

catch rate. If Fish and Wildlife determines that an allocation will be exhausted prior to the end of the sub-period or will not be met for a sub-period, it may change the possession limit without Council approval. Fish and Wildlife will file a notice with the Secretary of State and submit a news release announcing the change. All variances of possession limits will be effective upon filing with the Secretary of State.

3.2.1-2 - If Fish and Wildlife determines that the allocation for a given species will be exhausted prior to the end of a sub-period or will not be met for a sub-period, the RIMFC, upon its own initiative, may direct Fish and Wildlife to change the possession limit. This order will be binding on Fish and Wildlife, and the Program must satisfy the notice requirements of 11.21.1 to validate the change.

3.2.1-3 – Current Possession limit – If no current possession limit is noted in the table below, refer to Part 7 of the RI Marine Fisheries Statutes and Regulations for the sub period starting possession limit for all species other than striped bass, menhaden, and horseshoe crabs. For striped bass, if no current possession limit is noted in the table below, refer to Part 12 of the RI Marine Fisheries Statutes and Regulations for the sub period starting possession limit. For horseshoe crabs, refer to Part 15 of the RI Marine Fisheries Statutes and Regulations. For menhaden, refer to Part 16 of the RI Marine Fisheries Statutes and Regulations.

Species	Current possession limit	Effective dates
Atlantic Herring		
Black Sea Bass	CLOSED	Effective 12:01 AM on June 17, 2010, until the next sub period begins on July 1, 2010 at 50 pounds per vessel per calendar day.
Coastal Sharks	Non-Sandbar Large Coastal Sharks (LCS) Species Group - CLOSED	Effective 12:01 AM on January 7, 2010, until the season begins on July 15, 2010.
	Small Coastal Sharks (SCS) Species Group -	Effective 12:01 AM on June 1, 2010, the Small Coastal Sharks (SCS) commercial fishery will open with an unlimited possession limit until

		further notice.
Horseshoe Crab	CLOSED	Effective 12:01 AM on May 16, 2010, the commercial bait fishery for horseshoe crabs will be closed until the next harvest period begins on January 1, 2011.
Menhaden	CLOSED in the Narragansett Bay Menhaden Management Area	Effective 12:01 AM on June 8, 2010, until further notice.
Scup – General Category	1,000 pounds per vessel per calendar day	Effective 12:01 AM on April 21, 2010 until the next sub period begins on May 1, 2010 at 500 pounds per vessel per calendar week.
Scup – Floating Fish Traps	1,000 pounds per fish trap licensee per calendar day	Effective 12:01 AM on April 21, 2010 until the next sub period begins on May 1, 2010 with an unlimited possession limit per fish trap licensee.
Striped Bass – General Category	<u>CLOSED</u>	<u>Effective 12:01 AM on July 8, 2010 until the next sub period begins on September 13, 2010 with a 5 fish per vessel per calendar day possession limit.</u>
Striped Bass – Floating Fish Traps		

Summer Flounder	50 pounds per vessel per calendar day or 250 pounds per vessel per calendar week if the vessel is permitted for the summer flounder aggregate program. The fishery is closed for all commercial fishers on Friday and Saturday of each week.	Effective 12:01 AM on June 27, 2010 until the next sub period begins on November 1, 2010 at 600 pounds per vessel per calendar day.
Tautog	CLOSED	Effective 12:01 AM on May 3, 2010, until the next sub period begins on July 15, 2010 at 10 fish per vessel per calendar day.
Spiny Dogfish		
Weakfish		

(RIMFC REGULATIONS) [Penalty - Part 3.3; (RIGL 20-3-3)]

3.3 Penalties -- Unless another penalty is specified in this Title, any person who violates a rule or regulation of the Marine Fisheries Council shall, upon conviction, be punished by a fine of not more than five hundred dollars (\$500) or imprisonment for not more than thirty (30) days, or both. (RIGL 20-3-3)

3.4 Shellfish and Marine Life Management Areas. -- The Council may, on the advice of and in cooperation with the Director of Environmental Management, designate certain portions of the shores of the public waters of the State, or land within the State covered by tidewater at either high or low tide, or portions of the free and common fisheries of the State as Shellfish or Marine Life Project Management Areas for the purpose of enhancing the cultivation and growth of marine species, managing the harvest of marine species, facilitating the conduct by the Department of experiments in planting, cultivating, propagating, managing, and developing any and all kinds of marine life, and any other related purpose. The designation shall be pursuant to the Administrative Procedures Act, Chapter 35 of Title 42, and shall be by reference to fixed landmarks. The Council, upon designating a Management Area, shall promulgate any rules and regulations as it shall deem necessary for the protection and management of the Management Area and the animal life and property in the Management Area, including the exclusion or restriction of persons from the area or the prohibition of certain activities within the areas or other restrictions as it may deem necessary. Upon the designation by the Council of any Management Area, the Director of Environmental Management shall place any stakes, bounds, buoys, or markers with the words "Rhode Island Department of Environmental Management" plainly marked on them, as will approximate the Management Area. Failure to place or maintain such stakes, bounds, buoys or markers shall not be admissible in any judicial or administrative proceeding. The Director may make any