



Rhode Island
Department of Environmental Management

DIVISION OF FISH AND WILDLIFE

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MEMORANDUM

DATE: May 1, 2013
TO: RI Seafood Dealers and Fishermen
FROM: Mark Gibson
Deputy Chief – Marine Fisheries
RE: Commercial Winter Flounder

The Department of Environmental Management has determined that, pursuant to existing state marine fisheries regulations (§ 7.8.3-2 (d)), federally permitted vessels with appropriate RI landing permits and/or licenses may transit RI waters with winter flounder that have been legally harvested in federal waters and land those catches in RI.

During such transit, vessels may not fish and must have their gear stowed, in accordance with RI marine fisheries regulation § 10.10 (set forth below).

Management of winter flounder commercially harvested in state waters currently remains unchanged -- 50 lbs per vessel per day, with Narragansett Bay and Point Judith/Potter Pond remaining closed. A follow-up process will occur during the next few months, through both the Atlantic States Marine Fisheries Commission and the RI Marine Fisheries Council, to review and consider potential changes to the Rhode Island state waters management program for winter flounder.

Excerpt from RI Marine Fisheries Statutes and Regulations – Part X – Equipment Restrictions

10.10 Stowage of nets -- Vessels possessing trawl devices while harvesting summer flounder, scup, black sea bass, or winter flounder, in excess of the limits specified in R.I.M.F.C. regulations may have nets with mesh less than the minimum size specified in the regulations provided that the net is stowed and is not available for immediate use in accordance with this section. A net that conforms to one of the following specifications and that can be shown not to have been in recent use is considered to be "not available for immediate use".

10.10.1 A net stowed below deck, provided:

- it is located below the main working deck from which the net is deployed and retrieved;**
- the towing wires, including the "leg" wires are detached from the net; and**
- it is fan-folded (flaked) and bound around its circumference.**

10.10.2 A net stowed and lashed down on deck, provided:

- it is fan-folded (flaked) and bound around its circumference;**
- it is securely fastened to the deck or rail of the vessel; and**
- the towing wires, including the leg wires, are detached from the net.**

10.10.3 A net that is on a reel and is covered and secured, provided:

- the entire surface of the net is covered with canvas or other similar material that is securely bound;**
- the towing wires, including the leg wires, are detached from the net; and**
- the cod end is removed from the net and stored below deck.**

10.10.4 National Marine Fisheries Service authorized -- Nets that are secured in a manner authorized in writing by the National Marine Fisheries Service Regional Director, for the Mid-Atlantic regulated mesh area defined as "that area bounded on the east by a line running from the shoreline along 72_ 30' west longitude to the intersection of the outer boundary of the Exclusive Economic Zone (EEZ).