

**R.I. Marine Fisheries Statutes and Regulations
PART IV - SHELLFISH**

4.10 Greenwich Bay Shellfish Management Area

4.10.1 The conditionally approved waters of Greenwich Bay are established as a Shellfish Management Area. This area is defined as west of a line between the flagpole at the Warwick Country Club and the end of Sandy Point on the Potowomut Shore.

4.10.2 Shellfish harvesting will be allowed only when declared open by the D.E.M. Office of Water Resources based upon water quality considerations. Regulations by the Office of Water Resources shall supersede the regulations below.

4.10.3 **SHORE DIGGING**: will be permitted between sunrise and sunset daily.

BOAT HARVEST:

4.10.4 Greenwich Bay Sub-Areas 1 and 2

The areas shall be subject to an annual December harvest schedule established by the Director, pursuant to recommendations developed by the Division of Fish and Wildlife and the Marine Fisheries Council. Said recommendations shall be submitted to the Director at least sixty (60) days prior to the first scheduled opening. The December schedule may include up to forty-eight (48) hours of permitted shellfishing, spread over any number of days during the month, excepting December 25.

If weather or water quality conditions during the month of December prevent the area from opening on two or more scheduled days, the Division of Fish and Wildlife may modify the December schedule to allow for additional hours or days of permitted shellfishing, provided:

1. the proposed modification(s) is/are submitted in writing to the Division of Fish and Wildlife by a member of the Marine Fisheries Council, appointed by the Marine Fisheries Council, who shall represent the interests of the commercial shellfishing industry, including harvesters and dealers, regarding the proposed modification(s);
2. the total number of hours of permitted shellfishing for the month does not exceed forty-eight (48) hours; and
3. the re-scheduled hours or days are announced publicly by the Division of Fish and Wildlife with at least seventy-two (72) hours of advance notice.

(a.) **GB Sub-Area 1** – Described as the waters east of a line between the Rhode Island Department of Environmental Management range marker located at the end of Neptune Street in Chepiwanoxet to the Rhode Island Department of Environmental Management range maker located on Cedar Tree Point, Warwick, and north of a line between the far northeastern section of Chepiwanoxet Point

and the westernmost flagpole on Promenade Street, Old Buttonwoods.

(b) GB Sub-Area 2 – Described as the waters west of a line between Sally Rock Point and the westernmost flagpole on Promenade Street, Old Buttonwoods; and south of a line between the far northeastern section of Chepiwanoxet Point and the westernmost flagpole on Promenade Street, Old Buttonwoods

~~For December 2011-2012– both Winter Shellfish Harvest Schedule for Western Greenwich Bay (both GB Sub-Area 1 and GB Sub-Area 2) shall be open to shellfishing from a boat with the following schedule:~~

~~For December 2011— open on December 14, 16, 19, 20, 21, 26, 27 and 28 from 8:00 AM to 11:00 AM (3 hours per day).~~

~~For December 2012 – In accordance with D.E.M. Office of Water Resources, “Shellfish Grounds, Closures and Approved Areas” document dated May 2012, GB Sub Area 1 and GB Sub Area 2 are closed to shellfishing beginning sunrise on December 1 through sunrise of January 1.~~

~~For January 2012– open Mondays and Wednesdays from 8:00 AM to 12:00 PM (4 hours per day).~~

~~From January 1, 2013 through April 30, 2013 – shellfishing from a boat will be permitted only between 8:00 A.M. and 12:00 P.M. Noon (4 hours per day) on: Mondays, Wednesdays, and Fridays.~~

~~Also, February 1 through April 30, 2012 – open Mondays, Wednesdays, and Fridays from 8:00 AM to 12:00 PM (4 hours per day).~~

(c) Default harvest schedules for GB Sub-Areas 1 & 2 – If no action is taken to establish specific harvest schedules and/or closures for the December ~~2011–~~ through April ~~2012~~ harvest season, ~~or~~ and harvest seasons subsequent thereto, the sub-areas shall revert to the following default harvest schedule:

Shellfishing from a boat will be permitted only between 8:00 A.M. and 10:00 A.M. on Mondays, Wednesdays, and Fridays, beginning on the second Wednesday of December and continuing through the end of April.

(d.) GB Area 3 – Described as the waters east of a line between Sally Rock Point and the westernmost flagpole on Promenade Street, Old Buttonwoods, and west of a line between the flagpole at the Warwick Country Club and the end of Sandy Point on the Potowomut Shore.

GB Sub-Area 3 is open to shellfishing from a boat between sunrise and sunset daily on an annual basis.

4.22 Bristol Harbor Shellfish Transplant Area

4.22.1 The waters of Bristol Harbor described below are designated as a Shellfish Management Area. This area is defined as that area of Bristol Harbor southerly of a line between Johnson's Dock (so-called) on the west side of Bristol Harbor and the northwest corner of the Coast Guard Dock, on the east side of Bristol Harbor, and north of a line between Rockwell's Dock (so-called) on the west side of Bristol Harbor, and the northwest corner of the Coast Guard Dock. The area is bordered on the west by the three (3) foot contour line along the shore between Rockwell's Dock and Johnson's Dock and on the east by the existing pollution line.

4.22.1-1 Shellfish harvesting will be allowed only when declared open by the D.E.M. Office of Water Resources based upon water quality considerations. Regulations by the Office of Water Resources shall supersede the regulations below.

4.22.2 Boat Harvest

- (a) **For December 2011 2012** – shellfishing from a boat will be permitted only between 8:00 A.M. and 12:00 **P.M.** Noon (4 hours per day) on: December **12, 14, 16, 17, 19, 20, 21, 24, 26, 27 and 28, and 31.**
- (b) **For January 2012 2013** – shellfishing from a boat will be permitted only between 8:00 A.M. and 12:00 **P.M.** Noon (4 hours per day) on: Mondays, Wednesdays, and Fridays.
- (c) **From February 1 through April 30, 2012 2013** - shellfishing from a boat will be permitted only from sunrise to 12:00 **P.M.** Noon on: Mondays through Fridays.
- (d) The area is closed to all shellfishing from a boat from May through November, annually, and will reopen every December in accordance with the annually established December schedule.
- (e) **Default harvest schedule** – If no action is taken to establish specific harvest schedules for the December **2011– through** April **2012** harvest season, **or and** harvest seasons subsequent thereto, the area shall revert to the following default harvest schedule:

Shellfishing from a boat will be permitted only between 8:00 A.M. and 12:00 Noon on Mondays, Wednesdays, and Fridays, beginning on the second Wednesday of December and continuing through the end of April.

4.23 Opening Shellfish on Water -- No person shall possess the meats of more than six

(6) shellfish while shellfishing on the waters of the State or throw the shells of open scallops onto the scallop beds. (RIGL 20-6-21) [Penalty - Part 6.6; (RIGL 20-6-13)]

4.24 Bissel Cove - Fox Island Transplant Area

4.24.1 Bissel Cove and the adjacent waters of Narragansett Bay, North Kingstown, including the entirety of Bissel Cove and the adjacent waters south of a line between pole #275 at the corner of Waldron and Seaview Avenues and the southwestern most point of Fox Island (south of the cable area); west of a line from the southwestern most point of Fox Island to the northern most point of Rome Point is established as a Shellfish Management Area.

4.24.1-1 Shellfish harvesting will be allowed only when declared open by the D.E.M. Office of Water Resources based upon water quality considerations. Regulations by the Office of Water Resources shall supersede the regulations below.

4.24.2 Shore Digging -- Shore digging will be permitted daily between sunrise and sunset.

4.24.3 Boat Harvest

- (a) For December 2011 2012** – shellfishing from a boat will be permitted only between 8:00 A.M. and 12:00 P.M. Noon (4 hours per day) on: December 12, 14, 16, 17, 19, 20, 21, 24, 26, 27 and 28, and 31.
- (b) For January 2012 2013** – shellfishing from a boat will be permitted only between 8:00 A.M. and 12:00 P.M. Noon (4 hours per day) on: Mondays, Wednesdays, and Fridays.
- (c) From February 1 through April 30, 2012 2013** - shellfishing from a boat will be permitted only from sunrise to 12:00 P.M. Noon on: Mondays through Fridays.
- (d) The area is closed to all shellfishing from a boat from May through November, annually, and will reopen every December in accordance with the annually established December schedule.**
- (e) Default harvest schedule** – If no action is taken to establish specific harvest schedules for the December 2011– through April 2012 harvest season, **or and** harvest seasons subsequent thereto, the area shall revert to the following default harvest schedule:

Shellfishing from a boat will be permitted only between 8:00 A.M. and 12:00 Noon on Mondays, Wednesdays, and Fridays, beginning on the second

Wednesday of December and continuing through the end of April.

4.27 Potowomut Shellfish Management Area

4.27.1 Shellfish harvesting will be allowed only when declared open by the D.E.M. Office of Water Resources based upon water quality considerations. Regulations by the Office of Water Resources shall supersede the regulations below.

4.27.2 SHORE DIGGING: is permitted within this entire area between sunrise and sunset daily year around.

4.27.3 BOAT HARVEST:

The Potowomut Shellfish Management Area is divided into the following three areas pertaining to boat harvesting:

Area A is defined as the area west of a line between the seaward end of Sandy Point and buoy "G1" (Round Rock) and north of a line between the seaward end of Pojac Point to buoy "G1" (Round Rock). Area A is closed to shellfishing from a boat except as follows:

- (a) For December ~~2011~~ 2012 – shellfishing from a boat will be permitted only between 8:00 A.M. and 12:00 P.M. Noon (4 hours per day) on: December 12, 14, ~~16~~, 17, 19, ~~20~~, 21, ~~24~~, 26, ~~27~~ and 28, and 31.**
- (b) For January ~~2012~~ 2013 – shellfishing from a boat will be permitted only between 8:00 A.M. and 12:00 P.M. Noon (4 hours per day) on: Mondays, Wednesdays, and Fridays.**
- (c) From February 1 through April 30, ~~2012~~ 2013 - shellfishing from a boat will be permitted only from sunrise to 12:00 P.M. Noon on: Mondays through Fridays.**
- (d) The area is closed to all shellfishing from a boat from May through November, annually, and will reopen every December in accordance with the annually established December schedule.**
- (e) Default harvest schedule – If no action is taken to establish specific harvest schedules for the December ~~2011~~– through April ~~2012~~ harvest season, ~~or~~ and harvest seasons subsequent thereto, the area shall revert to the following default harvest schedule:**

Shellfishing from a boat will be permitted only between 8:00 AM and 12:00 Noon on Mondays, Wednesdays and Fridays, beginning on the

second Wednesday of December and continuing through the end of April.

Area B is defined as the triangular area east of a line between the seaward end of Sandy Point and buoy "G1" (Round Rock) and west of a line between the flagpole at the Warwick Country Club and buoy "G1" (Round Rock) and south of a line between the flagpole at the Warwick Country Club to the seaward end of Sandy Point. Area B is closed to shellfishing from a boat until further notice.

Area C is defined as the area east of a line between the flagpole at the Warwick Country Club and buoy "G1" (Round Rock) and north of a line from buoy "G1" (Round Rock) to the Warwick Lighthouse. Area C is open to shellfishing from a boat daily between sunrise and sunset year-round.

4.28 "High Banks" Shellfish Management Area

4.28.1 The waters of High Banks are established as a Shellfish Management Area. This area is defined as the waters of the upper west passage south of a line between the seaward end of Pojac Point to the Round Rock buoy "G1" and north of a line from the seaward end of the fence between the former Davisville Navy property and Pettee Street in the Mount View section of North Kingstown to "N6" buoy located mid-bay west of Prudence Island. The area is bounded on the east by a line projecting from the easternmost end of Pier 2 at Davisville to the Round Rock buoy "G1" and is bounded to the west by the shore.

4.28.2 Shellfish harvesting will be allowed only when declared open by the D.E.M. Office of Water Resources based upon water quality considerations. Regulations by the Office of Water Resources shall supersede the regulations below.

4.28.3 SHORE DIGGING: is permitted between sunrise and sunset daily.

4.28.4 BOAT HARVESTING:

- (a) **For December ~~2011~~ 2012** – shellfishing from a boat will be permitted only between 8:00 A.M. and 12:00 **P.M.** Noon (4 hours per day) on: December **12, 14, ~~16, 17,~~ 19, ~~20,~~ 21, 24, 26, ~~27~~ and 28, and 31.**
- (b) **For January ~~2012~~ 2013** – shellfishing from a boat will be permitted only between 8:00 A.M. and 12:00 **P.M.** Noon (4 hours per day) on: Mondays, Wednesdays, and Fridays.
- (c) **From February 1 through April 30, ~~2012~~ 2013** - shellfishing from a boat will be permitted only from sunrise to 12:00 **P.M.** Noon on: Mondays through Fridays.

(d) The area is closed to all shellfishing from a boat from May through November, annually, and will reopen every December in accordance with the annually established December schedule.

(e) Default harvest schedule – If no action is taken to establish specific harvest schedules for the December ~~2011~~— through April ~~2012~~ harvest season, ~~or~~ and harvest seasons subsequent thereto, the area shall revert to the following default harvest schedule:

Shellfishing from a boat will be permitted only between 8:00 A.M. and 12:00 Noon on Mondays, Wednesdays, and Fridays, beginning on the second Wednesday of December and continuing through the end of April.