

# Marine Fisheries Informational Workshop

- ◆ RIDFW staff will go through informational presentation species by species (item by item).
- ◆ Please hold all questions until the end, presentations are relatively brief and we can go back when complete.
- ◆ After each species section is complete, discussion will begin.
- ◆ Discussion should focus on:
  - Existing proposals
  - Clarifying questions regarding proposals
  - Recommendation of new or alternate proposals
- ◆ Discussion at the workshop is not part of the public record for the public hearing. Please offer your preferred option and comments at the public hearing.
- ◆ Public comment period will be extended to... date tbd.



# PUBLIC HEARING ITEMS

1. Amendments to “RIMFR - Finfish”, regarding regulations for Blueline tilefish (section 7.23)
2. Amendments to “RIMFR - Part XV - Lobsters, Other Crustaceans, and Horseshoe Crabs” regarding the application period for transfer of lobster trap allocation (section 15.14.2-12); and landing limits of lobsters taken by gear or methods other than trap (section 15.18)
3. To repeal “RIMFR - Part XV - Lobsters, Other Crustaceans, and Horseshoe Crabs”, and adopt in its place a new regulation entitled “RIMFR - Lobsters, Crabs and Other Crustaceans”, in order to improve its readability by re-organizing the structure of the regulation and removing unnecessary non-regulatory language
4. Amendments to RIMFR “Part XVI – Menhaden”, regarding management of the commercial menhaden fishery



**Hearing Item #1:** Amendments to “RIMFR - Finfish”, regarding regulations for Blueline tilefish (section 7.23):

- ◆ Rapidly expanding fishery on deep water, long-lived, and slow growing stock without a FMP from VA northward;
- ◆ Mid-Atlantic Fisheries Management Council enacted emergency regulations to stem rapidly increasing landings in mid Atlantic, requests states reciprocate.

Proposed regulation:

7.23 Blueline tilefish (*Caulolatilus microps*)

7.23.1 Commercial

(A) Minimum Size: No minimum size.

(B) Fishing year: May through April 30 fishing year.

(C) Possession limit: Three hundred (300) pounds per vessel per calendar day.



## Hearing Item #2: Amendments to “RIMFR - Part XV - Lobsters, Other Crustaceans, and Horseshoe Crabs”:

- ◆ Application period for transfer of lobster trap allocation: This proposal stems from consistency with federal trap transferability plan and subsequent federal rule-making
- ◆ Proposed regulation:

### 15.14.2-12 LTA Transfers:

#### (f) Applications:

- (iv) Applications for transfers may be submitted from ~~June 1 through November 30~~ August 1 through September 30 for the following fishing year.



## Hearing Item #2 cont'd: Amendments to “RIMFR - Part XV - Lobsters, Other Crustaceans, and Horseshoe Crabs”:

- ◆ Landing limits of lobsters taken by gear or methods other than trap (section 15.18); This proposal is to clarify the original intent of the regulation.

15.14.1-2 Crab pots/traps, fish traps, fish weirs, minnow traps, eel pots/traps, conch pots/traps, gillnets or trammel nets, fyke nets, stake traps, trawling devices, clam and scallop dredges, beach seines, purse seines, and tongs or bullrakes shall be classified as non-lobster trap gear and shall be exempt from trap tagging requirements.

- ◆ Proposed regulation:

15.18 Landings of lobsters taken by gear or methods other than trap – Limits: Landings by fishermen using ~~gear or methods other than traps (non-trap fishermen)~~ gillnets or otter trawls will be limited to not more than one hundred (100) lobsters per day (based on a 24-hour period) up to a maximum of five hundred (500) lobsters per trip, for trips of five (5) days or longer.



**Hearing Item #3:** Repeal of “RIMFR - Part XV - Lobsters, Other Crustaceans, and Horseshoe Crabs”, and adopt in its place a new regulation in order to improve its readability by re-organizing the structure of the regulation:

- ◆ Same approach as was taken for the Shellfish Reg. Re-Write;
- ◆ Improved table of contents;
- ◆ Improved structure;
- ◆ Removal of non-regulatory administrative and statutory language;
- ◆ Removal of duplicative and/or obsolete language;
- ◆ Removal of language throughout regulation regarding violations, assessment of penalties, appeals and adjudication, and replacement with general provisions. Procedures regarding enforceability, assessment of penalties and appeal provisions is guided by statute and by DEM’s Division of Law Enforcement and Administrative Adjudication Division regulations.



## Hearing Item #3 cont'd:

### ◆ Companion Document:

- Prepared to assist the reader with following the proposed changes;
- Shows all proposed changes in standard annotated style (~~red strikethrough for language to be removed~~; red underline for new language)
- Identifies the new section in the new regulation where the language can be found (in **bold red parentheses** at the end of each section).

### ◆ Proposed final regulation:

- Read along with companion document to show re-organization of sections and final proposed language.



## Hearing Item #3 cont'd:

### ◆ NEW OR AMENDED DEFINITIONS:

- Catastrophic trap tag loss means the loss of original lobster trap tags ~~that exceed in excess of~~ the 10% over-allotment trap tags issued for routine loss, ~~based on the maximum number of lobster traps deployed in which instance the original trap tags become invalid and are replaced in their entirety by catastrophic trap tags.~~
- Exclusive Economic Zone (EEZ) means those waters three (3) to two hundred (200) miles (five to 322 kilometers) offshore which are under the direct jurisdiction of the federal government.
- Original trap tags means the number of trap tags available for purchase to a RI commercial license holder or a Federal Limited Access Lobster Permit holder based on their lobster trap allocation, as determined by the Director, including an additional 10% over- allotment to allow for routine trap losses.
- Routine trap tag loss means the loss of original lobster trap tags that does not exceed the 10% over-allotment ~~trap tags allowance issued for routine loss,~~ based on the maximum number of lobster traps deployed.  
(Part I)



## Hearing Item #3 cont'd:

- ◆ Addition of language to clarify that a non-commercial lobster pot or diver license is available to RI residents only
  - Proposed regulation:

Section 15.3(A) ...A non-commercial lobster pot or diver license is available to RI residents only (RIGL 20-2-24)...



## Hearing Item #4: Amendments to RIMFR “Part XVI – Menhaden”, regarding management of the commercial menhaden fishery

- ◆ Use of non-directed gear: This proposal stems from an industry request to allow access to menhaden commercially during closed periods if using non-directed gear.
- ◆ Proposed regulations (3 sections):

### 16.2.3 Possession Limits:

(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, unless the fisher is using a non-directed gear type for menhaden. Non-direct gear will be defined as cast nets, floating fish traps, and rod and reel.



## Hearing Item #4 cont'd:

16.2.7 Harvest of Menhaden in Permanently Closed Areas: No person harvesting menhaden by any fishing method shall possess more than two hundred (200) menhaden per vessel per calendar day in any closed area of the Management Area as set forth above, unless the individual is properly commercially licensed to harvest menhaden and is not using purse seine gear.

16.3 Landing of Menhaden in RI under State Quota Program:

16.3.2 All commercial Menhaden operations conducted in the Management Area, prior to and after the State's quota has been reached, are subject to the provisions of section 16.2, unless the fisher is using a non-directed gear type for menhaden, as defined in 16.2.3(B) of this rule.



## Hearing Item #4 cont'd:

- ◆ Directed fisheries: This proposal is to clarify existing regulations.
- ◆ Proposed regulation:

### 16.4 Episodic Event Set Aside Program:

16.4.3 Vessels not associated with directed fisheries for menhaden may continue to harvest and land in RI up to 6,000 pounds per vessel per day as bycatch. Such vessels are not subject to the provisions of sub-sections 16.2.3 (A) and (B), but ~~are subject to the provisions of section 16.2 with regard to operations conducted in the Management Area, and~~ are subject to all existing commercial fishing reporting requirements as set forth in the RIMFR.



## Hearing Item #4 cont'd:

- ◆ Fall Opening of the Narragansett Bay Marine Life Management Area: This stems from an industry request to allow limited access to menhaden commercially if the fall pulse of fish comes in to Narr. Bay.
- ◆ Proposed regulation:

### 16.9 Fall Opening of the Narragansett Bay Marine Life Management Area:

16.9.1 Beginning September 1 of each year, the area south of a line from the Jamestown and Newport Bridges, and the area south of a line from Fogland Point to Sandy Point in the Sakonnet River, to the southern extent of the Narragansett Bay Marine Life Management Area as defined in 16.2, will be open to the harvest of menhaden by purse seine as long as the states quota has not been exhausted or if the Episodic Event Set Aside Program has been enacted in RI.

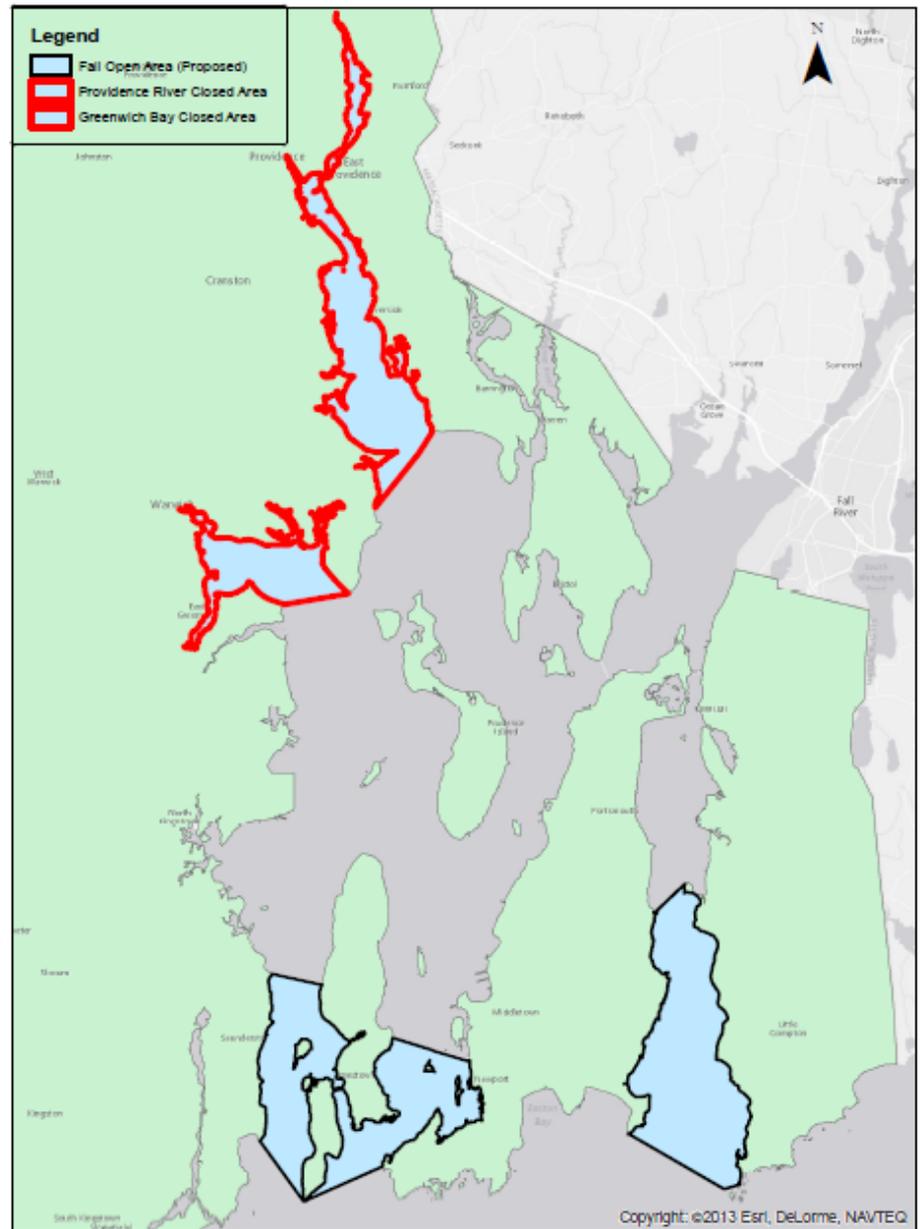
16.9.2 A possession limit of 25,000 lbs will be allowed in this area under the conditions defined in 16.9.1.



# Hearing Item #4 cont'd:



## Narragansett Bay Marine Life Management Area



0 1.5 3 6 Miles

End of Slides!

