



DEPARTMENT OF THE NAVY

NAVAL STATION NEWPORT
690 PEARY STREET
NEWPORT, RI 02841-1522

IN REPLY REFER TO:

NAVSTANPTINST 5090.26B
ENV

JUL 21 2014

NAVAL STATION (NAVSTA) NEWPORT INSTRUCTION 5090.26B

From: Commanding Officer, Naval Station Newport

Subj: NAVAL STATION NEWPORT RECREATIONAL FISHING PROCEDURES

Ref: (a) DoD Instruction 4715.3
(b) OPNAV M-5090.1, Environmental Readiness Program Manual
(c) Rhode Island Marine Fisheries Statute and Regulations Part VII dated March 19, 2014
(d) State of Rhode Island Fish and Wildlife Freshwater and Anadromous Fishing Regulations for the 2014-2015 Season
(e) 2014 Rhode Island Freshwater Fishing Abstract

Encl: (1) NAVSTA Fishing License Suspension/Revocation
(2) NAVSTA Fishing License Example
(3) Map of Installation Restoration (IR) Program Sites

1. Purpose. Establish policy, procedures and responsibilities for recreational fishing at NAVSTA.

2. Cancellation. NAVSTANPTINST 5090.26A

3. Policy

a. Per references (a) thru (e), it is DoD policy to allow recreational fishing at military installations in compliance with Federal and state regulations and best wildlife management practices. Fishing is controlled by the NAVSTA Commanding Officer (CO) by this locally published instruction which conforms to all Federal and state wildlife conservation statutes.

b. Violation of this instruction or references (a) through (e) may result in prosecution through applicable Federal and state laws, as well as suspension or revocation of NAVSTA fishing privileges per the guidelines in enclosure (1).

4. Responsibilities

a. Executive Officer

(1) Review the fishing policy annually as appropriate to base, state, and federal policy.

b. NAVSTA Environmental Program Manager

(1) Oversee the base fishing program as it relates to the management of wildlife resources.

(2) Provide policy guidance and recommendations to the command for the management of fish and wildlife resources.

(3) In cooperation with the NAVSTA Natural Resources Manager, coordinate and maintain the development and conservation of the base wildlife resources.

(4) Liaise with Rhode Island Department of Environmental Management, Division of Fish and Wildlife personnel as necessary.

(5) Resolve disputes over the management and harvesting of fish and assist NAVSTA Security with enforcement of Federal, State and local fishing laws and regulations.

(6) Issue base fishing licenses for distribution at the Environmental Division Program Office.

c. NAVSTA Security Director

(1) Review and forward reports of fishing regulation violations to the CO and the Environmental Program Manager.

d. NAVSTA Security Department

(1) Enforce all Federal, State and local laws and regulations with respect to legal fishing on NAVSTA.

(2) Is authorized to conduct inspections of anglers, fishing equipment, and catch to determine compliance with all applicable laws and licenses.

(3) Permit access to fishing areas for authorized personnel only, as outlined in this instruction.

5. General Information

a. Authorized Personnel. The following persons are authorized to fish at NAVSTA with due regard to references (c) and (d) for size and season requirements:

- (1) Active duty military personnel and their dependents.
- (2) DoD civilian employees at NAVSTA and their dependents.
- (3) Active duty reservists at NAVSTA and their dependents.
- (4) DoD contract support employees at NAVSTA.
- (5) Retirees.
- (6) Guests of the Commanding Officer.

b. Fishing License(s)

(1) An appropriate state license for freshwater and/or saltwater fishing is required.

(2) A NAVSTA fishing license is required for all persons fishing on or from NAVSTA property. This can be obtained via the Natural Resources Program Manager, at the Environmental Department, Building 1, aboard NAVSTA.

(3) A fishing license is not required for minors under the age of 16 years old, any blind person, or any disabled veteran.

c. Protected Wildlife. No angler shall harass, injure, hunt, or take any other wildlife. Fish are protected by species, size and season as authorized in references (c) and (d). Due to federal protection laws, if a marine mammal or sea turtle is sighted in the vicinity of active fishing all fishing in that area is to stop. Upon sighting, the angler is expected to make every effort to report sighting to NAVSTA Environmental Natural Resources Program Manager via section 3 subpart b of this

instruction. Shannon Kam is the NAVSTA Natural Resources Manager and can be reached at 401-841-6377.

d. Littering. Littering at NAVSTA is prohibited. All refuse shall be removed from the fishing site(s) and placed in designated trash containers. Refuse will not be buried or burned while on NAVSTA.

e. Open Fires. Open fires are not permitted at NAVSTA.

f. Illegal Substances. All are prohibited while on NAVSTA.

g. Violation of Instruction. All violations of this instruction or other applicable laws and regulations shall be immediately reported to the CO, Environmental Program Manager and NAVSTA Security.

6. Procedures

a. Fishing

(1) A Rhode Island Fishing License and NAVSTA Fishing License are required for all persons who fish at NAVSTA unless exempt under section 4 b.(3) of this instruction.

(2) Persons under the age of 16 must be accompanied by an adult angler in possession of both a NAVSTA and Rhode Island Freshwater or Saltwater Fishing License.

(3) Issuance and acceptance of a NAVSTA fishing license by any recreational angler will relieve the Federal Government of all liability in the case of accident or injury. Individual anglers should read and understand all applicable Federal, State, local, and NAVSTA fishing regulations before being issued a license.

(4) Individuals will not be charged a fee to obtain a NAVSTA fishing license.

(5) Each NAVSTA license shall be valid for a period through December 31st of the issuing year.

(6) Environmental shall issue a copy of enclosure (3) with every license which highlights installation restoration sites that anglers are not authorized to fish from as shown in red on the enclosure.

(7) Weenechasset Bridge is authorized for fishing; Toner Bridge is not authorized for fishing anytime of the year.

(8) All fishermen ten years of age or younger are required to wear a Coast Guard approved Personal Floatation Device and be under the constant supervision of their adult sponsor.

b. Fishing Seasons/Days

(1) Unless otherwise specified herein, limits, seasons, times and methods of fishing at NAVSTA shall conform to State and Federal regulations. Line fishing is the only authorized method for fishing on NAVSTA. References (c) and (d) will be the guide for fishing seasons and are to be followed at all times.

c. Access to Fishing Areas

(1) Enclosure (3) is a map of unauthorized fishing areas at NAVSTA highlighted in red. Fishing is prohibited from these areas.

(2) Every angler must carry a valid NAVSTA fishing license in addition to the applicable Rhode Island State Saltwater or freshwater fishing license on their person.

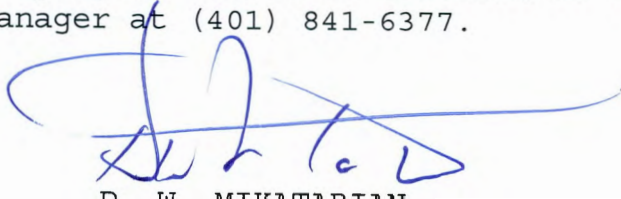
(3) Specific areas and fishing dates may be closed by the ICO, Natural Resources Manager, or Security Department at any time at their discretion and without prior notification.

(4) If any fishing tournaments and/or other special events are to take place, the approval of Shannon Kam, Natural Resources Manager, and the CO are required. She can be contacted by phone (401-841-6377) or email (Shannon.kam@navy.mil) and will arrange to brief the CO for approval.

(5) Access to allowable fishing areas is acceptable at any hour of the day.

d. Regulations for Fishing. Anglers will fish in compliance with Rhode Island fishing regulations in accordance with reference (c) and (d) regarding limits, season, and physical characteristics.

7. Questions regarding this program should be referred to the Natural Resources Program Manager at (401) 841-6377.

A handwritten signature in blue ink, appearing to read 'D. W. Mikatarian', is written over a light blue rectangular background.

D. W. MIKATARIAN

NAVSTA LICENSE SUSPENSION/REVOCATION

1. Policy. The privilege of fishing at NAVSTA is governed by the NAVSTA ICO.

2. Authority. The CO, Natural Resources Manager and Security Department shall enforce regulations. The above have the authority to suspend or revoke fishing privileges as appropriate.

3. Violations. The following is a list of common violations and maximum administrative actions which may be taken against persons who violate applicable state and Federal statutes and provisions of this instruction. License suspensions may be in addition to criminal prosecution and/or prosecution through the Uniform Code of Military Justice where applicable.

ACTION	VIOLATION
TERMINATION	Catching and keeping of fish species not authorized in accordance with references (c) and (d);
TERMINATION	Catching and keeping of fish outside of appropriate season in accordance with references (c) and (d);
TERMINATION	Catching and keeping of fish species in numbers outside of limits delineated in references (c) and (d);
TERMINATION	Catching and keeping of fish outside the dimensions authorized in accordance with reference (c);
TERMINATION	Fishing under the influence of or in possession of illegal substances;
TERMINATION	Violation licensing procurement as delineated in this instruction;
TERMINATION	Violation of fishing days/times;
TERMINATION	Open fires;
TERMINATION	Littering;
TERMINATION	Unauthorized damage to vegetation, natural resources, and wildlife as delineated in this instruction;
TERMINATION	Unauthorized vehicle parking;

FISHING LICENSE

1. NAVSTA hereby grants authorization for recreational fishing on NAVSTA property. This Permit will be valid to the last day of the year it is issued.

2. The bearer of this fishing license agrees to comply in full with all Rhode Island regulations governing fishing and the terms and conditions of NAVSTANPTINST 5090.26B. Any violations of governing regulations will result in the permanent revocation of this license and all future fishing privileges at NAVSTA and may subject the permit holder to criminal prosecution.

3. Issuance and acceptance of this fishing license by any recreational angler will relieve the Federal Government of all liability in the case of accident or injury. Individual anglers should read and understand all applicable Federal, State, local, and NAVSTA fishing regulations before being issued a license.

I agree to comply in full with all regulations governing fishing aboard Naval Station Newport. I understand that signing and accepting this license relieves the Federal Government of all liability in the case of accident or injury.

Signature (Permit Holder)

Printed Name (Permit Holder)

Date

Endorsement by Shannon Kam
NAVSTA Natural Resources Program Manager

Date Issued

