



Rhode Island  
Department of Environmental Management

DIVISION OF FISH AND WILDLIFE

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TO: W. Michael Sullivan, Director DEM

FROM: Robert Ballou, Acting Chief DFW

DATE: November 12, 2009

SUBJECT: Request for decision on Shellfish Management Area schedule changes for 2009-2010

Comments and recommendations on proposals to alter the 2009-2010 schedule for several Shellfish Management Areas were developed at the RI Marine Fisheries Management Council's Shellfish Advisory Panel at their August 26, 2009 meeting. The Panel's recommendations were then presented to the full Council at the Council's October 5, 2009 meeting. The Council voted unanimously to recommend adoption of all of the proposed changes. No one from the public voiced any opposition to any of the proposals. The minutes of the Council meeting are attached to this document. No public hearing is required prior to changes in shellfish management area regulations; thus, the RIMFC minutes constitute the only record of public comment.

The shellfish industry's rationale for the proposed changes, as transmitted through the shellfish advisory panel, is to maintain product value, minimize saturation of the market, and maximize access to the resource.

The proposed changes are summarized on the following page and detailed in the attached annotated regulatory document.

***Having reviewed the entire record, and conferred with staff, I hereby urge adoption of all of the proposed changes. If you concur, please indicate by signing this memo at the end and returning it to me. Upon receipt of the signed memo, I will initiate the filing process. If you feel the need to make any changes that differ from those proposed, please delineate those changes via a separate memo.***

*W. Michael Sullivan*  
*11/12/09*

Summary of Proposed Changes:

- (1) Regarding Greenwich Bay Shellfish Management Area (western portion):
  - Enact new December 2009 schedule: M,W,F 8:00-Noon, beginning 2<sup>nd</sup> Wednesday in December
  - Enact holiday schedules for weeks of 12/21/09 and 12/28/09
  - Enact new January-April schedule: One day/week (first available M,T,W,I, or F) 8:00-Noon
  - Extend openings until April 30, 2010
  - Eliminate pre-Memorial Day week openings
- (2) Regarding Bristol Harbor & Bissel Cove Management Areas:
  - Enact holiday schedules for weeks of 12/21/09 and 12/28/09
  - Extend openings until April 30, 2010
- (3) Regarding Potowomut "A" Management Area:
  - Enact holiday schedules for weeks of 12/21/09 and 12/28/09
- (4) Regarding High Banks Management Area:
  - Enact new December 2009 and January 2010 schedule: M,W,F 8:00-Noon, beginning 2<sup>nd</sup> Wednesday in December 2009
  - Enact holiday schedules for weeks of 12/21/09 and 12/28/09
  - [Maintain existing M→F sunrise→Noon schedule for February 2010→April 2010]
  - Extend openings until April 30, 2010

As a result of the above-described changes:

- All of the five management areas will open on the 2<sup>nd</sup> Wednesday in December 2009, and be open every M,W,F 8:00-Noon, excepting the weeks of December 21 and 28, 2009, when they will all be open M,T,W 8:00-Noon.
- After December 2009, Greenwich (west) will revert to the one-day/week schedule (8:00-Noon), as was the case last year.
- After January 2010, High Banks will revert to the Monday through Friday (5-days/week) schedule (sunrise-Noon), as was the case last year.
- All of the five management areas will remain open through April 30, 2010.



**Approved for filing as presented**



**W. Michael Sullivan, Director**  
**November 12, 2009**