

Summary of Changes

8.1.9(I) Lobster **and Cancer Crab** pots:

(A1) Maximum size: 22,950 cubic inches.

(B2) Escape vents: Each and every lobster **and Cancer crab** pot, set, kept, or maintained or caused to be set, kept, or maintained in any of the waters in the jurisdiction of this State by any person properly licensed, shall contain an escape vent in accordance with the following specifications: (20-7-11(a))

(gvii) Lobster **and Cancer crab** traps not constructed entirely of wood must contain a ghost panel with the following specifications:

8.1.13(M) Commercial lobster trap tags:

(A1) No person shall have on board a vessel or set, deploy, place, keep, maintain, lift, or raise; from, in, or upon the waters under the jurisdiction of the State of Rhode Island any lobster pot for taking of American lobster **or Cancer crab** without the pot having a valid State of Rhode Island lobster trap tag.

(LN) For persons possessing a valid RI commercial fishing license (licensee) for the catching, taking, or landing of American lobster **or Cancer Crab**, and who also own or are incorporated/partnered in a vessel(s) holding a Federal Limited Access Lobster Permit (Federal Lobster Permit), the following shall apply:

(1) No harvesting of lobsters **or Cancer Crab** may occur in any LCMA by means of any lobster trap for which a trap tag has not been issued. All vessels owned/incorporated/partnered by said licensee which hold a Federal Lobster Permit shall annually declare all LCMA(s) in which the licensee intends to fish during the fishery year. Said declaration shall be made at the time of application for the issuance of lobster trap tags on forms prescribed by the Director.

(2) Once declared, an LCMA may not be changed until the next fishery year. An LCMA declared to the Director shall be identical to the LCMA declared to the NOAA Fisheries **or vessels holding a Federal Lobster Permit** on forms provided by NOAA Fisheries concerning the fishing activities during the subject period by the vessel owned/incorporated/partnered by said licensee.

(5) No licensees owning/partnered/incorporated in vessel(s) holding a LCMA 2 Federal Lobster Permit shall be permitted to deploy, place, set, tend, haul, lift, raise, supervise, or maintain lobster traps from said LCMA 2 federally-permitted vessel(s), or to catch/take American lobster **or Cancer crab** within the jurisdiction of the State of RI from said LCMA 2 federally-permitted vessel(s), unless the lobster traps are tagged with federally-designated lobster trap tags that includes a LCMA 2 declaration, issued to said federally-permitted vessel(s).

~~(M) 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.~~

(~~10~~) All holders of LTAs assigned to a RI state commercial fishing license only (i.e. no federal permit) must annually renew their RI state commercial fishing license, or that portion of their RI state commercial fishing license that authorizes them to commercially harvest lobsters **and/or Cancer Crab** from RI state waters with lobster traps, in order to remain eligible to transfer any portion of their LTA.

8.3.3(C) Minimum escape vent size: In each parlor section of the lobster **and Cancer crab** trap, at least one (1) rectangular escape vent with an un-obstructed opening measuring not less than two and one sixteenth inches by five and three quarter (2-1/16 X 5³/₄) inches (53.39mm X 146.05mm) or two (2) circular vents, each with an un-obstructed opening measuring not less than two and eleven sixteenths (2-11/16) inches (68.26mm) diameter.

PUBLIC HEARING ITEM 2a. **Horseshoe Crab**

Proposed Commercial Possession Limit for the bait fishery

Option 1:

Status Quo – No daily possession limit:

40.3.2(B) Commercial: A total allowable harvest (quota) of horseshoe crabs for the bait fishery and biomedical industry will be established annually. The quota will be the amount allocated to the State of Rhode Island by the ASMFC or as determined by DFW based on the current stock status.

Option 2 - Establish a commercial possession limit:

40.3.2(B) Commercial: A total allowable harvest (quota) of horseshoe crabs for the bait fishery and biomedical industry will be established annually. The quota will be the amount allocated to the State of Rhode Island by the ASMFC or as determined by DFW based on the current stock status.

(1) Bait fishery possession limit: 60 Horseshoe Crabs per person per day when open to permitted harvesters. The possession limits apply during harvesting operations.

PUBLIC HEARING ITEM 2b.
Cancer Crab

5.5 CANCER CRAB

5.5.1 License required:

(A) Commercial harvest: No person shall harvest Cancer crab for commercial purposes without a valid commercial marine fishing license.

(B) Recreational harvest: No license is required for the recreational harvest of Cancer crab.

5.5.2 Minimum size:

(A) Jonah Crab: The minimum size for Jonah Crab shall be four and three quarters (4.75) inches as measured across the widest point of the carapace.

(B) Atlantic Rock Crab: No minimum size.

5.5.3 Season: Open all year.

5.5.4 Possession limit:

(A) Commercial possession limit of Cancer Crab taken by licensed fishermen not in possession of an LTA but qualify based on the established control date as specified in this section, are limited to one thousand (1000) crabs per vessel per day.

(B) Commercial possession limit of Cancer Crab taken by gillnet or otter trawl: Maximum of 200 Jonah crabs per day (based on a 24-hour period), or 500 Jonah crabs per trip for trips 5 days or longer.

(B) Recreational possession limit: Maximum of 50 whole Jonah crabs per person per day

5.5.5 Harvest restrictions:

(A) No Cancer crabs shall be harvested from pots or traps that do not have a valid lobster tag unless written authorization from the DFW.

(B) No person shall take Cancer crabs from the waters of the State between the hours of sunset and sunrise. (RIGL 20-7-15)

(C) Egg-bearing Cancer crabs: No person shall take, offer for sale, or possess at any time any female Cancer crab bearing eggs visible thereon or from which

the egg pouch or bunion shall have been removed. (RIGL 20-7-16)

(D) Only whole Cancer crab may be retained and sold

5.5.6 Control date: Any person who does not hold a lobster trap allocation but can prove participation in the Jonah Crab fishery prior to the June 2, 2015; or any person who can prove participation in the Atlantic Rock Crab fishery prior to the June 1, 2016, shall be eligible for continued participation in the Cancer Crab fishery. Proof of participation shall be documented by RI Harvester Logbooks and/or SAFIS dealer reports.