

RI Department of Environmental
Management

Marine Fisheries

**INFORMATIONAL PRE-HEARING
WORKSHOP**

November 7, 2016



Marine Fisheries Informational Workshop – Rules of Engagement

- ◆ RIDFW staff will provide presentation on each of the proposed regulation amendments
- ◆ Discussion will ensue upon completion of each presentation;
- ◆ Discussion should focus on:
 - Understanding of the rationale behind each of the proposed amendments;
 - Recommendations of alternatives.
- ◆ **IMPORTANT!** The workshop discussion is **not** an official public record. Please offer your preferred option(s) and comments for the public hearing record during the public hearing on November 14th
- ◆ Refer to full annotated regulations provided in public notice and Division website
- ◆ Public comment period will end at 4:00PM on Friday, November 25th



Workshop/Public Hearing Items

- 1) Proposed amendments to RIMFR “Part 3 - Finfish”:
 - a. Commercial management of Summer Flounder
 - b. Commercial management of Scup
 - c. Commercial management of Black Sea Bass
 - d. Commercial management of Coastal Sharks
- 2) Proposed amendments to RIMFR “Part 4 – Shellfish”:
 - a. Transiting
 - b. Temporary shellfish possession limit
 - c. Clarification of process to amend commercial boat harvest schedules in Shellfish Management Areas
 - d. Editing/clarifications
- 3) Proposed amendments to RIMFR “Part 5 – Lobsters, Crabs, and Other Crustaceans”:
 - Management of or horseshoe crab.
- 4) Proposed amendments to RIMFR “Part 6 – General Equipment Provisions”:
 - Correction of the location of Fish Trap Site # 29.



Hearing Item 1a: Commercial management of Summer Flounder

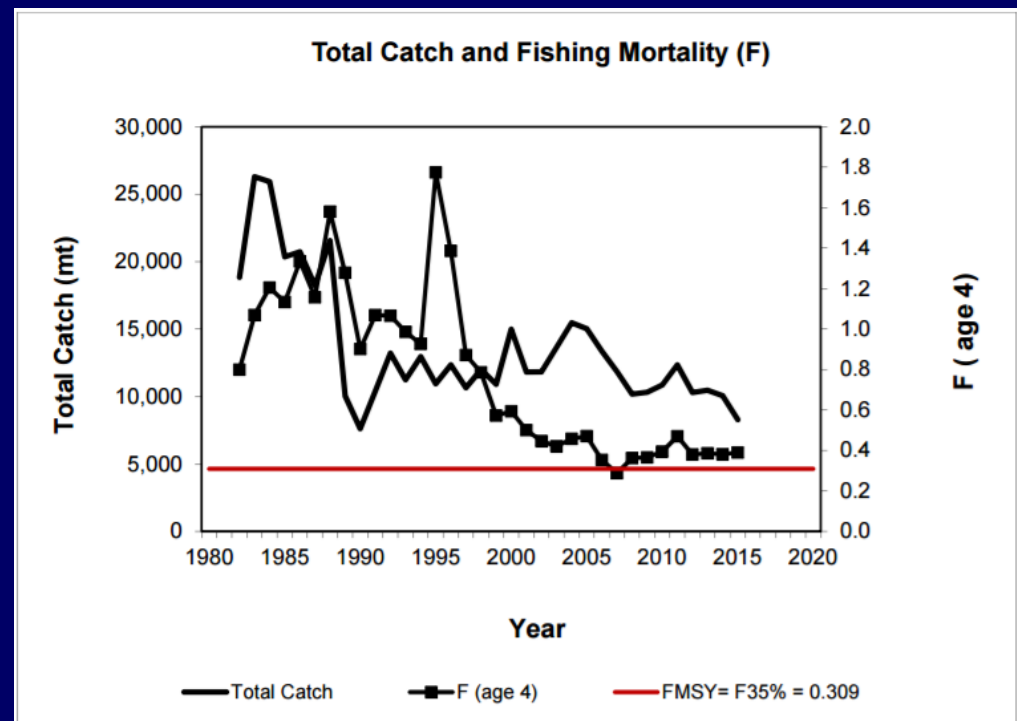
- ◆ Summary of Stock Status
- ◆ 2016 Rhode Island Commercial Fishery Performance
- ◆ Recommendations for the 2017 Summer Flounder Fishery



Hearing Item 1a: Commercial Summer Flounder

◆ Stock Status:

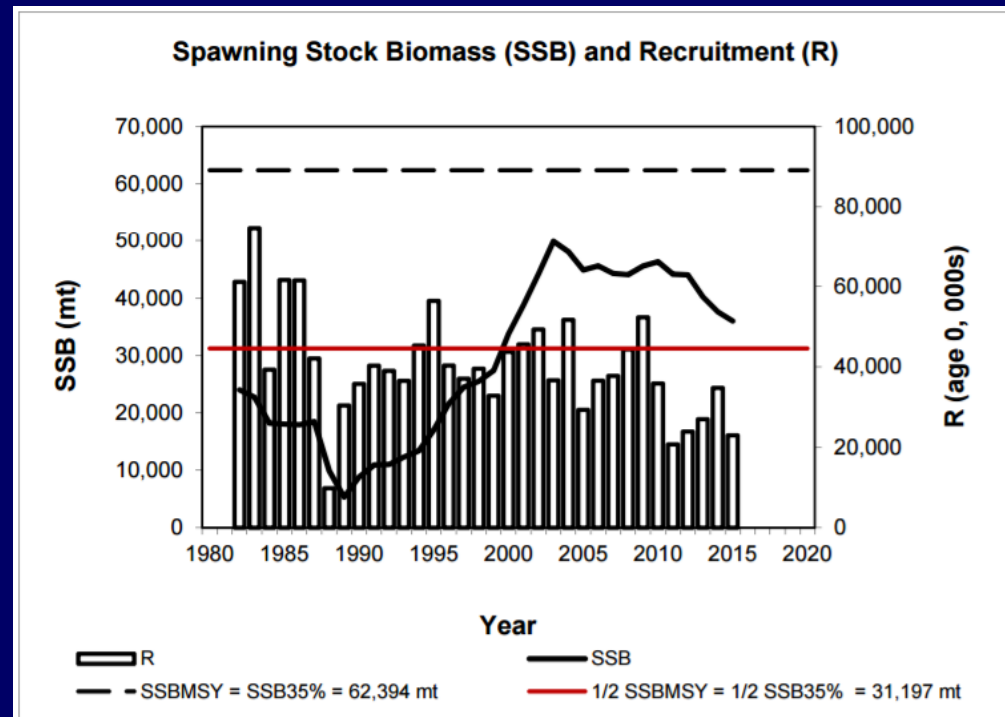
- Update in 2016: based on SAW/SARC 57 assessment
- The summer flounder stock is not overfished, but overfishing is occurring relative to biological reference points.
- Fishing mortality was estimated to be 0.390 in 2015, above the threshold F reference point = 0.309 (also above F target = 0.255).



Hearing Item 1a: Commercial Summer Flounder

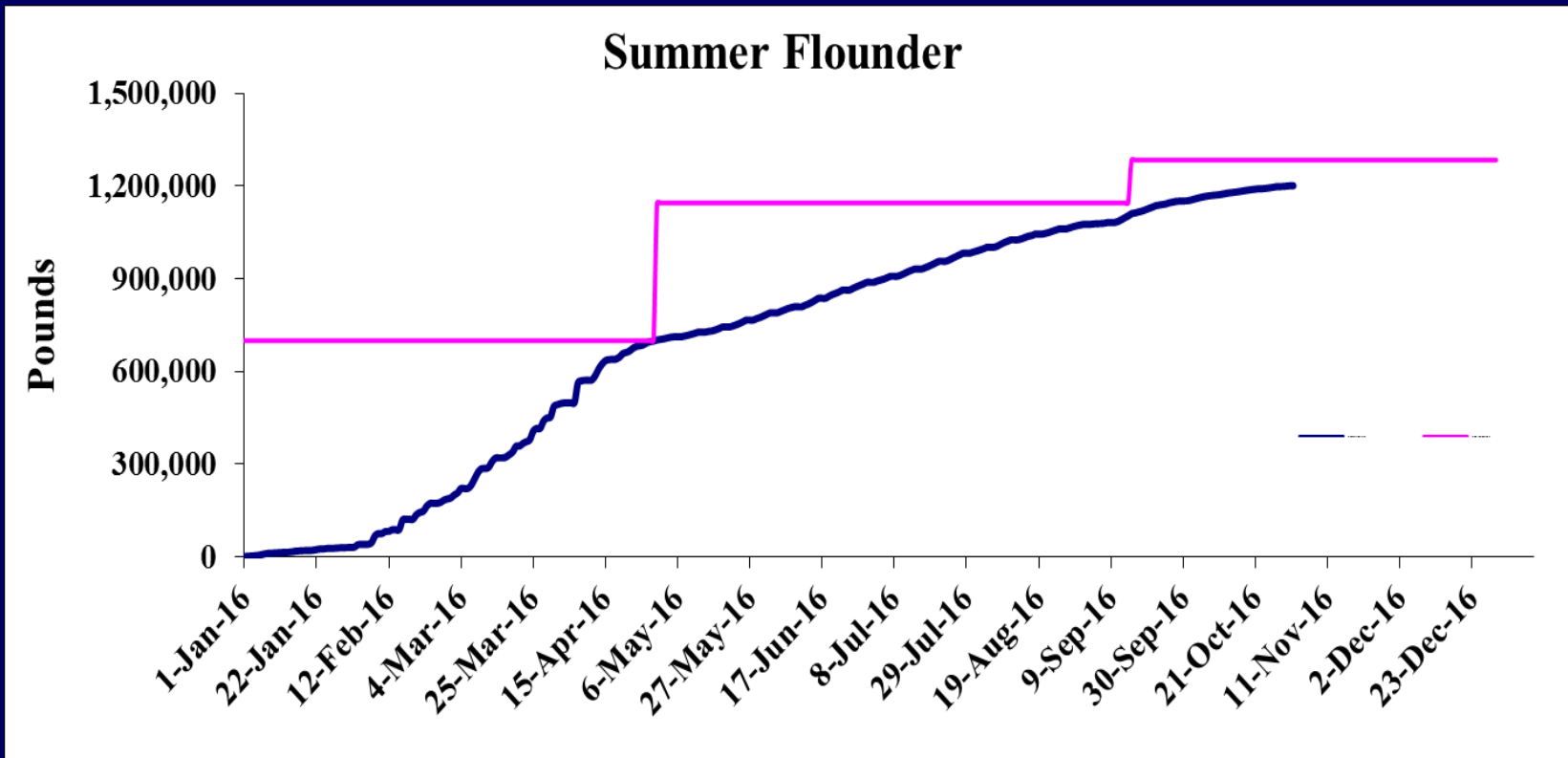
◆ Stock Status cont'd:

- SSB estimated to be 79.9 m lbs in 2015, below the SSB reference point = 137.6 m lbs but above the SSB threshold = 66.2 m lbs.
- The 2015 year class is currently estimated to be about 23 million fish, well below the average of 41 million fish.
- A retrospective pattern in recruitment is evident, the 2008 and 2009 large year classes have dropped significantly in recent updates.
- Given poor stock status a decrease of 30% in the commercial quota will occur in 2017



Hearing Item 1a: Commercial Summer Flounder

- To date, no commercial fishery closures.



Hearing Item 1a: Commercial Summer Flounder

- Proposal 1: Annual review of management parameters

Option	Min. size	Quota	Sub-period	Starting Poss. limit (vsl/day)	Days closed	Starting Aggregate poss. limit (lbs/vsl)
<u>Option 1</u>	14"	54%	Winter (1/1 – 4/30)	200 lbs	Open 7 days	<u>2,500/bi-week</u> <u>1,700/bi-week</u>
		35%	Summer (5/1 – 9/15)	50 lbs	Fri./Sat./ <u>Sun.</u>	<u>250/week</u> <u>200/week</u>
		11%	Fall (9/16 – 12/31)	100 lbs	Open 7 days	No agg. program
<u>Option 2</u>		54%	Winter (1/1 – 4/30)	200 lbs	Open 7 days	<u>2,500/bi-week</u> <u>1,700/bi-week</u>
		35%	Summer (5/1 – 9/15)	50 lbs	<u>Thu.</u> /Fri./Sat.	<u>250/week</u> <u>200/week</u>
		11%	Fall (9/16 – 12/31)	100 lbs	Open 7 days	No agg. program
<u>Town Dock</u>		54%	Winter (1/1 – 4/30)	200 lbs	Open 7 days	<u>2,500/bi-week</u> <u>1,300/bi-week or</u> <u>90/day</u>
		35%	Summer (5/1 – 9/15)	50 lbs	<u>Mon.</u> /Fri./Sat.	No agg. program
		11%	Fall (9/16 – 12/31)	100 <u>70</u> lbs	Open 7 days	No agg. program



Hearing Item 1a cont'd: Commercial Summer Flounder

Proposal 2: Industry proposal to remove eligibility requirement to participate in the Summer Flounder Aggregate program for the summer sub-period

Option 1 - proposed language:

3.7.3 Aggregate Landing Program:

(B) Eligibility: An applicant vessel shall be considered eligible for a permit to participate in the Aggregate Landing Program by demonstrating to the satisfaction of the DFW and the Division of Law Enforcement each of the following:

(1) Summer sub-period: Any person commercially licensed to harvest summer flounder is eligible to participate in the Summer sub-period; a RI Summer Flounder Exemption Certificate is not required for persons to participate in the Summer sub-period.



Hearing Item 1c: Commercial management of Scup

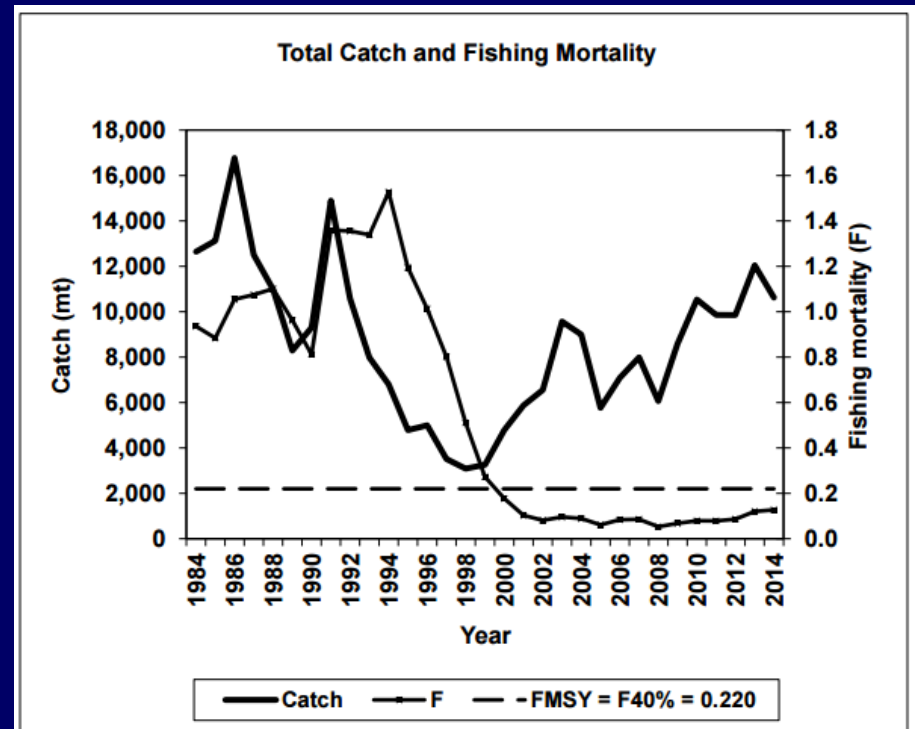
- ◆ Summary of Stock Status
- ◆ 2016 Rhode Island Commercial Fishery Performance
- ◆ Recommendations for the 2017 Scup Fishery



Hearing Item 1c: Commercial Scup

◆ Stock Status:

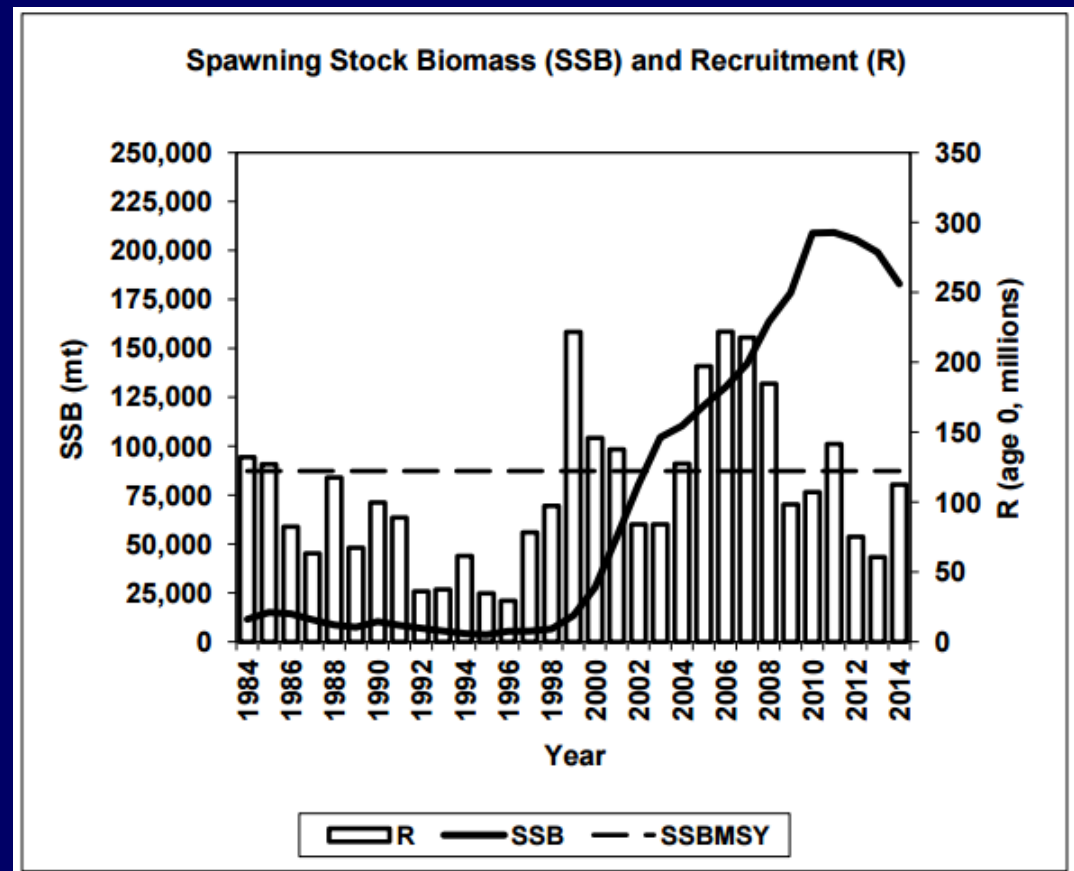
- Benchmark in 2015, data update in 2016
- The scup stock is not overfished, overfishing is not occurring relative to biological reference points.
- Fishing mortality was estimated to be 0.127 in 2014, below the threshold F reference point = 0.22



Hearing Item 1c: Commercial Scup

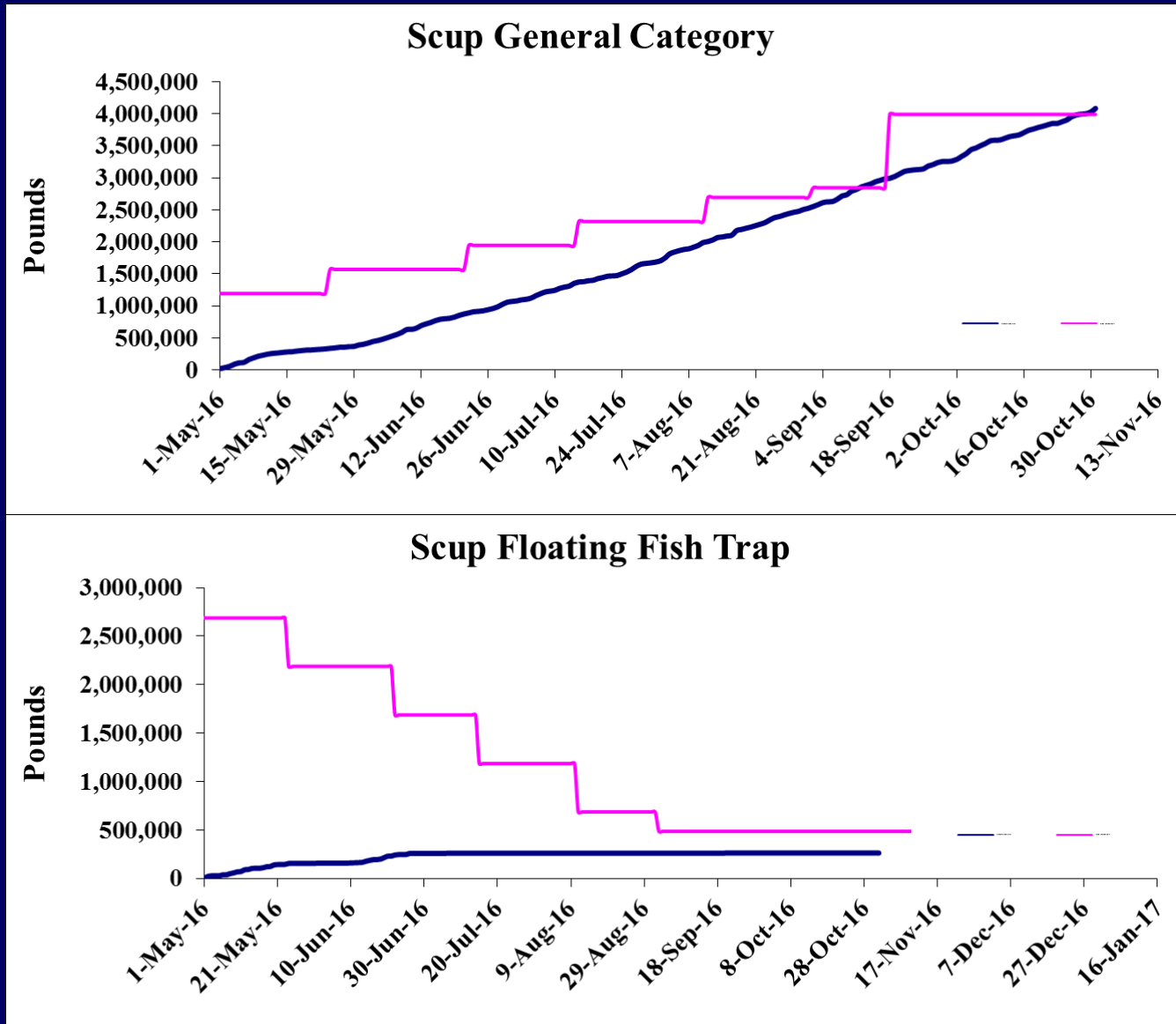
◆ Stock Status:

- SSB estimated to be 403 m lbs in 2014, above the SSB reference point = 192.47 m lbs and above the SSB threshold = 96.23 m lbs.
- The 2014 year class is currently estimated to be about 112 million fish, around average.
- Small decrease in quota expected in 2017



Hearing Item 1c: Commercial Scup

- To date, no commercial fishery closures



Hearing Item 1b: Commercial Scup

- Proposal 1: Annual review of management parameters
 - Option 1: Status quo

Min. size	Seasons	Sub-periods	Quota		Starting Poss. limit
9"	<u>Winter I:</u> (1/1 – 4/30)		Coastwide		50,000 lbs/vsl/day
	<u>Summer – Fall:</u> (5/1 – 10/31)	<u>Gen. Cat. Summer:</u> (5/1 – 9/17)	40% of sub-period quota	2/3 of Gen. Cat. quota	10,000 lbs/vsl/wk
		<u>Gen. Cat. Fall:</u> (9/18 – 10/31)		1/3 of Gen. Cat. quota	10,000 lbs/vsl/wk
		<u>FFT:</u> (5/1 – 10/31)	60% of sub-period quota		Unlimited
	<u>Winter II:</u> (11/1 – 12/31)		Coastwide		2,000/18,000 lbs/vsl/day*

* Winter II possession limit begins at 2,000 lbs/vsl/day; change to 18,000/day after Winter I roll over calculated



Hearing Item 1d: Commercial management of Black Sea Bass

- ◆ Summary of Stock Status
- ◆ 2016 Rhode Island Commercial Fishery Performance
- ◆ Recommendations for the 2017 Black Sea Bass Fishery



Hearing Item 1d: Commercial Black Sea Bass

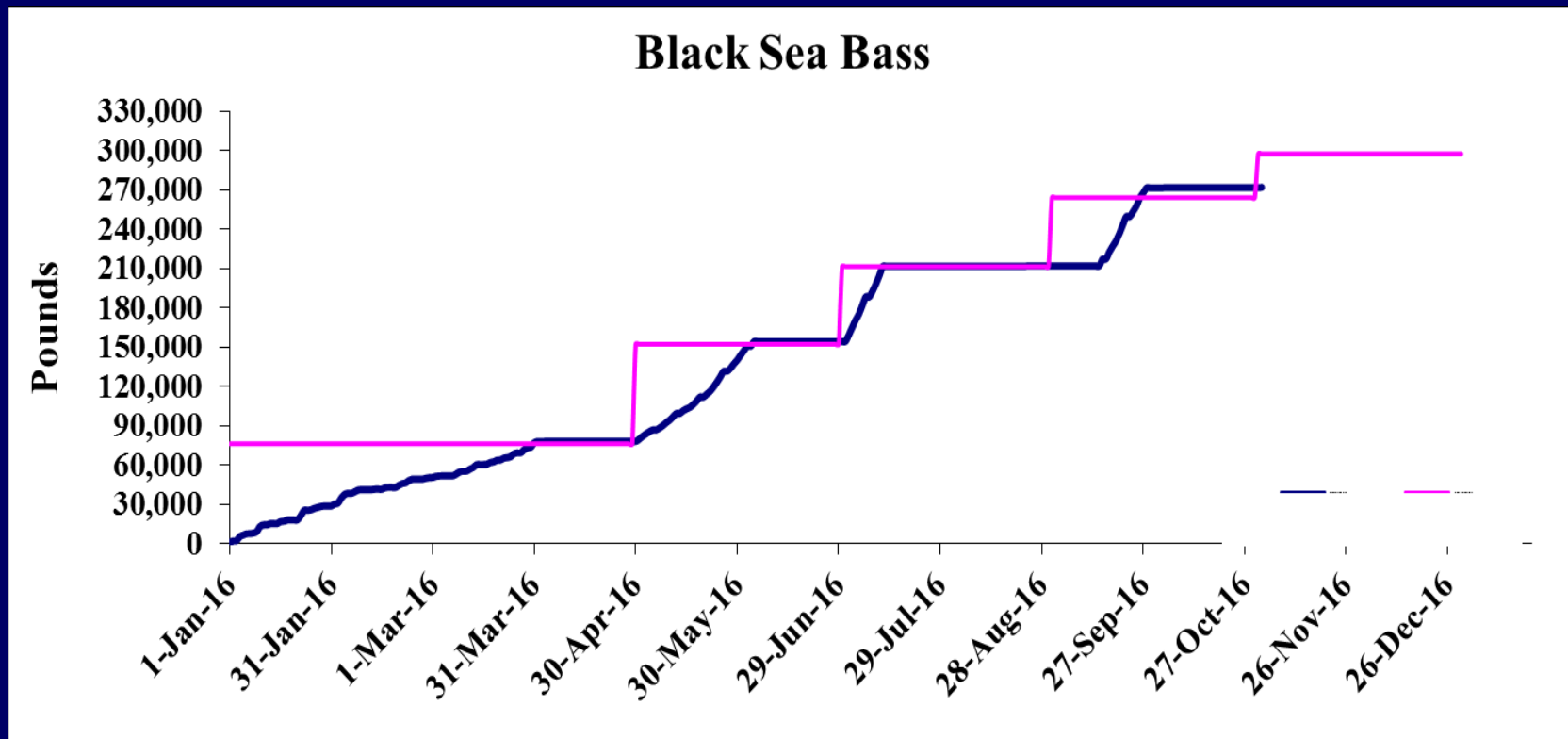
◆ Stock Status:

- Stock status still undetermined.
- Mid Atlantic SSC adopted a new procedure in 2015 to set quota for level 4 stocks, using a data poor procedure ensemble approach.
- This approach led to an increase in quota for 2016, static for 2017.
- Benchmark assessment is underway, should be completed by the end of 2016 for potential use in 2017.



Hearing Item 1d: Commercial Black Sea Bass

- To date, multiple fishery closures



Hearing Item 1c: Commercial Black sea bass

Proposal 1: Annual review of management parameters

- Option 1: Status quo.

Season	Min. size	Allocation	Starting Poss. limit (vsl/day)
Jan 1 – Apr 30	11"	25%	1,000 (vsl/week)
May 1 – June 30		25%	50 (vsl/day)
July 1 – July 31		19.5%	50 (vsl/day)
Sept 15 – Oct 31		19.5%	50 (vsl/day)
Nov 1 – Dec 31		11%	100 (vsl/day)

Note: 2016 was the first year of the winter aggregate, the season closed 7 days earlier than 2015 with slightly more quota, and two downward adjustments were needed. Aggregate seemed to increase catch rates in 2016 winter



Hearing Item 1d: Commercial Coastal Sharks

Proposal 1: Division proposal to meet FMP compliance regarding finning

Option 1 - proposed language:

(1) Commercial fishermen may eviscerate and remove the head and all shark fins of smooth dogfish while at sea provided smooth dogfish make up at least 25 percent, by weight, of total catch on board at the time of landing. Trips that do not meet the 25 percent catch composition requirement can land smooth dogfish, but the fins must remain naturally attached to the carcass ~~completely remove all smoothhound fins year round.~~ If fins are removed, the total wet weight of the shark fins may not exceed 12 percent of the total dressed weight of smoothhound carcasses landed or found on board a vessel. Commercial fishermen may retain other sharks on board provided the fins of other shark species remain naturally attached to the carcass through offloading.



Hearing Item 2a: RIMFR Part 4 – Shellfish

Proposal 1: Correction to transiting provision (section 4.2.7) to allow for transiting when using gear other than nets

Option 1 - proposed language:

4.2.7 Transiting:

(A) During the closure of a Rhode Island state allocated fishery quota, a federally permitted vessel fishing in the Exclusive Economic Zone may traverse Rhode Island state waters for the purpose of landing that species in another state, provided the vessel is in compliance with their federal permit, and ~~the vessel nets~~ **all gear capable of harvesting shellfish are is** stowed pursuant to the stowage of nets provisions as provided for in RIMFR Part 3 - Finfish.

(B) A federally permitted vessel fishing in the Exclusive Economic Zone may traverse Rhode Island state waters for the purpose of landing a species in Rhode Island, provided that the species in possession do not have a state allocated quota that is currently closed, provided the vessel is in compliance with their federal permit, **and** provided the vessel nets **all gear capable of harvesting shellfish are is** stowed pursuant to the stowage of nets provisions as provided for in RIMFR Part 3 - Finfish, and provided that the owner or operator possesses a valid RI Landing License pursuant to DEM's "Commercial and Recreational Saltwater Fishing Licensing Regulations".



Hearing Item 2b: RIMFR Part 4 – Shellfish

Proposal 1: Clarification of process to amend commercial boat harvest schedule in Shellfish Management Areas

- Intent is to apply more broadly to all SMAs (as written only applies to Greenwich Bay; is applicable to Bissel/Fox and Bristol as well)
- No changes proposed to process:
 - 60 day notification required if wishing to amend
 - Specific provisions applicable only to GB Areas 1 & 2:
 - * Month of December may include up to 48 hours of permitted shellfishing, spread over any number of days during the month, excluding December 25.
 - * If weather or water quality conditions during the month of December prevent opening on two or more scheduled days, the DEM may modify the December schedule to allow for additional hours or days of permitted shellfishing.



Hearing Item 2c: RIMFR Part 4 – Shellfish

Proposal 1: Deletion of section 4.7.3 regarding “Temporary shellfish possession limit”. Rule is obsolete with management area-specific possession limits in place.

Option 1 - proposed language:

4.7 Shellfish Management Areas – Descriptions, Seasons, and Possession Limits:

4.7.3 Daily possession limits:

~~(D) Temporary possession limit: The Director may establish a reduced possession limit in any Shellfish and Marine Life Management Area for a period not to exceed sixty (60) days. The following reduced possession limit for bay quahaugs, soft-shell clams, surf clams, and oysters shall apply in any area so designated:~~

~~(1) Recreational – resident: One (1) peck per person per calendar day.~~

~~(2) Recreational – licensed non-resident: One half (½) peck per person per calendar day.~~

~~(3) Commercial: One (1) bushel per person per calendar day.~~



Hearing Item 2d: RIMFR Part 4 – Shellfish

Proposal 1: General edits/clarifications – clarification of default harvest schedule language

Option 1 - proposed language:

Default harvest schedule: If ~~no action is taken to establish specific~~ a **previously established boat** harvest schedules ~~annually expires~~, the following default schedule shall be in effect:



Hearing Item 3: RIMFR Part 5 – Lobster, Crabs, and Other Crustaceans

Proposal 1: Proposed amendments regarding management of Horseshoe Crab

Option 1 - Division proposal:

- Intent is to promote equity among participants.
- 7" minimum size (proposed by industry).
- Daily possession limit for the bait fishery of 60 crabs/person/day. Figure is the RI average daily landings for last 3 years.
- Improve reporting and reporting compliance (proposed by industry).
- Improve return process for crabs used for bio-medical.
- Adjust sub-period quota resulting from over-harvest in prior sub-period (proposed by industry).

Option 2 - Industry proposal:

- Proposed 7" minimum size.
- Improve reporting and reporting compliance.
- 2 seasons and allocations proposed for bait fishery.
- Over-harvest provision.
- Moratorium on the issuance of new permits to persons not previously permitted. Forfeiture if fail to renew.



Hearing Item 3: RIMFR Part 5 – Lobster, Crabs, and Other Crustaceans

Option 3 - Save the Bay proposal:

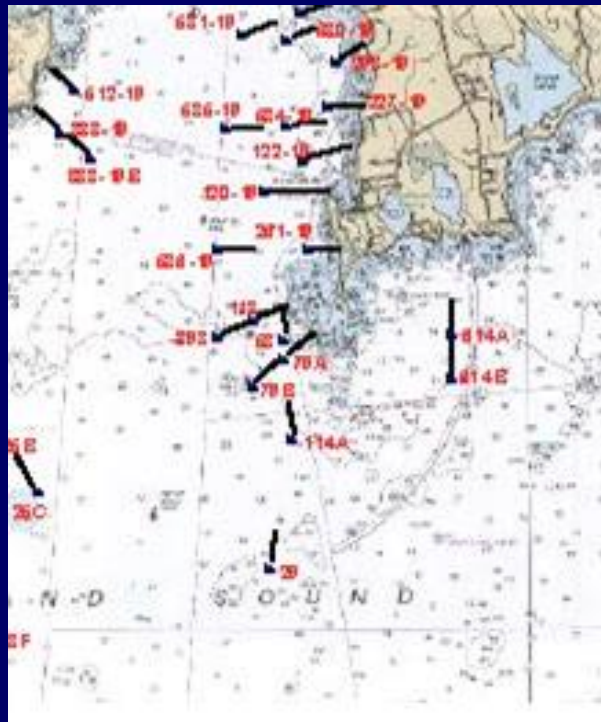
- Improved reporting consistent with Division and Industry proposals
- **No harvest April 1 through May 31 annually.**
- Deduct crabs taken for the biomedical industry from the total quota and allow bled animals to be sold for bait.
- **Establish daily commercial possession limit of 60 crabs/day consistent with Division proposal**
- Establish daily recreational possession limit of 3 crabs/day.
- **Moratorium on the issuance of new permits to persons not previously permitted consistent with industry proposal. Forfeiture if fail to renew.**



Hearing Item 4: RIMFR Part 6 – General Equipment Regulations

Proposal 1: Location correction of Fish Trap site # 29

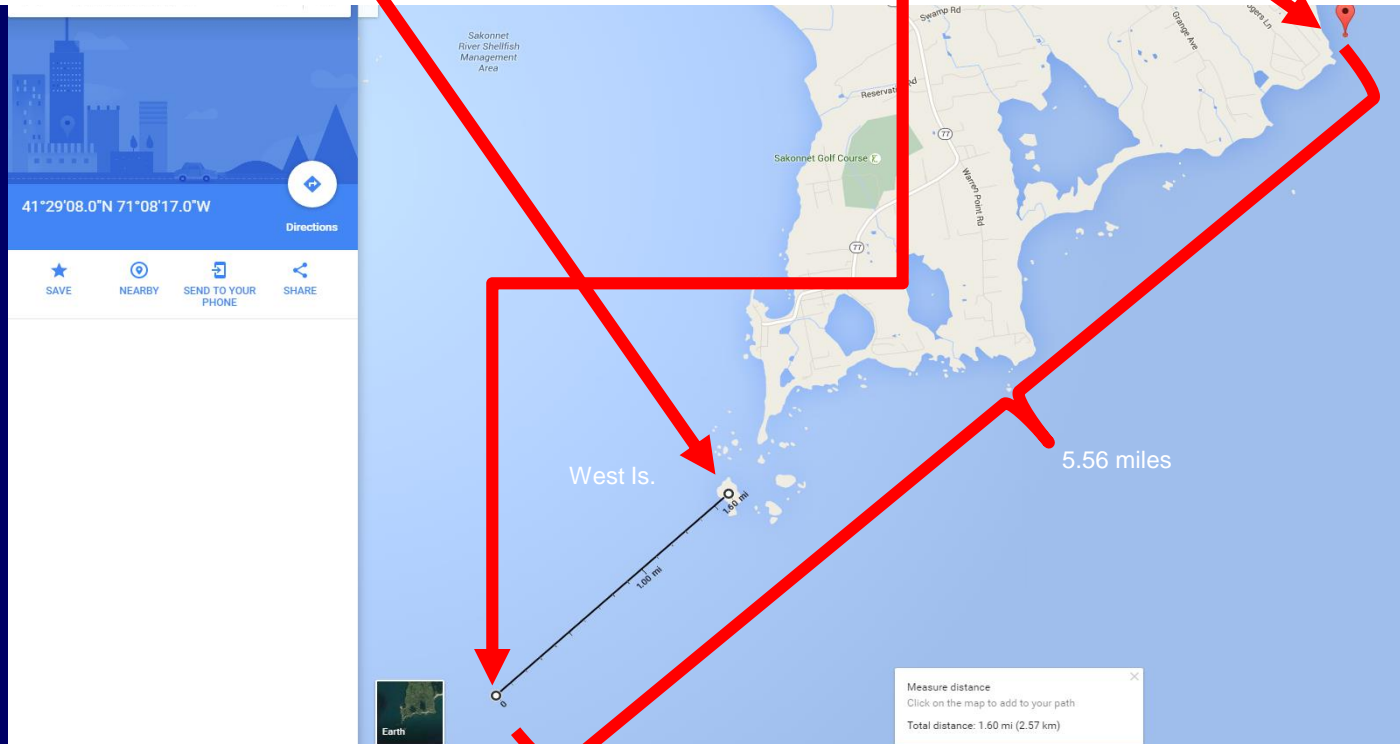
- Correct location shown in RIMFR “Part 17 – Maps”



Hearing Item 4 cont'd: Location correction of Fish Trap site # 29

- Incorrect location as described in RIMFR “Part 6 – General Equipment Regulations”. Was inadvertently amended in regulation several years ago

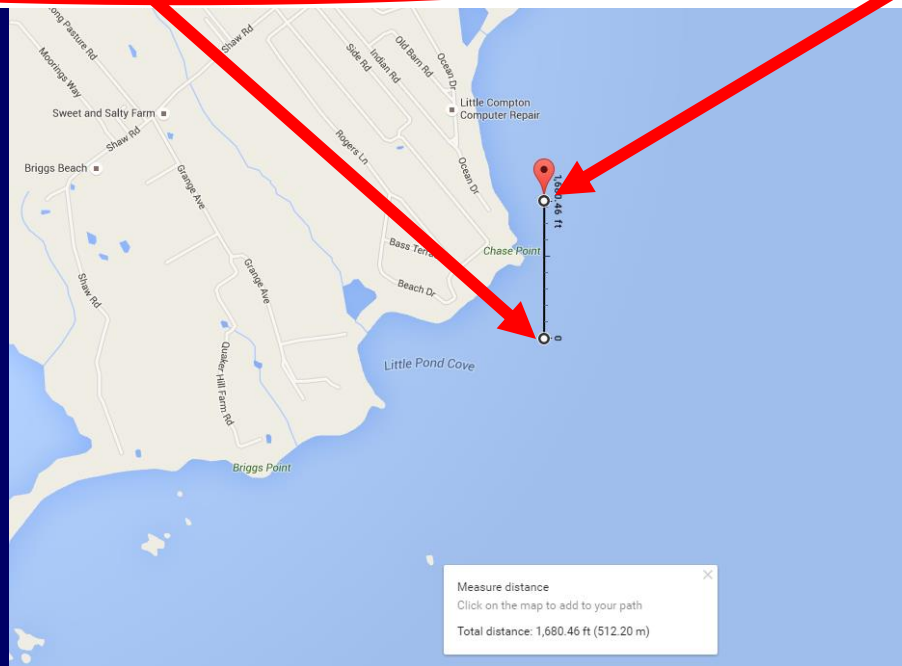
(14) Site 29 begins approximately 8,400 feet south by west of West Island (41°27'0"N, 71°11'54"W) so-called, at approximately 41°29'8"N, 71°8'17"W and extends at approximately 180° for 1,680 feet.



Hearing Item 4 cont'd: Location correction of Fish Trap site # 29

- Incorrect location as described in RIMFR "*Part 6 – General Equipment Regulations*". Was inadvertently amended in regulation several years ago

(14) Site 29 begins approximately 8,400 feet south by west of West Island (41°27'0"N, 71°11'54"W) so-called, at approximately 41°29'8"N, 71°8'17"W and extends at approximately 180° for 1,680 feet.



Hearing Item 4 cont'd: Location correction of Fish Trap site # 29

- Annotated correction:

Site 29 begins ~~approximately~~ 8,400 feet south ~~by~~ west of West Island (~~41°27'0"N, 71°11'54"W~~) so-called, at ~~approximately 41°29'8"N, 71°8'17"W~~ 41°25'46.1"N, 71°12'41.7"W and extends ~~at approximately 180°~~ due south (180° on the compass rose) to 41°25'46.1"N, 71°12'41.7"W for a distance of 1,680 feet.

41°25'46.1"N, 71°12'41.7"W



41°25'46.1"N, 71°12'41.7"W



End of Slides!

