

**From:** [McNamee, Jason \(DEM\)](#)  
**To:** [paintballerdonahue](#)  
**Cc:** [Duhamel, Peter \(DEM\)](#)  
**Subject:** RE: [EXTERNAL] : Seabass limit  
**Date:** Monday, December 3, 2018 11:57:13 AM

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Thanks for the comment, we will submit this as part of the official public record.

- J

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**From:** paintballerdonahue <paintballerdonahue@yahoo.com>  
**Sent:** Monday, December 03, 2018 9:44 AM  
**To:** McNamee, Jason (DEM) <jason.mcnamee@dem.ri.gov>  
**Subject:** [EXTERNAL] : Seabass limit

I am against dropping the limit of seabass from 50lbs per day to 25lbs per day for commercial.

**From:** [McNamee, Jason \(DEM\)](#)  
**To:** [Duhamel, Peter \(DEM\)](#)  
**Subject:** FW: [EXTERNAL] : Sea bass  
**Date:** Wednesday, November 21, 2018 10:59:03 AM

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Pete, for the record.

-J

**From:** John Peabody <[jpeab6375@gmail.com](mailto:jpeab6375@gmail.com)>  
**Sent:** Wednesday, November 21, 2018 10:56 AM  
**To:** McNamee, Jason (DEM) <[jason.mcnamee@dem.ri.gov](mailto:jason.mcnamee@dem.ri.gov)>  
**Subject:** Re: [EXTERNAL] : Sea bass

Yes, please! That is what i meant. I thought you had said that. December has always been a frustrating month for me because we catch a lot of bass and have seldom been able to sell many if any at all.

On Wed, Nov 21, 2018, 10:31 AM McNamee, Jason (DEM) <[jason.mcnamee@dem.ri.gov](mailto:jason.mcnamee@dem.ri.gov)> wrote:

Hi Capt Peabody. It just so happens that we are in a public comment period right now for commercial black sea bass. Do you want me to submit your email as an official public comment? My interpretation of what you wrote is that you'd like to see an aggregate program for bsb in the Nov – Dec sub period. Let me know and I will submit it for you. You have until Dec 3<sup>rd</sup> to submit comment.

Happy Thanksgiving!

-J

**From:** John Peabody <[jpeab6375@gmail.com](mailto:jpeab6375@gmail.com)>  
**Sent:** Wednesday, November 21, 2018 6:06 AM  
**To:** McNamee, Jason (DEM) <[jason.mcnamee@dem.ri.gov](mailto:jason.mcnamee@dem.ri.gov)>  
**Subject:** [EXTERNAL] : Sea bass

Writing you and you can send where it goes.

As sea bass are moving offshore now the glaring problem of day limits on sea bass which are fished by trip boats in fall and winter comes up again. I hope aggregate in the winter continues and hope it could also be added for the last quarter of year also.

Thanks

Appreciate the bump up to 100 for next week. Bass just started showing and we went over the 50 quick

Kenneth T Murgo  
Trident Fisheries LLC.  
RI MP License #001365  
Kenneth.Murgo@gmail.com  
(401) 368-4397

February 19, 2018

Subject: Written Comments on Proposed Rulemaking Presented at February 19<sup>th</sup> 2018  
Public Hearing

To Whom It May Concern:

My name is Ken Murgo and I am a holder of a RI Multipurpose fishing license. I commercially fish full time in state waters and therefore these proposed rulemaking amendments would impact my livelihood.

On Hearing Item 1a Commercial Black Sea Bass I support option 1 status quo. I am strongly against decreasing the sea bass daily limit to below 50lb as it is not economical to go out fishing for anything less than 50lbs. I am also strongly against the proposal to add closed days to the sea bass fishery. As a full time fisherman who derives my entire income from commercial fishing in RI state waters I need to be able to work more than a few days a week. Making more species limited to certain days hurts my ability to have a profitable business. This proposal comes from dragger and gill net fisherman and dis-proportionately benefits them. These proposed changes to the black sea bass fishery are completely unnecessary as the state has been developing an aggregate program that will solve all the issues brought up in the proposal and allow those fisherman to land their weekly limit in a day and take the rest of the week off if they so choose. There is no need to remove the ability of other fisherman to work every day if they want to.

On hearing item 1b Commercial Scup proposal 2 I support option 1 remove maximum pot limit. The daily/weekly limits are sufficient to manage the scup catch. If further management is needed these daily/weekly quotas can be lowered. Pot fishing is very sustainable as any undersized fish and by catch are returned to the water alive so catching scup by this method should be encouraged.

On hearing item 1c Commercial Summer flounder I support status quo. The 3 day closure was successful at keeping the fishery open all summer and I feel it should stay that way.

On hearing item 1e Commercial Tautog I support option 1 status quo. I am strongly against option 2. Removal of the summer sub period would have a significant negative effect on my business. I have built my business to be sustainable by being diverse and fishing for as many different species as I can. This summer sub period comes at a time where not many other species are available to harvest for a pot and trap fisherman without federal permits who only fish in state waters like me. By August 1<sup>st</sup> lobsters and crabs have headed offshore for cooler waters, whelks have stopped feeding and are in their breeding season, and black sea bass is closed for the entire time period covered by this sub period. The only other fisheries I have available to me at this

time is pot fishing for scup and tautog. With the recent high quotas for scup the price has been very low, making the 10 much higher value tautog I have been allowed to land at this time very important to my profitability. Giving up this sub period would only add single digit percentages of the quota to the spring and fall as the previous years overage comes out of the summer sub periods 20% of the quota. Even with less than 20% of the quota this summer sub period stayed open for the full 45 days. Giving that quota to the spring and fall sub-periods will only add a handful of days to each season as the catch rates are very high in those sub periods, especially at the end. This will result in a net loss of many days where tautog was previously available for harvest and be detrimental to my business profitability in the summer. Once I am pigeonholed into a single fishery, scup potting, I am at the mercy of the market, and a price drop can leave me with no fishery to turn a profit in during the middle of summer, an important time of year for a commercial fishing business.

Thank you for your consideration,  
Kenneth T Murgo

## BLACK SEA BASS COMMENTS:

The quota shall be available during the following subperiods:

1. January 1 through April 30: a. Allocation: Twenty-five percent (25%) of the quota.  
b. Possession limit: Five hundred (500) pounds per vessel per week.
2. May 1 through June 30: a. Allocation: Twenty-five percent (25%) of the quota.  
b. Possession limit: Fifty (50) pounds per vessel per calendar day.
3. July 1 through July 31: a. Allocation: Nineteen and a half percent (19.5%) of the quota.  
b. Possession limit: Fifty (50) pounds per vessel per calendar day.

The two subperiods: May 1 through June 30 and July 1 through July 31 should be combined and should remain at 50 pounds per vessel per day. This will possibly alleviate the July 1st opening when Massachusetts opens and the price drops in half because the market gets flooded with BSB. All openings should not coincide with Massachusetts openings because this floods the markets with BSB and the price drops in half.

The 4th subperiod, September 15th Fall BSB fishery, should be combined with the quota for the November BSB fishery. This would allow smaller fishing operations to have a better chance of catching BSB without the added safety issue associated with fishing further offshore as the BSB migrate to deeper waters. The beginning of November brings constant high velocity winds with many days where small craft or gale warnings are posted. It would be a benefit to all fishermen if the Council would take the safety factor into consideration when deciding the Fall subperiods. This would be a more equitable amendment to all fishers involved.

## SUMMER FLOUNDER COMMENTS:

The summer flounder subperiod should re-open one additional day, **Sunday**, during the week.

## TAUTOG COMMENTS:

Remove summer subperiod, split allocation 50/50 spring and fall subperiod.

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Gary Mataronas & Gary Mataronas Jr  
F/V X-Terminator  
F/V Edna May  
F/V Night Prowler

**From:** [McNamee, Jason \(DEM\)](#)  
**To:** [Duhamel, Peter \(DEM\)](#)  
**Cc:** [archangelcharters@yahoo.com](mailto:archangelcharters@yahoo.com)  
**Subject:** RE: [EXTERNAL] : seabass reduction  
**Date:** Monday, December 3, 2018 11:40:51 AM

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Pete, I asked Capt. Littlefield and he confirmed he would like this (below) submitted for the public hearing record.

Thanks

-J

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**From:** [archangelcharters@yahoo.com](mailto:archangelcharters@yahoo.com) <[archangelcharters@yahoo.com](mailto:archangelcharters@yahoo.com)>  
**Sent:** Monday, December 03, 2018 8:33 AM  
**To:** McNamee, Jason (DEM) <[jason.mcnamee@dem.ri.gov](mailto:jason.mcnamee@dem.ri.gov)>  
**Subject:** [EXTERNAL] : seabass reduction

Good morning Mr. McNamee

This email is for the potential vote tonight on the reduction of seabass to 25lbs. I am against this reduction for the July quota.

My PEL number is 001711

Captain Mike Littlefield

401-406-9555

[www.archangelcharters.com](http://www.archangelcharters.com) [%3cbr]

[www.nbmtri.com](http://www.nbmtri.com) [%3cbr]

**From:** [McNamee, Jason \(DEM\)](#)  
**To:** [Duhamel, Peter \(DEM\)](#)  
**Cc:** [couplesell@verizon.net](mailto:couplesell@verizon.net)  
**Subject:** FW: [EXTERNAL] : commercial f/f options  
**Date:** Friday, November 23, 2018 11:18:33 AM

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Pete, official public comment for the record (below).

Thanks

-J

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**From:** Mike McElroy <couplesell@verizon.net>  
**Sent:** Friday, November 23, 2018 11:13 AM  
**To:** McNamee, Jason (DEM) <jason.mcnamee@dem.ri.gov>  
**Subject:** [EXTERNAL] : commercial f/f options

Hi Jason ,

I just want to comment on the options that were given on 3 f/f .

{1} I am in favor of going to 5 days for summer flounder

[2] I am against a 50% split on tautog for the spring season .actually I,d like to see no spring season . even thru they are in the bay in the spring & I do know how to catch spring tautog In the long run I believe this hurts the fishery . I feel its open just before they spwarn [sp] & is mostly a pot & net fishery .

[3] I, m opposed to the 25# daily limit of summer flounder in the sub-period I know this option is from the south shore R&R fisherman , their reason being that in July they are still on Stripers & flounder is in full gear so 25#s is a by-catch number to them . for me , who is real close to being to old & beat up to dig any longer , It's a close to a given fact that after the stripers leave we in the bay have little to target except scup which is foolish with the quota which results in a price that is unrealistic to the R&R fisherman .We have to hard to just about the mouth of the bay or further south to get any amount of sea bass . I believer this is another greed option of theu part & hurts the fishery . with a lot more dead sea bass being thrown back , especially by draggers & cullers . When I sell at the point now [50#] I see those fisherman constantly over their limits & they leave the dealer with them or just give them away .

Not going to rant on , but please don,t change the option it will hurt the rest of us .

Thank you Mike McElroy M/P Lic #0082

## **Petition for change in the upcoming marine regulations**

The follow individuals and vessels submit this petition in regards the upcoming regulatory hearing and summer period.

### **We request the follow actions:**

- The Department / RIMFC reject any options that call for a reduction in the daily possession limit on black sea bass from 50 lbs. to 25 lbs.
- Align the summer flounder and black sea bass regulations so that both fisheries are open and closed on the same days. This will require an increase in the daily possession limit of sea bass since there would be fewer fishing days. Example: <sup>Approx</sup> If summer flounder is open four days then the daily possession limit for BSB would be raised to 85 lbs. a day. This approximates the same weekly catch as 50 lbs. a day for seven days or 350 lbs. per week. This will encourage fishing to take place on a limited number of days, and therefore lessen regulatory discards on the non-open days.
- Avoid any overlap of the RI BSB and the Mass BSB season. During the last two years both seasons have been open for a short period in July causing the RI price per pound of BSB to plummet, in some cases 50% or more. It should be a simple matter to change the opening date to late June or combine the July allocation with the June allocation. Any approach that avoids an overlap is acceptable.

### **Why are we requesting this action and what problems are created by the current low daily possession limits for black sea bass:**

General point is the current system is causing needless economic inefficiency and ever increasing regulatory discards. Specific examples follow:

1. Discards: It is virtually impossible to tow or set a net or trap without having a significant catch and bycatch of these species, regardless of which species is being targeted. Trawlers and gill net fishermen catch all three species (BSB, S, and SF) on the same tow and have no legal mechanism to avoid exceeding the daily possession limits other than to discard the excess. These regulatory discards are lost to the fishery and economy of RI since they get counted against the quota if documented. If not documented they interject a level of uncertainty in the stock assessment that results in more conservative quotas decisions by regulatory agencies. In either case they are lost to the industry and economy of RI.
2. Fishing economics: It make no sense economically to require fishermen to fish seven days a week when they can fish a small portion of that time and land the same volume of fish. A low daily possession limit requires fishermen to fish seven days a week which simply increases operating costs, results in needless discards, reduces efficiency, more wear and tear on equipment, needless habitat impacts, and more discards of non-targeted species. The State of Massachusetts uses a days out system, with much higher daily trip limits, that avoid most of these problems.



3. Waste of fuel and needless wear and tear on the equipment. Most fishermen in RI have to travel a number of miles to get to specific fishing grounds. It makes no sense environmentally to impose a requirement to operate a vessel seven days a week, when most fishermen can catch the same amount of fish in a fraction of the time with reduced fuel costs.
4. Impact of dealers. Outside of the major port of Pt. Judith, the dealer infrastructure in RI is in sharp decline because of the poor economics of the current system. In the east Bay area there is only one full service dealer (Tiverton) who picks up and transports fish. It makes no sense economically to send an employee and a truck to Sakonnet Pt. to pick up a few boats which land 25-50 lbs., when a slightly different system would allow them to purchase hundreds of pounds of fish for the same transportation costs. The same is true of Newport, where there are no finfish dealers, with fixed facilities, who buy fish directly off the boat. These costs could be reduced substantially with a properly structured days out system.
5. Disconnect in current regulations. With the exception of the rod and reel industry, the current regulations do not work together either for the industry, resource, or dealers. For example: sea bass can be landed seven days a week while summer flounder are regulated with a days out system. This makes little sense because most net fisheries catch both species. Gill net or trawl fishermen can only land summer flounder and sea bass on four days and then they have to discard summer flounder for three days while they target black sea bass. All of this is a complete waste of marine resources, which can be substantially reduced by aligning the regulation for summer flounder and sea bass. We also point out that the rod and reel fishermen will have no problem catching 85 lbs. a day given the super abundance of BSB so there is no downside for any of the gear types.

Signed by:

<u>Name</u>	<u>Vessel</u>	<u>Port</u>
Peter E. Bradbur	Wendy Gail	Galilee R.I.
William McElroy	Ellen June	Galilee RI
Mark Jones	Kristen J	Galilee RI
John	KAREN ANN	GALILEE RI
Greg A. Krum	DIVERSION	GALILEE R.I.
Cheryl Long	SEA JEM	Galilee RI
Mark M. Sweet	ERICA H. HIGHT	Galilee RI
William J. Mulvey	RACHEL ANN	GALILEE R.I.
RICHARD LODGE	F/V SELECT	GALILEE RI
Patrick Duckworth	PKRager	Point Judith RI
David Clark	TWISTER	Galilee
John Clark	Twister	Galilee RI
Dominic Campanale	F/V Risky Business	Galilee RI.
DEVON CAMPANALE	F/V RISKY BUSINESS	GALILEE RI.
Robert Mitchell	F/V BOTTOM LINE	Galilee RI
THOMAS MITCHELL	CHAMPLIN SED.	GALILEE RI.
Adam Morse	Narragansett Bay Lobster	Galilee RI

NAME	VESSEL	PORT
DIANA B. PULESTON	F/V SCRATCH	PT. JUDITH
John (Jack) Moore	SKIFF 7143A	PT JUDITH
Dean Desautel	F/V OCEANIC	PT JUDITH
Thomas Hoxsie	F/V NORTH STAR	PT JUDITH RI
Robert Stewart	F/V MARY KAY	PT JUDITH RI
Michael L. Wincott	F/V MISTY	PT JUDITH RI
John E. Gough	F/V EMILIA ROSE	PT. JUDITH RI
David B. Burt	F/V CHARLES PRIDE	PT. JUDITH RI
John E. Gough	F/V ACES HIGH	PT JUDITH RI
James E. Gough	F/V NANCY DEW	PT J. Jud. Th RI
Dwayne Smith	F/V NANCY DEW	PT J. Jud. Th RI
Jim White	F/V HILDA + HELEN	PT. JUDITH RI
Shelia White	F/V HILDA + HELEN	PT. JUDITH RI
Derek Pascale	F/V Ragged Edge	PT JUDITH RI
ERIC MARCUS	F/V PERSISTENCE	PT. JUDITH RI
Joshua Miller	F/V PERSISTENCE	PT. JUDITH RI
GREG L. S.	F/V AMELIA BROWN	PT. JUDITH RI
Walter, Fredette	F/V Three Sons	PT JUDITH RI
Scott Rudy	F/V Atlantic Pearl	PT. JUDITH RI
"	F/V Soli Magistrate	PT. JUDITH RI
John E. Gough	F/V RILEY	PT. JUDITH RI

- Signed by:**

[illegible]

impose a requirement to operate a vessel seven days a week, when most fishermen can catch the same amount of fish in a fraction of the time with reduced fuel costs.

4. Impact of dealers. Outside of the major port of Pt. Judith, the dealer infrastructure in RI is in sharp decline because of the poor economics of the current system. In the east Bay area there is only one full service dealer (Tiverton) who picks up and transports fish. It makes no sense economically to send an employee and a truck to Sakonnet Pt. to pick up a few boats which land 25-50 lbs., when a slightly different system would allow them to purchase hundreds of pounds of fish for the same transportation costs. The same is true of Newport, where there are no finfish dealers, with fixed facilities, who buy fish directly off the boat. These costs could be reduced substantially with a properly structured days out system.
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Signed by:

Name

Vessel

Port

JAMES PERKINS		Sakonnet
LAWRENCE DUREEE		TIVERTON
KEVIN SULLIVAN	JEANUS O LIAM	SAKONNET
PATRICK KING	KINGFISHER	TIVERTON
Gordon Sinclair	Nick-O-Ryan	TIVERTON
Nick Pacheco		Portsmouth
Bill Tolon	Patty Ann	Sakonnet Point
Patrick Ferrisina		Sakonnet Point
Michael Littlefield	ARCH ANGEL	Portsmouth RI
Bruce Perryman	Ephyr 01280	Portsmouth
Goughman	X-TERMINATOR	SAKONNET POINT RI
K. Willey Jr	NIGHTPROWLER	SAKONNET RI
ROBERT BUFFINGTON	EDNA MAY	TIVERTON RI
Christopher Bowley	DANNY BOY	Portsmouth
Eric Todd	Lauren H	Sakonnet RI
Richard Robert Webb	Ani Elizabeth / FIRST KIND	TIVERTON RI
Bruce McGonagle	Switchback	Newport, RI
Gary Matasanos Jr	Night Prowler	Little Compton RI

## Name

## Vessel

## Port

Name	Vessel	Port
Charles Borden	DRAKE-	Newport-MA
Robert M Tolan	KASSIDI JANE	Tiverton RI 02878
SEAMUS SULLIVAN	Lily & Ellie	Sakonnet Pt RI
Erick Hartpelt	MP 1377	Tiverton, RI
James Mataronis	Finest Kind	" "
Ian Parente	ARGO	Sakonnet Pt RI
Harry Gould	OLYMPIA	Newport
Jared Gould	Lila B	Newport
Tom Doyle	Wolf's Den	Newport, R.I.
Brian Combra	Last Fling	Newport, RI
Bill Burr	OLD COOT	SK. PT
Mark Norlin	MULT. PURPOSE	NP RI
Douglas Mattheus	MULT. PURPOSE	Tiverton RI
Richard Blader	MULT PURPOSE	Little Compton RI
Andrew Cavanagh	Cavanagh Marine I	Little Compton RI
MARK LAMBERT	Jenny Kate	Little Compton RI
Robert Brosnahan	RI	Parknouth RI
Nicholaslotz Del 1749	Joint Venture	Sakonnet PT RI

no problem catching 85 lbs. a day given the super abundance of BSB so there is no downside for any of the gear types.

Signed by:

Name

Vessel

Port

DAN FAGAN Dan Fagan	FRANCIS E.	BRISTOL
JOE GOODNESS Joe Goodness	19 Lema	TRAILERED
Jerry D. - PETER SILVA	HELENA MARIE JALET MARIE	TIVERTON BRISTOL
LOW FRATTANIELLI	TEA'E	BRISTOL #10
MICHAELA FRATTANIELLI Kathleen Fagan	TEA'E unnamed	BRISTOL #1367 BRISTOL, K1
MATTHEW KEARNS	Edward James	BRISTOL
MICHAEL KEARNS	MP 746	TIVERTON
BEN KEARNS	1078	WARWICK

no problem catching 85 lbs. a day given the super abundance of BSB so there is no downside for any of the gear types.

Signed by:

Name

Vessel

Port

Joe Marks

*Joe Marks*

RI 3586L

BRISTOL

*Frank H. Aubrey*

RI 9360M BRISTOL

*Jonathan C. Green Miss Kristin Bristol*

John McDonald

Norma M

Bristol

MPURP 000170

**From:** [Kenneth Booth](#)  
**To:** [Duhamel, Peter \(DEM\)](#); [McNamee, Jason \(DEM\)](#)  
**Subject:** [EXTERNAL] : RICRRA position on proposed 2019 Summer Flounder regulations  
**Date:** Thursday, November 29, 2018 4:17:31 PM

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The Rhode Island Commercial Rod and Reel Association recommends the addition of one additional day of summer flounder fishing for the upcoming 2019 season, providing fishermen with a five day, Sunday thru Thursday, fishing week.

This recommendation is based on the likely hood that Rhode Island will see an increase in summer flounder quota for the coming year.

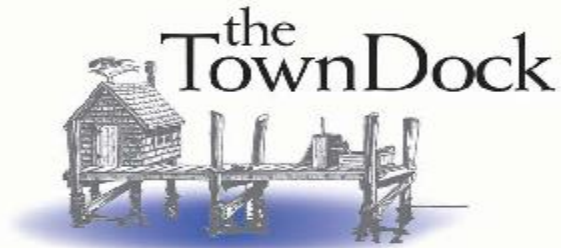
The 2018 season was set at 50lbs./day for a four day week. In the summer period the daily quota was raised from 50lbs./day to 100 lbs./day for the last few weeks of the season. The combination of additional quota, along with a consistent 50lb./day limit, should be able achieve the goal of avoiding a closure during the season.

The additional fishing day would also provide fishermen who do not possess fluke exemption permits, particularly weather limited small boat fishermen, with some equity in their ability to harvest their quota. It seems logical if the proposed aggregate program is going to allow participants to fish seven days/week to harvest the same weekly limit that other fishermen must try to catch in only four days.

Thank you for your consideration,

Kenneth Booth, President  
Rhode Island Commercial Rod and Reel Association





November 14, 2018

Director Janet Coit  
Rhode Island DEM  
235 Promenade Street  
Providence, RI 02908

Dear Director Coit,

For the upcoming 2019 management plans for Summer Flounder and Black Sea Bass we recommend Status Quo.

During the 2018 management year we were successful in avoiding any closures for Summer Flounder. Until we receive the results of the pending assessment we recommend keeping the daily limit and the specific open/closed days the same.

We also have a pilot aggregate program starting in 2019. We are hesitant to recommend any changes in management until we see how our quotas are affected by this new program.

Thank you for the opportunity to comment.

Sincerely,

Katie Almeida  
Fishery Policy Analyst