

**PUBLIC HEARING ITEM 3.**  
**Proposed amendments to the Gillnet regulations**

6.5.3 Gillnetting:

(A) Gillnetting for bait: No person shall set, haul, and/or maintain a gillnet for bait so as to obstruct the free passage of fish in Rhode Island coastal waters, streams, rivers, or bays. Bait gillnets must be clearly labeled with the name of the person setting or tending the net and be constantly tended.

**(B) No vessel shall be used in the commercial setting, hauling, or maintaining of a gillnet unless the operator is the registered or documented owner of said vessel. If a corporation is the documented owner of a vessel, the operator shall be the majority owner of that corporation. This regulation shall in no way abridge a licensee's right pursuant to RIGL 20-7-6.**

~~(B)~~ License required: No person shall set, haul, and/or maintain a commercial gillnet in the public waters of the State without first obtaining a commercial gillnet endorsement. Refer to DEM'S "Commercial and Recreational Saltwater Fishing Licensing Regulations". (RIGL 20-4-13)

~~(D)~~ Marking of nets: Both the near shore and offshore ends of an authorized gillnet shall be marked with an orange or fluorescent orange bullet shaped buoy with a size of nine (9) by sixteen (16) inches, and be clearly marked with the letters "GN" with a minimum letter height of three (3) inches and include the name and license number of the licensee. **All buoy lines must be marked with 3 individual green colored marks measuring 12 inches: one at the top, one at the midway point, and one at the bottom of each buoy line.**

**(E) Setting pattern: Each gillnet shall be set in a straight line (from one end buoy to the other).**

**(F) No person shall set, haul, and/or maintain a gillnet in RI state waters during the month of March, annually.**

~~(D)~~ Tending of nets: Each gillnet **with a mesh size less than or equal to 10 inches** shall be hauled once each ~~calendar~~ day.

**(H) Each gillnet with a mesh size greater than 10 inches must be hauled at least once every 7 days.**

~~(E)~~ Distance from fish trap: No person shall set, haul, or maintain a gillnet within 3,000 feet of a licensed floating fish trap.

**(J) Gillnet gear provisions:**

(1) All buoys, floatation devices and/or weights must be attached to the buoy line with a weak link having a breaking strength of no greater than 1,100 pounds;

(2) For nets that return to port each day with the vessel: Net panels are required to have a weak link having a breaking strength of no greater than 1,100 pounds at the center or each float line or at least every 25 fathoms along the float line of a panel longer than 50 fathoms;

(3) For nets which do not return to port with the vessel: Weak links of not greater than 1,100 pounds must be incorporated into net panels following one of the two configurations required by the NOAA Fisheries Atlantic Large Whale Take Reduction Plan;

(4) All gillnets that do not return to port with vessel, regardless of number of net panels, shall be required to be anchored with the holding power of at least a 22 pound Danforth-style anchor at each end of the net string (must be a burying anchor; no dead weights).

(5) Pinger Specifications:

(a) A pinger is an acoustic deterrent device which, when immersed in water, broadcasts a 10 kHz ( $\pm 2$  kHz) sound at 132 dB ( $\pm 4$  dB) re 1 micropascal at 1 m, lasting 300 milliseconds ( $\pm 15$  milliseconds), and repeating every 4 seconds ( $\pm 0.2$  seconds);

(b) Pingers shall be properly attached to each gillnet during the following time periods, annually:

(i) December 1 through February 28 (February 29 on leap years);

(ii) April 1 through May 31.

(c) Pinger Attachment: A pinger shall be attached at the end of each string of each gillnet and at the bridle of every net within a string of nets (e.g., in a gillnet string consisting of 3 nets, 4 pingers would be required);

(d) Pinger Maintenance: Pingers shall be maintained in an activated state at all times.

(K) Tagging of nets:

(1) Vessels permitted by and participating in the gillnet tagging program administered by the NOAA Fisheries Greater Atlantic Regional Office which have not declared into the DFW tagging program may transit Rhode Island state waters with gillnets on board the vessel if all gillnets are stowed and, when applicable, have the federal gillnet tags permanently attached.

**(2) No gillnets shall be set, hauled or maintained in Rhode Island state waters without permanently attached non-transferable tags issued by DFW.**

**(a) Eligibility: To receive gillnet tags, a multipurpose license holder with gillnet endorsement must declare their license and designate a commercially declared vessel to haul that licensee's net.**

**(3) Only one set of tags shall be designated to a commercial license holder;**

**(4) License holders shall be issued 80 tags plus an additional 10 tags for routine loss. No more than 80 tags shall be in the water at any one time.**

**(5) Tags are valid from January 1, 2017 through December 31, 2019.**

**(6) Applications for gillnet tags may be submitted from November 1 through February 28 for the following fishing year.**

**(7) Tags shall be attached to the float line beginning at the westernmost end of each net (as measured on a compass circle from magnetic south through west to, and including, north) exceed every 300 linear feet. The net on the easternmost end of each string as measured on a compass circle from magnetic north through east must have a tag adjacent to the buoy line.**

**(8) Gillnets shall be connected in a continuous series not to exceed 3,000 linear feet;**

**(GL) Prohibited areas:** In addition to those areas where all netting is prohibited **as specified in these regulations**, and with the exception of gillnetting for bait, commercial gillnetting is prohibited in the following areas:

(1) In the following coastal salt ponds: Quicksand Pond; Tunipus Pond; Briggs Marsh; Round Pond; Narrow River; Point Judith Pond; Potter Pond; Card Pond; Green Hill Pond; Trustum Pond; Charlestown Pond; Quonochontaug Pond; and Winnapaug Pond.

(2) In Little Narragansett Bay;

(3) Within one and one half (1-1/2) miles south (true) and west (true) of Napatree Point;

(4) In the Pawcatuck River;

(5) Within one half (1/2) mile in both directions of the seaward entrance to a coastal salt pond channel, and for a distance of three hundred (300) yards seaward, when such coastal salt pond is open to the sea.

(6) Within one half (½) mile of Block Island between April 15 and November 15 annually.

(7) Within the waters seaward of Old Harbor, Block Island, from the Block Island shoreline to the one hundred (100) foot depth contour, between November 1 and December 31, annually. This area is bounded by a northerly line running one hundred (100) degrees (true) from Clay Head Point to the black and white whistle out to a depth of one hundred (100) feet. The southern boundary of the closure zone runs from the shoreline on a course of one hundred (100) degrees (true) to the C-3 buoy out to the one hundred (100) foot depth contour. The eastern boundary is a line which corresponds to the one hundred (100) foot depth contour.

(8) Season Closure: Within fifty (50) yards of the entire Rhode Island coastline (mean high water line) during the period October 15 - December 31, annually.

(9) Within fifty (50) yards of the Rhode Island coastline (mean high tide line) in the following areas:

(a) From Monahan's Dock breakwater (State Pier #5) to the southernmost tip of Matunuck Pt. (Carpenter's Bar);

(b) In Narragansett Bay north of the Colregs line, including Mt. Hope Bay;

(c) In the Sakonnet River;

(d) From the southern tip of Sachuest Point to the juncture of Second Beach and Sachuest Point; and

(e) From the southwest corner of Price's Neck to Castle Hill Light House.

**(HM)** Gillnet prohibition for striped bass: No person shall take or possess any striped bass while gillnetting, or while hauling a gillnet, including while gillnetting for bait.

**(FN)** Floating and bottom tending gillnets: Only a floating and bottom tending gillnet may be set, hauled, or maintained in Rhode Island waters.

(1) A floating gillnet must be constantly tended.

(2) Minimum mesh size for a bottom tending gillnet: No bottom tending gillnet shall have a mesh size smaller than five (5) inches stretched mesh.

**(FO)** Additional area specific regulations:

(1) Narragansett Bay, Mount Hope Bay, and the Sakonnet River: This area shall include all waters of Narragansett Bay, Mount Hope Bay, and Sakonnet River, north of the Colregs line. No person shall set, haul, and/or maintain a gillnet within this area which does not adhere to the following specifications:

(a) Maximum length: A single gillnet, or series of connected gillnets, shall not exceed ~~a maximum total length of~~ 300 feet.

~~(b) Setting pattern: Each gillnet must be set in a straight line.~~

(c) Spacing: No gillnet ~~may~~ **shall** be set within ~~fifty (50) yards~~ **150 feet** of shore at mean low water, or within 2000 feet of another gillnet.

(2) Waters within one half (1/2) nautical miles of the Rhode Island coast (mean high tide line) and south of the Colregs line:

(a) Maximum length: A ~~single gillnet, or~~ series of connected gillnets shall not exceed a total length of six hundred (600) feet.

(b) Setting pattern: Each gillnet ~~must~~ **shall** be set ~~in a straight line and~~ perpendicular to the shore.

(c) Spacing: No gillnet ~~may~~ **shall** be set within two thousand (2000) feet of another gillnet.

(3) Waters between one half (1/2) nautical miles and three (3) nautical miles from the Rhode Island coast (mean high tide line):

~~(a) Setting Pattern: Each gillnet must be set in a straight line (from one end buoy to the other).~~

(b) No gill net ~~may~~ **shall** be set within two thousand (2000) feet of another gillnet during the period from April 1 to October 1.

(c) Marking:

(i) **A series of connected** gill nets greater than six hundred (600) feet and less than or equal to twelve hundred (1,200) feet: Must be marked with two (2) orange or fluorescent orange floats with a size of nine (9) x sixteen (16) inches on the westernmost end as measured on a compass circle from magnetic south through west to, and including, north and one orange or fluorescent orange floats with a size of nine (9) x sixteen (16) inches on the easternmost end side as measured on a compass circle from magnetic north through east to, and including, south. In the case of nets set in a due north south line, the two orange or fluorescent orange floats with a size of nine (9) x sixteen (16) inches should be placed on the

southernmost end.

(ii) **A series of connected** gillnets greater than 1,200 feet: Must be marked with an orange or fluorescent orange float with a size of 9 x 16 inches and a radar reflective highflyer at each end. One of the radar reflective highflyer is to be marked with a flag on the westernmost side as measured on a compass circle from magnetic south through west to, and including, north. The easternmost side as measured on a compass circle from magnetic north through east to, and including, south is to be marked with a radar reflective highflyer that must remain flagless. In the case of nets set in a due north south line, the flag on the radar reflective highflyer should be placed on the southernmost end.

**(P) Control Date: A control date of June 1, 2016, is established for the gillnet fishery in Rhode Island.**