

Final annotations - Part 6 – Finfish

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TITLE 250 – DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

CHAPTER 90 – MARINE FISHERIES

SUBCHAPTER 00 – N/A

PART 6 – General Equipment Provisions

6.8.3 Gill netting

I. Tagging of nets:

1. Vessels permitted and participating in the gill net tagging program administered by the NOAA Fisheries Greater Atlantic Regional Office, and which are not participating in the Rhode Island tagging program, may transit Rhode Island State waters with gill nets on board the vessel only if all gill nets are stowed, and, when applicable, have the federal gillnet tags permanently attached.
2. No gill net shall be set, hauled and/or maintained in Rhode Island State waters without permanently attached non-transferable tags issued by **DFW the Director**.
3. Eligibility: ~~To receive~~ gill net tags, **are available only to** a multipurpose license holder with gill net endorsement ~~must declare their license and designate a commercially declared vessel to haul that licensee's net~~.
4. Only one set of tags shall be designated to a commercial license holder.
5. License holders ~~shall be issued~~ **are eligible to receive a maximum of** 80 tags, plus an additional 10 tags for routine loss. No more than 80 tags shall be in the water at any one time. **No person shall possess at any one time more tags than are authorized**.
6. Nets are required to be tagged beginning January 1, 2017. Tags shall be valid in (2) year increments beginning January 1 and ending December 31 the following year.

7. ~~Tags shall be attached to both vertical lines of a string of gill nets at the point proximate to where the bridle is joined to the vertical line. Tags shall be equally distributed between vertical lines, the difference of the number of tags on each vertical line shall not exceed one tag. One tag must be attached for every 300 linear feet of net used in a string.~~ Tags shall be attached to every string of gill nets as follows: one tag shall be attached on each of the two terminal ends, at the bridle of each end net panel; and one tag shall be attached on every other bridle of each net panel within the string.
8. No person shall transfer gill net tags between nets or between individuals or vessels.
9. No person shall file a false claim of tag loss.

6.8.6 Fish traps

- H. Reporting requirements: On or before the tenth day of January of each year, each licensee/fish trap operator shall submit a written report to the DEM, indicating those locations where the licensee shall be setting fish traps during the upcoming fishing season. These locations shall be identified by GPS, LORAN and/or latitude and longitude coordinates and shall also include the dates upon which the licensee anticipates setting and removing the traps. This notification shall not prohibit a fish trap operator from subsequently, during the calendar year, setting additional traps on licensed locations that were not anticipated and for which notice was not therefore provided to the DEM. However, any deviations from the report must be reported in writing and received by the DEM Division of ~~Fish and Wildlife~~, Marine Fisheries ~~section~~, 3 Fort Wetherill Road, Jamestown, Rhode Island, 02835 prior to the setting of the trap. Failure to provide this information makes the fish trap operator's license null and void. Based on the reports of fish trap locations, the DEM shall develop a graphic chart displaying fish trap locations annually by June 1 for distribution to the public.
- I. By January 31 annually, the DEM shall review all trap site permits and shall eliminate those sites from the list of authorized sites for which a permit has not been issued. The DEM shall provide written notice by registered mail to all those licensees who had most recently been issued permit(s) to set fish trap(s) in the locations of the sites to be eliminated. Said notice shall advise the affected licensee that the licensee may avoid the elimination of the trap location if written notice of such a desire to avoid elimination is received by the Division of ~~Fish and Wildlife~~, Marine Fisheries ~~section~~, 3 Fort Wetherill Road, Jamestown, Rhode Island, 02835, on or before thirty (30) days of the licensee's receipt of the notice of elimination.