



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL
MANAGEMENT

235 Promenade Street, Providence, RI 02908-5767

TDD 401-222-4462

To: Mark Gibson
Deputy Chief of Marine Fisheries, DFW

From: W. Michael Sullivan
Director

A handwritten signature in cursive script that reads "W. Michael Sullivan".

Date: April 18, 2006

Re: Decision on March 13, 2006
Marine Fisheries Public Hearing Items

I am writing in response to your April 5, 2006 memorandum regarding the four marine fisheries regulatory proposals that were presented at the March 13, 2006 public hearing.

I have reviewed all of the documents forwarded with your memo – the summaries of the striped bass and tautog advisory panels; the summaries of the 12/19/05 Tristate River herring Workshop and the follow-up in-state river herring workshop held on 2/16/06; the March 13, 2006 public hearing summary document; the summary of public comments offered at the public hearing, as well as the written comments submitted during the public comment period; and the minutes of the April 3, 2006 meeting of the Marine Fisheries Council.

Based on my full review of the record, I have reached the following decisions:

River Herring: I hereby adopt your recommendation, and that of the Council, to institute a permanent closure on the take, catch, and possession of river herring in state marine waters. I note that this action will extend indefinitely the closure currently in effect pursuant to an emergency regulation filed on March 22, 2006. The need for the closure is clear, and broadly supported; it also aligns Rhode Island with the closed fisheries in Connecticut and Massachusetts. I further support the Council's recommendation to track the status of the resource via annual workshops, and I hereby call upon you to coordinate that event at an appropriate time each year.

Tautog: I hereby adopt your recommendation, and that of the Council, to shift the summer sub-period start date from August 1 to July 15 for the commercial tautog fishery. I note that the proposal came forward from the Tautog Advisory Panel and encountered no objections.

Striped Bass: I hereby adopt your recommendation, and that of the Council, to shift the spring sub-period start date from June 1 to June 10. I note that the June 1 start date was originally intended to avoid market complications with Massachusetts, a concern that no longer exists. I further note that the 10-day delay should allow the fishery to remain open through the July 4 weekend, which will serve as an economic boost for the industry.

Mussels: I hereby adopt your recommendation, and that of the Council, to delete the minimum size restriction for mussels. I note that this change aligns the regulation with state statute, which was amended a few years ago to remove the minimum size provision governing mussels.