if prior to August 31.

September 4 – December 31

Twenty-five percent (25%) of the commercial quota will be available from September 4 through December 31. The possession limit will be five (5) fish per vessel per calendar day. The fishery will be closed in each calendar week from 12:00 AM Friday until 11:59 PM Saturday during this sub period. There will be no commercial possession or sale of striped bass on these days for non floating trap net commercial fishermen. The fishery will close when the entire commercial quota is projected to be harvested.



9) Proposed changes to the Recreational Striped Bass Management Plan (Part 12, section 12.1; page 5)

Option	Minimum Size	Season	Bag
Proposal 1 (Status Quo)	28"	Open year round	2 fish

Striped Bass AP approved option



10) Proposed changes to the Commercial Floating Fish Trap Striped Bass Management Plan (Part 12, section 12.3; page 9)

Proposal 1 – Status Quo - (Striped Bass AP approved option)



11) Proposed changes to the Narragansett Bay Menhaden Management Plan (Part 16, section 16.1 & 16.2; pages 5-20)

Proposal 1 – Status Quo with DFW technical changes (pages 5-6)

16.2.2 Vessel Restrictions – When engaged in the commercial menhaden fishery, vessels may not have a useable fish storage capacity greater than 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. A document reflecting the assessment must be kept aboard the vessel at all times. Any vessel with a fish storage capacity greater than 120,000 pounds may only engage in the fishery if the excess capacity is rendered unusable in accordance with the specifications set forth in the assessment.

16.2.4 Reporting Requirements -- In order to permit the Department of Environmental Management to monitor the fishery, any fisher intending to engage in the commercial menhaden fishery shall notify the DEM Division of Law Enforcement (DLE) at (401) 222-3070 prior to taking or coming into possession of menhaden in the management area. 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. Each commercial menhaden fisher shall also contact the **Division of Fish and Wildlife** at (401) **423- 1938** at the end of each trip to report the amount of menhaden in possession by the fisher in pounds and area fished.



11) (cont.) Proposed changes to the Narragansett Bay Menhaden Management Plan (Part 16, section 16.1 & 16.2; pages 5-20)

Proposal 2 – RI Federated Sportsman’s Proposal (pages 11- 12)

16.2.6 Permanent Closures -- **Repeal**

16.2.7 Seasonal Closures -- The following areas are seasonally closed to purse seining for menhaden:

• Providence River: The Providence River, north of a line from **Warwick Light to Rumstick Point**, is closed to all harvesting of menhaden with purse seine gear between sunrise **May 15** and sunrise **July 15** annually.

• Hope Island Management Area: -- **Repeal**

Note: ALL other restrictions remain; threshold, cap, gear, etc.



11) (cont.) Proposed changes to the Narragansett Bay Menhaden Management Plan (Part 16, section 16.1 & 16.2; pages 5-20)

Proposal 3 – Ark Bait Proposal (Pages 12- 16)

16.2.2 Vessel Restrictions – When engaged in the commercial menhaden fishery,

(A) vessels may not have a useable fish storage capacity greater than 120,000 pounds. Prior to the commencement of fishing, each new vessel in the fishery must be inspected by a certified marine surveyor and assessed with regard to its fish storage capacity. A document

(B) All vessels in the menhaden purse seine fishery shall not have an overall length greater than 85 feet. Also, the DEM shall give consideration to those vessels that could be grandfathered in based on their past history in the menhaden purse seine fishery

16.2.3 - Possession Limits

(A) The possession limit shall be 120,000 pounds per vessel per calendar day,

(B) No commercial menhaden fisher shall possess menhaden or otherwise engage in the taking of menhaden anytime on Saturday, Sunday, on any official state holiday, or prior to sunrise or following sunset.

16.2.4 Reporting Requirements – On a daily basis in order to permit the Department of Environmental Management to monitor the fishery, any fisher intending to engage in the commercial menhaden fishery shall notify the DEM Division of Law Enforcement (DLE) at (401) 222-3070 prior to taking or coming into possession of menhaden in the management area. Each commercial menhaden fisher shall also contact the DLE at (401) 222-3070 at the end of each trip to report the amount of menhaden in possession by the fisher in pounds and area fished. This will allow the DEM to monitor the menhaden that come in to the menhaden management area using the scientific monitoring methods that have been developed by the DEM.

16.2.5 Opening/Closure of Fishery – The menhaden fishery shall open on January 1 of each year and close on December 31 of said year.

(A) Biomass – “Floor” Repeal

(B) Biomass – “Ceiling” Repeal

16.2.6 Permanent Closures -- The following areas are permanently closed to purse seining for menhaden:

All waters north of a straight line running from Rocky Point to Conimicut Light to Nayatt Point, shall be closed.

Repeal the rest of this section

16.2.7 Seasonal Closures -Repeal



11) (cont.) Proposed changes to the Narragansett Bay Menhaden Management Plan (Part 16, section 16.1 & 16.2; pages 5-20)

Proposal 4 – Advisory Panel Proposal (Pages 16- 20)

16.2.2 Vessel Restrictions – When engaged in the commercial menhaden fishery,

(A) vessels may not have a useable fish storage capacity greater than 120,000 pounds. Prior to the commencement of fishing, each vessel must be inspected by a certified marine surveyor and assessed with regard to its fish storage capacity. A document reflecting the assessment must be kept aboard the vessel at all times. Any vessel with a fish storage capacity greater than 120,000 pounds may only engage in the fishery if the excess capacity is rendered unusable in accordance with the specifications set forth in the assessment.

(B) All vessels in the menhaden purse seine fishery shall not have an overall length greater than 85 feet. Also, the DEM shall give consideration to those vessels that could be grandfathered in based on their past history in the menhaden purse seine fishery.

16.2.3 - Possession Limits

(A) The possession limit shall be 120,000 pounds per vessel per calendar day.

(B) No commercial menhaden fisher shall possess menhaden or otherwise engage in the taking of menhaden anytime on Saturday, Sunday, on any official state holiday, or prior to sunrise or following sunset.

16.2.5 Opening/Closure of Fishery Based on Biomass Estimates –

(A) Biomass “Floor” Repeal

(B) Biomass “Ceiling.” When 50% of the estimated weekly standing stock of menhaden stock present in the management area, [above the minimum threshold amount of 1,500,000 pounds,*] is harvested, the DFW shall close the menhaden fishery until further notice.

16.2.6 Permanent Closures -- The following areas are permanently closed to purse seining for menhaden:

Providence River: All waters north of a straight line running from Rocky Point to Conimicut Light to Nayatt Point, shall be closed.

Greenwich Bay: All waters in Greenwich Bay west of a line from the flag pole on Warwick Point to Sandy Point.

Repeal the rest of this section

16.2.7 Seasonal Closures – Repeal

16.2.8 Recreational Harvest of Menhaden – No recreational fisherman harvesting menhaden by any fishing method shall possess more than 200 menhaden per vessel per calendar day in any closed area of the menhaden management area as set forth above.

***Note – this threshold amount should be deleted it was inadvertently not removed**



12) Proposal to amend the soft-shell clam regulations to increase the minimum legal size statewide. (Part 4, Section 4.21(a), page 18)

Option	Legal Minimum Size Statewide
Proposal 1 (Status Quo)	1 ½ inches
Proposal 2 (Recommended by DFW)	2 inches
Proposal 3 (AP consensus option)	1 ¾ inches



13) Proposal to establish Conimicut Point Shellfish Management Area

Part 4, sections 4.8, (page 9), and 4.11.1, (page 13)

4.11.1 Conimicut Point Shellfish Management Area

4.11.1-1 Certain waters adjacent to Conimicut Point are established as a Shellfish Management Area. This area is defined as north of a line between Samuel Gorton Avenue, Warwick and the corner of Bay Road, Barrington; and south of a line between Stokes Street, Warwick and the mouth of Mussachuck Creek, Barrington.

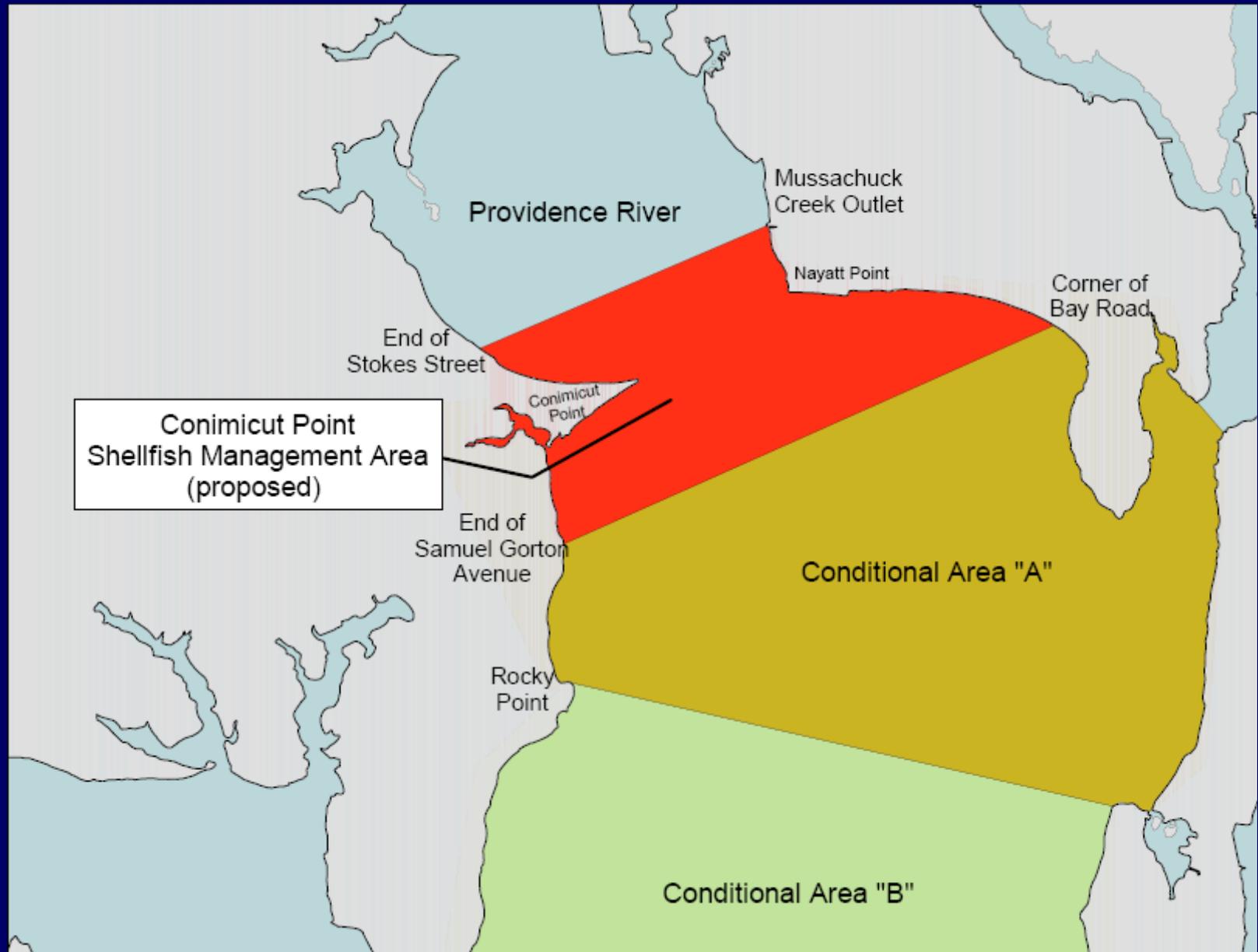
4.11.1-2 Shellfish harvesting in Conimicut Point Shellfish Management Area will be allowed only when declared open by the D.E.M. Office of Water Resources based upon water quality considerations.



Aerial View of Proposed Conimicut Point Shellfish Management Area



Proposed Conimicut Point Shellfish Management Area



14) Proposal to establish a daily soft-shell clam possession limit for Conimicut Point Shellfish Management Area (Part 4, section 4.11.1-3; page 14)

Option	Daily possession limit
Proposal 1 (Status Quo)	12 bushels
Proposal 2 (Recommended by DFW)	6 bushels
Proposal 3	3 bushels
Proposal 4	9 bushels



15) Proposed to amend the soft-shell clam regulations for non-shellfish management areas by reducing the daily possession limit statewide (Part 4, sections 4.3.2 & 4.4(a); pages 7-8)

Option	Daily possession limit
Proposal 1 (Status Quo)	12 bushels
Proposal 2 (Recommended by DFW)	6 bushels

Note: DFW recommendations may change depending on the outcome of establishment of a Conimicut Point Shellfish Management Area and associated possession limits.

