

# RI DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

## Division of Marine Fisheries

---

### Pre-hearing Workshop

April 27, 2020



# Goals of the workshop



- Provide a forum for DMF to provide currently available information and rationale for each matter being considered for amendment.
- Provide a summary presentation of the proposals currently being considered.
- Provide a forum for interested persons to offer new proposals and/or revisions to proposals being considered, or to narrow down general management considerations into specific proposals; to obtain consensus when achievable.
- **IMPORTANT!** The workshop is not an official record of the public hearing. Comments on noticed proposals and/or alternative proposals must be made during the public comment period.

# Dates to remember



- **March 9:** Pre-hearing workshop.
- **April 27:** Pre-hearing workshop.
- **TBD:** Public Notice.
- **TBD:** End of public comment period.
- **TBD:** June RI Marine Fisheries Council.
- **Note:** Due to the Covid-19 emergency, there is no hearing planned. A hearing will only be held if requested by 25 or more persons, or by a group representing 25 or more persons, pursuant to the Administrative Procedures Act § 42-35-2.8. If no hearing is held, comments may be submitted, as is standard procedure, in writing/email during the public comment period. Any request for a hearing must be made w/i 10 days of the date of the notice.
- Interested persons are strongly encouraged to speak with DMF staff as needed to fully understand proposals.



## Jonah Crab

- Summary of Stock Status
- RI Commercial Fishery Performance
- 2020 Commercial Management

# Jonah Crab – Stock Status



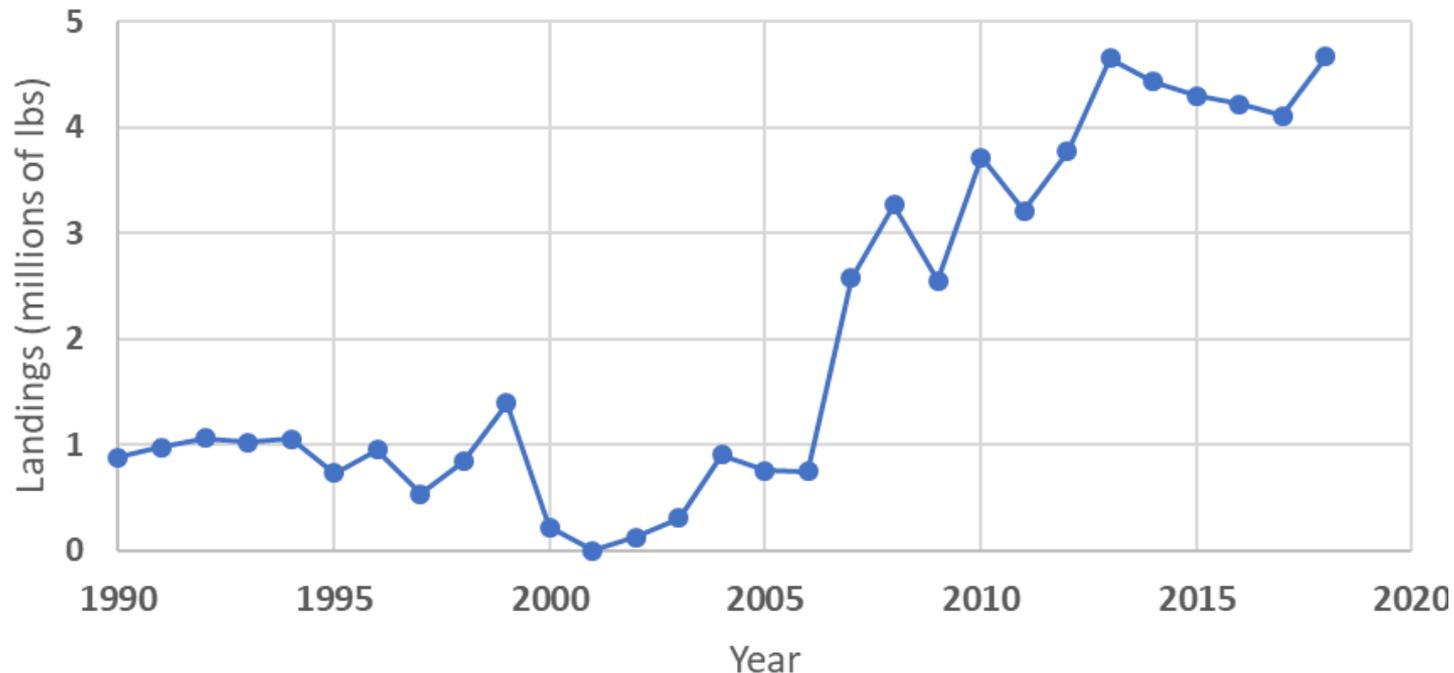
- No approved stock assessment for Jonah crab.
- FMP adopted in August 2015:
  - Limited the directed fishery participation for those with LTA or landings prior to control date of June 2, 2015.
  - Established a minimum size.
  - Prohibition of retaining egg-bearing females.
  - Established a bycatch limit.
  - Established a recreational possession limit.
- 3 subsequent addenda adopted to:
  - Clarify bycatch provision.
  - Develop standard for claw fishery.
  - Address harvester reporting and biological data collection.

# Jonah Crab - Fishery Performance



- RI landings have increased more than five-fold since 1990.
- Mixed crustacean trap fishery for lobster and Jonah crab.
  - Jonah crab evolved from bycatch to target species.
- Highest landings in winter months (Dec to Mar).

Rhode Island Jonah crab landings



# Jonah Crab - 2020 Management



- **Issue:** Rule provides for a bycatch limit of 1,000 crabs/vessel/day and does not specify there has to be equal poundage of other species, which is inconsistent with the FMP.
- **Proposal:** Amend rule to address bycatch limit for consistency with the FMP.
- **Proposed Rule (Part 5, section 5.11(B)(4)(b)):** ~~By gillnet or otter trawl (i.e., non-trap gear)~~ Bycatch Provision: One thousand (1,000) crabs per vessel per calendar day provided the poundage of crabs does not exceed the poundage of other species on board the vessel at all times during a fishing trip.

# Commercial Bluefish



- **Issue:** Current rule is problematic with language stating that 2<sup>nd</sup> sub-period ends on 2<sup>nd</sup> Saturday in November and 3<sup>rd</sup> sub-period starts on 2<sup>nd</sup> Sunday in November.
- **Proposal:** Modify this language to hard dates.
- **Proposed Rule (Part 3, section 3.18.2(B):**
  1. January 1 through April 30: One thousand (1,000) pounds per vessel per bi-week.
  2. May 1 through ~~second Saturday in~~ November ~~15~~: Six thousand (6,000) pounds per vessel per week.
  3. ~~Second Sunday in~~ November ~~16~~ through December 31: Five hundred (500) pounds per vessel per week.
- **Note:** Proposed amendment is in conjunction with Part 1 amendment recently filed to address partial weekly and bi-weekly (aggregate) possession limits.

# Groundfish – Recreational possession limits



- American Plaice, Haddock, Pollock, Yellowtail flounder, and Witch flounder: Delete current language regarding rec. possession limits and replace with “unlimited” for consistency with NOAA rules. Current language is identical for each of these species.
- Proposed language:
  - Possession Limit: Unlimited.
  - ~~1.— There is no recreational possession limit for (insert species listed above) provided the vessel is fishing in state waters and does not have a federal permit authorizing the harvest of American plaice.~~
  - ~~2.— Vessels in possession of a federal permit authorizing the recreational harvest of (insert species listed above) in federal waters may harvest American plaice in state waters in the amount equal to the federal regulations.~~
- Cod: Delete reference to CFR for minimum size and possession limit and replace with current minimum size (21”) and possession limit (10 fish/person/day) as specified in NOAA rule.

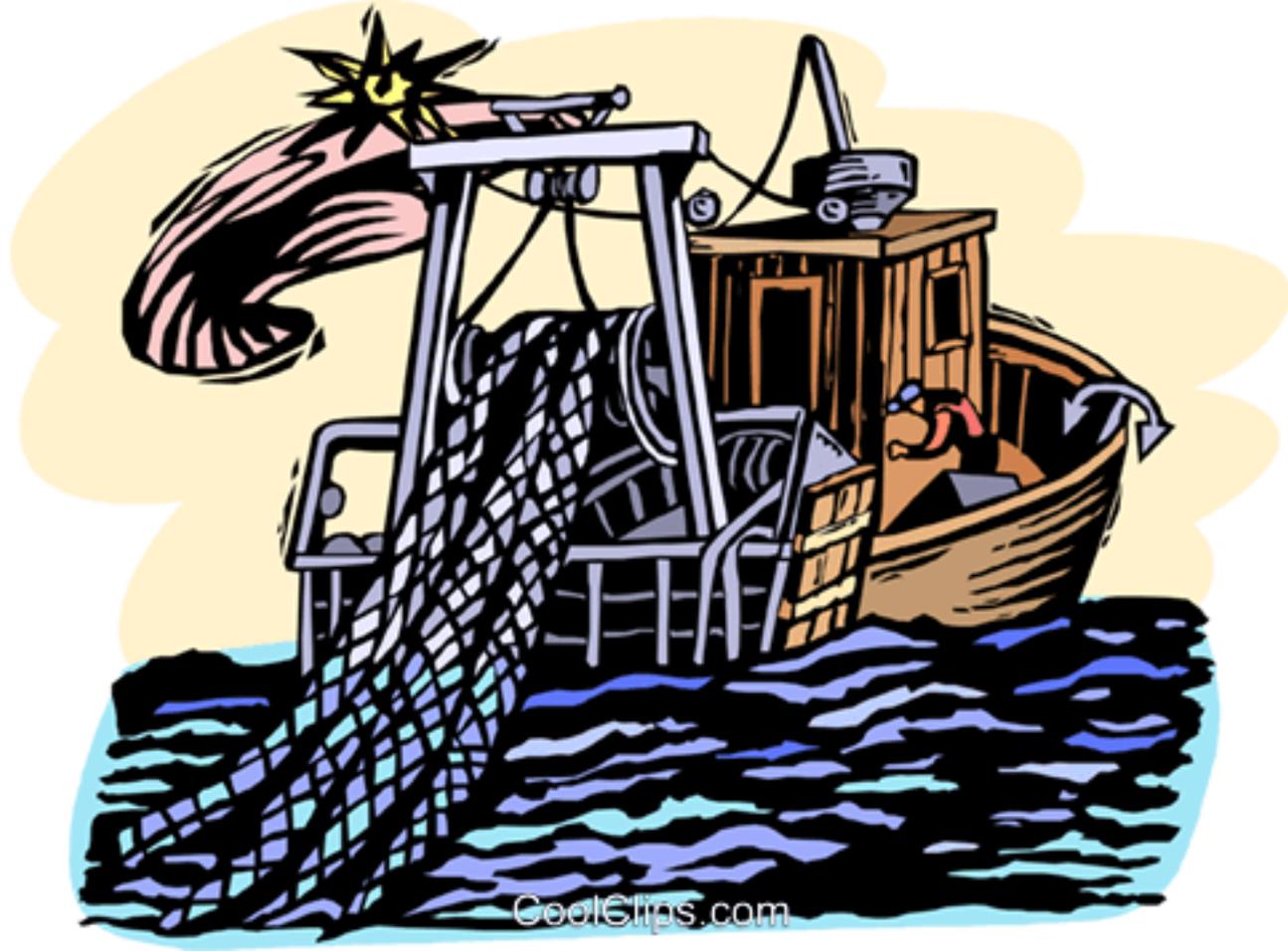
# Control Dates



- **Issue:** In instances where a control date has been established but there has been no rule put into effect (commercial Summer flounder, Horseshoe crab, Atlantic Rock Crab), clarify that the date specified in the rule has no current bearing but was established for potential future use in establishing eligibility criteria for future access to the fishery.
- **Proposal:** Add additional language to *existing* control dates to clarify purpose.
- **Proposed Language (3.10.2(G), 5.10(I), 5.12(A)):**

This control date has been established by the Department for potential future use in establishing eligibility criteria for future access to the fishery.

End of Slides!



CoolClips.com