

PUBLIC HEARING ITEM 1g. SKATE

73.25 Skate

73.25.1 Prohibited Species: The harvest, landing, or possession of barndoor (*Dipturus laevis*) or thorny (*Amblyraja radiata*) species of skate within the territorial waters of the state of Rhode Island is prohibited.

73.25.2 Recreational:

(A) Possession Limit: ~~There is no recreational possession limit for skate provided the vessel is fishing in state waters.~~ **One hundred (100) pounds per vessel per day.**

~~(1) Possession Limit Adjustment: The recreational possession limit for skate shall be adjusted to the most restrictive commercial possession limit if a possession limit is imposed on either of the two commercial skate fisheries.~~

73.25.3 Commercial:

(A) Fishing year: ~~The commercial skate fishery shall operate on a~~ May 1 through April 30 ~~fishing year~~ **annually.**

(B) Skate Wing fishery: **The skate wing fishery** shall be defined as skate harvested, possessed, or landed **by a vessel:**

(1) Fishing in state waters, not on a previously declared Day At Sea (DAS), and without an active federal open-access skate permit; and

(2) For food for human consumption, ~~i.e., product landed~~ with a designated ACCSP Disposition Code 001 = Food.

(3) Minimum size: No minimum size.

~~(4) Seasons and possession limits: There is no commercial possession limit for the skate wing fishery, provided the vessel is fishing in state waters, not on a previously declared Day At Sea (DAS), and without an active federal open-access skate permit.~~

(a) Sub-Period I - May 1 through August 31: 2,600 pounds wings, or 5,902 whole, per vessel per day; decreasing to 500 pounds wings, or 1,135 pounds whole, per vessel per day once 85% of the TAL allocated to Sub-period I is landed as determined by NOAA Fisheries.

(i) During the period between August 18 and August 31, the Director may increase the possession limit to compliment the federal possession limit determined by NOAA Fisheries.

(b) Sub-Period II - September 1 through April 30: 4,100 pounds wings, or 9,307 whole, per vessel per day; decreasing to 500 pounds wings, or 1,135 whole, per vessel per day once 85% of the remaining annual TAL is landed as determined by NOAA Fisheries.

(C) Skate Bait fishery: The skate bait fishery shall be defined as skate harvested, possessed, or landed by a vessel:

(1) Fishing in state waters, not on a previously declared DAS, without an active federal open-access skate permit, and without a federal skate bait Letter of Authorization (LOA); and

(2) For use as bait i.e., product landed with a designated ACCSP Disposition Code 008 = Bait.

(3) Maximum length: Whole skates must measure less than twenty three (23) inches total length.

(14) Seasons and possession limits: ~~There is no commercial possession limit for the vessel is fishing in state waters, not on a previously declared DAS, without an active federal open-access skate permit, and without a federal skate bait Letter of Authorization (LOA).~~

(a) Sub-period I - May 1 through July 31:

(b) Sub-period II - August 1 through October 31:

(c) Sub-period III - November 1 through April 30:

(a) Possession Limit: The starting possession limit for each sub-period will be 25,000 pounds whole skate per vessel per day. When 90 percent of a bait skate TAL allocation in either Sub-period I or II, or when 90 percent of the annual Skate Bait TAL is landed, as determined by NOAA Fisheries, the possession limit will be reduced to the whole weight equivalent of the skate wing possession limit in effect at that time (either 5,902 pounds, 9,307 pounds, or 1,135 pounds whole skate).

~~(D) Possession Limit Adjustments: When notified by the NOAA Fisheries that the federal Skate Wing or Skate Bait fishery possession limit is being reduced due to a federally specified percentage of the Total Allowable Landings (TAL)~~

~~being harvested, DFW will promulgate a comparable reduced possession limit until the end of the fishing year or unless the federal restriction is relinquished.~~