DEPARTMENT OF THE NAVY
NAVAL STATION NEWPORT
690 PEARY STREET
NEWPORT, RI 02841-1522

IN REPLY REFER TO:

NAVSTANPTINST 5090.26A
ENV

JAN 27 2012

NAVAL STATION (NAVSTA) NEWPORT INSTRUCTION 5090.26A

From: Commanding Officer, Naval Station Newport

Subj: NAVSTA NEWPORT RECREATIONAL FISHING PROCEDURES

Ref: (a) DoD Instruction 4715.3
(b) OPNAVINST 5090.1C
(c) Rhode Island Marine Fisheries Statute and Regulations Part VII dated April 8, 2011
(d) State of Rhode Island Fish and Wildlife Freshwater and Anadromous Fishing Regulations for the 2011-2012 Season
(e) 2011 Rhode Island Freshwater Fishing Abstract

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

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

2. Policy

a. Per references (a) through (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) and by this 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).

3. Responsibilities

a. Executive Officer

(1) Review this fishing policy annually as appropriate to base, state, and Federal policy.

b. NAVSTA Environmental Program Manager (EPM)

(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) Coordinate and maintain the development and conservation of the base wildlife resources.

(4) Liaise with Rhode Island Department of Environmental Management and 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) Provide fishing licenses to Morale, Welfare and Recreation (MWR) for sale and distribution at the Information Tickets and Travel (ITT) Outdoor Recreation office.

c. NAVSTA Security Director

(1) Review and forward reports of fishing regulation violations to the CO and the EPM.

(2) Enforce all Federal, state, and local laws and regulations.

(3) Conduct inspections of anglers, fishing equipment, and catch to determine compliance with all applicable laws and licenses.

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

d. NAVSTA MWR Department

(1) Issue permits through ITT Outdoor Recreation Office.

(2) Provide copies of all fishing licenses issued to the Natural Resources Manager to be collected on a monthly basis.

(3) Manage an account for the funds collected to be used for the Natural Resources Management Program.

4. General Information

a. Authorized Personnel. The following persons are authorized to fish 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 and their dependents.

(3) Active duty reservists and their dependents.

(4) DoD contract support employees.

(5) Retirees.

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 MWR at the ITT Outdoor Recreation Office.

(3) A fishing license is not required for minors under 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 will stop. Upon sighting, the angler is expected to make every effort to report sighting to Security. Security will, in turn, report sighting to Environmental via Section 3, Subpart b of this instruction.

d. Littering. Littering 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.

e. Open Fires. Open fires are not permitted.

f. Illegal Substances. All are prohibited.

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

5. Procedures

a. Fishing

(1) A Rhode Island Fishing License and NAVSTA Fishing License are required for all persons who fish, unless exempt, under Section 4 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 be charged a fee of $10.00 to obtain a NAVSTA Fishing License, $9.00 of which will be held in an account managed by MWR and used for the benefit of natural resources management of NAVSTA. The remaining $1 will be used as an administrative processing fee assessed by MWR. This fee is separate from fee collected for a state issued Saltwater or Freshwater Fishing License as required by the State of Rhode Island.

(5) Each NAVSTA Fishing License shall be valid for a period thru December 31 of the issuing year.

(6) MWR shall issue a copy of enclosure (3) with every license which highlights, in red, installation restoration sites from which anglers are not authorized to fish.

(7) Weenachasset 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 shall conform to state and Federal regulations. Line fishing is the only authorized method for fishing. References (c) and (d) will be the guide for fishing seasons and will be followed at all times.

c. Access

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

(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 CO, Natural Resources Manager or Security, at any time and at their discretion, without prior notification.

(4) If any fishing tournaments and/or other special events are to take place, the approval of the Natural Resources Manager and the CO are required. The Natural Resources Manager can be contacted by phone at (401) 841-6377.

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

d. Regulations. Anglers will fish in compliance with Rhode Island fishing regulations per references (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.

D. W. MIKATARIAN

NAVAL STATION (NAVSTA) NEWPORT LICENSE SUSPENSION/REVOCATION

1. Policy. The privilege of fishing at NAVSTA is governed by the NAVSTA Commanding Officer (CO).

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 (termination) 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.

a. Catching and keeping of fish species not authorized.

b. Catching and keeping of fish outside of appropriate season.

c. Catching and keeping of fish species in numbers outside of delineated limits.

d. Catching and keeping of fish outside the dimensions authorized.

e. Fishing under the influence of or in possession of illegal substances.

f. Violation of licensing procurement.

g. Violation of fishing days/times.

h. Open fires.

i. Littering.

j. Unauthorized damage to vegetation, natural resources, and wildlife.

k. Unauthorized vehicle parking.

NAVAL STATION (NAVSTA) NEWPORT 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 5090.26A. 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.

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I agree to comply in full with all regulations governing fishing on board NAVSTA. I understand that signing and accepting this license relieves the Federal government of all liability in the case of accident or injury.

_____(Permit Holder)
Signature

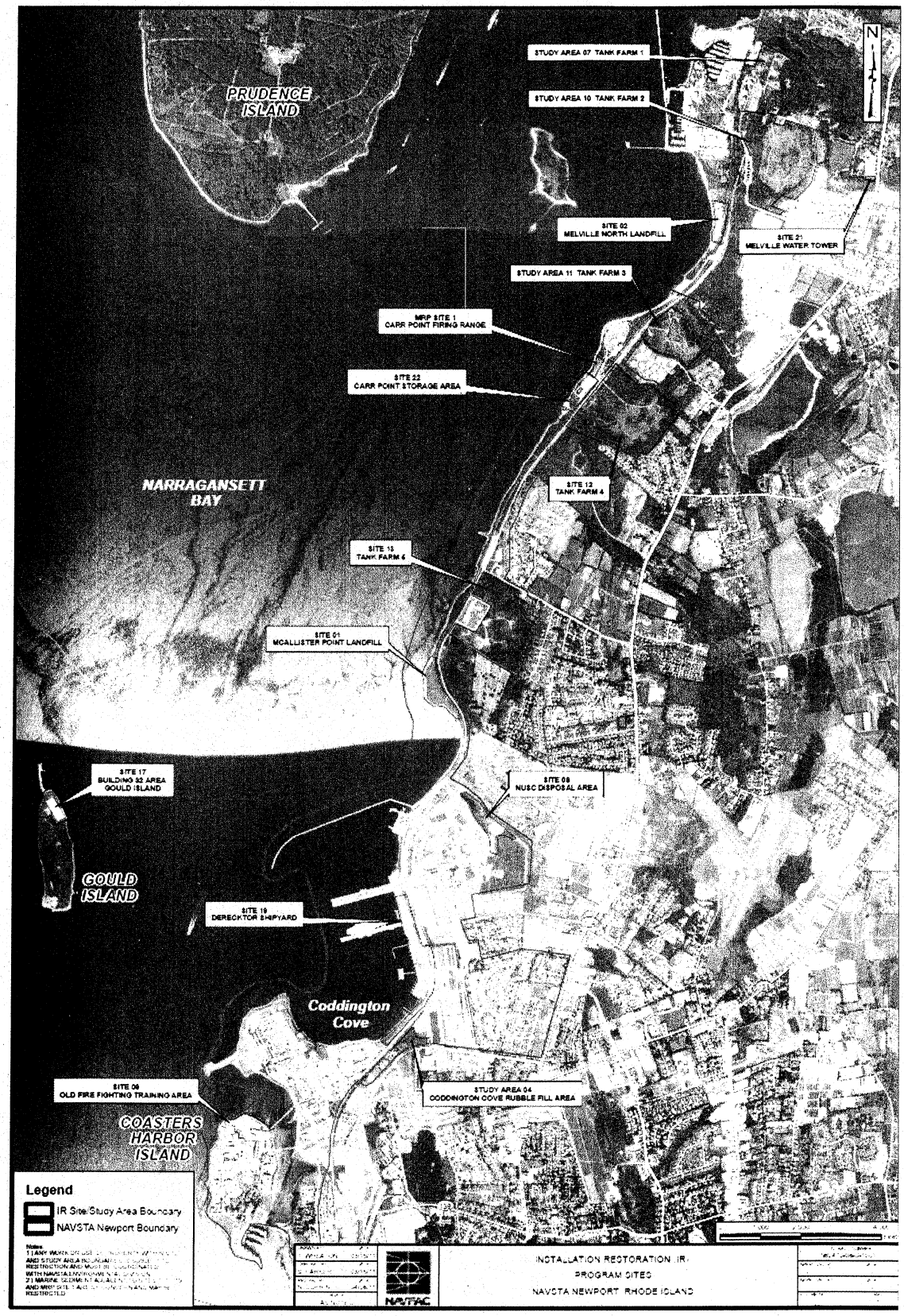
_____(Permit Holder)
Printed Name

_____
Date

****

_____
NAVSTA Moral Welfare and Recreation Endorsement

_____
Date Issued


PRUDENCE ISLAND
NARRAGANSETT BAY
GOULD ISLAND
Coddington Cove
COASTERS HARBOR ISLAND
N
STUDY AREA 07 TANK FARM 1
STUDY AREA 10 TANK FARM 2
SITE 02 MELVILLE NORTH LANDFILL
SITE 21 MELVILLE WATER TOWER
STUDY AREA 11 TANK FARM 3
MRP SITE 1 CARR POINT FIRING RANGE
SITE 22 CARR POINT STORAGE AREA
SITE 12 TANK FARM 4
SITE 13 TANK FARM 5
SITE 01 MCALLISTER POINT LANDFILL
SITE 17 BUILDING 32 AREA GOULD ISLAND
SITE 08 NUSC DISPOSAL AREA
SITE 19 DERECKTOR SHIPYARD
SITE 06 OLD FIRE FIGHTING TRAINING AREA
STUDY AREA 04 CODDINGTON COVE RUBBLE FILL AREA
Legend
IR Site/Study Area Boundary
NAVSTA Newport Boundary
INSTALLATION RESTORATION IR PROGRAM SITES
NAVSTA NEWPORT RHODE ISLAND
NAVFAC

Enclosure (3)