



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

OFFICE OF THE DIRECTOR
235 Promenade Street, Room 425
Providence, Rhode Island 02908

December 22, 2015

Senator Jack Reed
726 Hart Senate Office Building
Washington, DC 20510

Senator Sheldon Whitehouse
717 Hart Senate Office Building
Washington, DC 20510

Congressman James R. Langevin
109 Cannon House Office Building
Washington, DC 20515

Congressman David N. Cicilline
128 Cannon House Office Building
Washington, DC 20515

Dear Senators Reed and Whitehouse, Congressmen Langevin and Cicilline:

I write to offer my strong support for S. 1414 and H.R. 2541, legislation to add two Rhode Island seats to the Mid-Atlantic Fishery Management Council (MAFMC) via targeted amendments to the Magnuson-Stevens Fishery Conservation and Management Act. Thank you for sponsoring these important bills and for your continuing efforts to secure seats for Rhode Island on the MAFMC.

This issue has long been a top priority for the Rhode Island Department of Environmental Management (RIDEM) and our state's marine fishing industry. It continues to grow in importance. The Governor and I stand shoulder-to-shoulder with Rhode Island industry leaders and are poised to work closely with in support of your legislation. I understand that Congress may take up reauthorization of the Magnuson-Stevens Act in the near future and would welcome the opportunity to testify on the matter, if it can be scheduled for hearing.

The rationale for adding Rhode Island to the MAFMC is stronger and more compelling than ever:

1. The majority of Rhode Island's commercial and recreational fisheries involve species that are managed by the MAFMC. As a corollary, the vast majority of commercial landings of species managed by the MAFMC occur in Rhode Island. ***Rhode Island's strong dependency on fisheries managed by the MAFMC*** underscores the need to expand the Council membership to include Rhode Island.

Staff from the RI Department of Environmental Management have analyzed RI commercial landings and recreational harvests from 2014 relative to MAFMC-managed fisheries. Their findings are presented in a summary document, herewith attached. The key findings of the analysis are striking:

For RI's commercial fisheries:

- Most are subject to federal management; and most of those are managed by the MAFMC.
- Of the total coastwide commercial landings of species managed solely on the federal level by the MAFMC (98.7 million pounds), 42 percent (41.1 million pounds) are landed in Rhode Island.

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- More pounds of species managed by the MAFMC are landed in Rhode Island than in any other state. In fact, total Rhode Island landings of MAFMC-managed species exceed the total combined landings of MAFMC-managed species for all of the seven states that hold seats on the MAFMC.
- Some of the most significant MAFMC-managed commercial fisheries landed in Rhode Island are butterfish, squid, scup, summer flounder, black sea bass, bluefish, and mackerel, with a combined nominal (ex-vessel) value for RI of \$34 million.
- More butterfish, squid, and scup are landed in Rhode Island than in any other state, and Rhode Island landings of summer flounder, bluefish, and mackerel are third, fourth, and fifth highest, respectively, among all states.

For RI's recreational fisheries:

- The vast majority are subject to federal management by the MAFMC.
 - Some of the most significant MAFMC-managed recreational fisheries in Rhode Island are scup, black sea bass, summer flounder, and bluefish.
 - Of the major recreational fisheries managed by the MAFMC, Rhode Island harvests rank among the highest of all states.
2. Rhode Island depends on the fisheries of the Mid-Atlantic region because ***Rhode Island is part of the Mid-Atlantic region.*** The waters of Rhode Island Sound open up to the contiguous federal waters of southern New England. The waters of Rhode Island Sound and southern New England are part of the Mid-Atlantic Bight -- a well-defined, large marine ecosystem that extends from North Carolina to southern New England. By and large, the marine fishery resources of the Mid-Atlantic Bight are the resources managed by the MAFMC. Common sense dictates that the regional fishery management councils should be aligned, jurisdictionally, with the fishery resources that occur within each region. Yet, oddly, the jurisdictional line for membership on the MAFMC runs between New York and Connecticut, creating an irrational incongruity between the regional management framework and the regional fishery resources governed by that framework. The need to expand the Council membership to include Rhode Island therefore has a strong ecological basis.
 3. Several recent studies¹ have shown that the distributions of some of the most significant fishery resources of the Mid-Atlantic Bight, including summer flounder, black-sea bass, and squid, are shifting to the north and east. The causes are thought to be warming waters, or changes in population (abundance and/or size structure), or a combination of the two. The upshot is that not only are the waters and fishery resources of southern New England part of the Mid-Atlantic Region, they are becoming an increasingly major part of the region. ***As the resources shift, so too should the management regime that governs them.***
 4. Rhode Island is ***deeply invested in the science, conservation and management*** of many key fisheries managed by the MAFMC. Narragansett Bay and the coastal waters of Rhode Island serve as a nursery for many juvenile species, including most of the finfish managed by the MAFMC. The State invests significant resources in maintaining and improving water quality and marine habitat, thereby contributing directly to the health of the fisheries in the Mid-Atlantic Region. My Department undertakes regular surveys in Rhode Island waters that support fish stock assessments for species managed by the MAFMC. And RIDEM staff are very involved in the technical work undertaken, through the Atlantic States Marine Fisheries Commission (ASMFC) on stocks that are jointly managed by the MAFMC and the ASMFC. It stands to reason that Rhode Island, whose waters are home to many MAFMC-managed species, and whose human and fiscal resources are used to help monitor and conserve them, needs to be a member of the Council that manages them at the federal level.
 5. The MAFMC makes ***management decisions that directly affect Rhode Island's interests.*** The Council has enacted Fishery Management Plans for all the fisheries under its management authority, and regularly sets binding specifications for those fisheries, such as catch limits and

quotas (upon final enactment by NOAA Fisheries). One example of a pending MAFMC management action that is particularly consequential for Rhode Island is the Squid Capacity Amendment, aimed at reducing the capacities of the squid fleets. In April 2015, the Council held a scoping session on the proposed amendment at which a large number of squid harvesters and processors from Rhode Island voiced their strong and unanimous opposition to the proposal. Yet the Council, in turn, voted to move forward with the initiative. As the state that lands more squid than any other state, Rhode Island has much at stake with regard to any management measure pertaining to squid, especially one that will determine who can remain in the fishery and who cannot. Common sense and good government dictate that the state with the largest interest in a given fishery must be part of the decision-making process for that fishery.

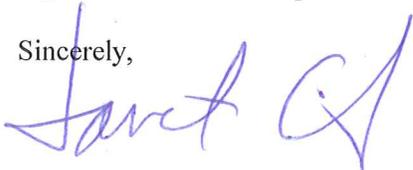
6. There is *precedent* for amending the Council structure to accommodate the interests of a state based on the nature and status of its fisheries. When the Magnuson-Stevens Act was first enacted in 1976, in accordance with the initial jurisdictional line established by the Act, North Carolina held seats on the South Atlantic Council, but did not hold a seat on the MAFMC. In 1996, for reasons identical to those governing Rhode Island's current interests, the Act was amended to expand the membership of the MAFMC to include North Carolina. Since 1996, North Carolina has continued to hold seats on both the South Atlantic and Mid-Atlantic Councils.

In addition to the attached recent analysis conducted by DEM, there is also a record of *analytic support conducted by the MAFMC* for including Rhode Island on the MAFMC. During the 2006 reauthorization of the Magnuson-Stevens Act, Congress commissioned a report to examine the issue of adding Rhode Island to the MAFMC. The report was completed and submitted to the U.S. Senate Committee on Commerce, Science, and Transportation on October 11, 2007. Titled "*Mid-Atlantic Fishery Management Council's Report to Congress on Council Management Coordination*," the 50-page report concluded that "Rhode Island is in a similar situation to North Carolina [and Florida], in that Rhode Island has significant landings from stocks that are managed by the two Councils" [i.e., NEFMC and MAFMC].

The Magnuson-Stevens Act is intended to provide a fair and rational management system whereby major state fishing interests are reflected in the voting memberships of the Councils, but that is not the case with regard to the current structure of the MAFMC. Ultimately, as the Councils give increasing attention to ecosystem-based management, the whole Council structure established by the Act may warrant examination. For now, a targeted fix is in order.

It is imperative to ensure that fishermen from Rhode Island and fishermen from neighboring states, who fish the same waters for the same fish, have equal representation in the process of deciding how best to manage those fish. That is why I support S. 1414 and H.R. 2541. Again, I offer my strong support and would be pleased to offer RIDEM to assist in any way as you move forward on this legislation of critical importance to Rhode Island.

Sincerely,



Janet Coit
Director

cc: Governor Gina Raimondo



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**Analysis of
Rhode Island Commercial Fishery Landings and Recreational Fishery Harvests
As They Relate to Species Managed by the
Mid-Atlantic Fishery Management Council
For Calendar Year 2014**

December 2015

This analysis was undertaken by staff at the Rhode Island Department of Environmental Management. Except where noted, all of the data were obtained from the national database of commercial and recreational fisheries statistics maintained by NOAA Fisheries (Office of Science and Technology). All of the data are for 2014, the last full year for which data are available. Although commercial landings and recreational catches vary over time, the data for 2014 are generally representative of landings and catches over recent years, and generally reflective of recent trends involving northerly shifts in the distribution of Mid-Atlantic species.

**Rhode Island *Commercial* Fishery Landings
As They Relate to Species Managed by the MAFMC**

- Rhode Island's commercial fisheries are composed of species that are state managed -- solely by the State, as with shellfish, or via the Atlantic States Marine Fisheries Commission (ASMFC), as with striped bass, lobsters, and menhaden -- and federally managed, via the New England and Mid-Atlantic Fishery Management Councils. A number of federally managed species are subject to joint management with the ASMFC.
- The Mid-Atlantic Fishery Management Council (MAFMC) manages the following species:
 - Squid, mackerel & butterfish¹
 - Summer flounder, scup, and black sea bass²
 - Bluefish²
 - Tilefish¹
 - Surf clams and ocean quahogs¹
 - Monkfish³
 - Spiny dogfish³

¹Managed exclusively

²Managed exclusively in federal waters, jointly with ASMFC in state waters

³Managed jointly in federal waters with the New England Fishery Management Council (NEFMC)

- In 2014, Rhode Island's total commercial landings were 118.8 million pounds⁺, valued nominally at \$80 million.*
 - Of that total, 77.6 million pounds (65%) valued nominally at \$57.5 million* (\$72%) were federally - managed species. **Most of RI's commercial fisheries are subject to federal management.**
 - Of the 77.6 million pounds, 3.6 million pounds (5%) were monkfish and dogfish, which are the only RI fisheries subject to joint NEFMC and MAFMC management. The balance – 74 million pounds (95%) - are managed by one of the two Councils. **Most of RI's federally managed fisheries are managed by either the NEFMC or the MAFMC.**
 - Of the 74 million pounds, 41 million pounds (55%) valued nominally at \$34 million* were species managed by the MAFMC. **Most of RI's fisheries that are managed by one of the two Councils are managed by the MAFMC.**

⁺Derived from RI SAFIS database

*Ex-vessel value (prices paid to fishermen for their landings), derived from RI SAFIS database

**Coastwide landings of species managed by the MAFMC –
RI landings ranked relative to landings by other East Coast states –
2014**

Species	Coastwide Landings ¹	Total RI Landings ¹	% RI Landings Relative to Coastwide Landings	RI Landings Rank Relative to all States with Landings	Number of States with Landings
Butterfish	6,952,230	5,848,786	84%	1	9
Squid	36,933,121	24,935,655	68%	1	8
Scup+	16,057,961	6,932,464	43%	1	9
Summer Flounder+	10,879,442	2,045,958	19%	3	10
Bluefish+	5,021,640	504,743	10%	4	10
Mackerel	16,798,651	583,994	3%	5	11
Black Sea Bass+	2,879,162	267,423	9%	6	10
Tilefish	3,160,945	16,164	1%	6	10
Monkfish*	19,682,562	2,892,245	15%	2	9
Dogfish*+	23,299,840	704,965	3%	6	9

¹Pounds

⁺Managed jointly by MAFMC & ASMFC

*Managed jointly by MAFMC & NEFMC

- **RI lands more butterfish, squid, and scup than any other state, and is third, fourth, and fifth highest, respectively, with regard to summer flounder, bluefish, and mackerel.**

**Coastwide landings of species managed
solely in federal waters by MAFMC, by state – 2014**

State	Butterfish	Squid	Scup	Summer Flounder	Mackerel	Black Sea Bass	Bluefish	Tilefish	State Total
RI	5.849	24.936	6.932	2.046	0.584	0.267	0.505	0.016	41.135
MA	0.196	2.525	1.188	0.696	10.859	0.307	0.471	0.002	16.245
NY	0.576	5.146	3.19	0.834	0.041	0.224	0.943	1.383	12.337
NJ	0.13	2.788	2.352	1.826	0.103	0.494	0.516	0.582	8.793
NC	0.054	0.004	0.161	2.907	0.676	0.527	2.019	0.09	6.438
FL			0.199	0.008	2.982	0.219	0.204	0.961	4.573
VA	0.016	0.213	0.694	2.049	0.008	0.388	0.239	0.004	3.61
CT	0.111	1.318	0.811	0.253	0.024	0.027	0.031	0.002	2.578
ME					1.371				1.37
MD	0.02	0.003	0.531	0.259	0.002	0.303	0.088	0.001	1.206
SC						0.122		0.119	0.241
NH					0.15				0.15
DE				0.002			0.005		0.007
Total	6.952	36.933	16.058	10.879	16.799	2.879	5.022	3.161	98.683

All figures in millions of pounds

- Of the total coastwide landings of species managed solely on the federal level by the MAFMC – 98.7 million pounds -- RI lands 41.1 million pounds (42%).
- RI's commercial fishery lands far more MAFMC-managed species than any other state. In fact, RI lands more than all of the states represented on the MAFMC combined.

**Rhode Island Recreational Fishery Harvests
As They Relate to Species Managed by the MAFMC**

- Rhode Island's most important recreational fisheries, in terms of numbers of fish harvested*, are:
 - Scup (975,812)
 - Black Sea Bass (214,463)
 - Summer Flounder (184,668)
 - Bluefish (136,135)
 - Striped Bass (103,516)
 - Tautog (68,768)
 - Cod and winter flounder (12,814)

*Numbers are MRIP-derived estimates for 2014

- Scup, black sea bass, summer flounder, and bluefish are all managed by the MAFMC (per joint plans with ASMFC for state waters). Tautog and striped bass are managed exclusively by the ASMFC. Groundfish (cod and winter flounder) are managed by the NEFMC.
- In 2014, RI recreational fishermen harvested a total of 1,696,176 fish (covering eight major recreational species)
- Of the 1,696,176 fish, 1,523,892 (90%) were federally managed. **The vast majority of RI's recreational fisheries are subject to federal management.**
- Of the 1,523,892 federally managed fish, 1,511,078 (99%) were species managed by the MAFMC. **The vast majority of RI's recreational fisheries are managed by the MAFMC.**
- Of the 9 states with recreational landings of summer flounder and scup, RI ranks 3rd. Of the 9 states with recreational landings of black sea bass, RI ranks 5th. Of the 14 states with recreational landings of bluefish, RI ranks 10th. **Of the major recreational fisheries managed by the MAFMC, RI harvests rank among the highest of all states.**