

Supplemental Guidance Document

Aggregate Program for Summer Flounder and Black Sea Bass

NOTE: This document serves as supplemental guidance for the proposed regulations “Part 19 - Aggregate Program for Summer Flounder and Black Sea Bass”. When reviewing the proposed rule, please use this document to formulate comments on distinct elements of the proposed regulations. Thorough and concise comments will aid and inform the decision-making process. **Please note that items indicated **** are included in the proposed rule**

Main Considerations:

- a. Overall Program: Should the program be adopted as a new rule, continue as a pilot program, or be allowed to remain expired (current winter I program for summer flounder maintained unchanged as provided in rule “Part 3 – Finfish”)?
- b. Summer Flounder Exemption Certificate: Should an Exemption Certificate be required to authorize participants to land a possession limit in excess of 200 lbs/vsl/day? Or should participants be limited to 200 lbs/vsl/day?
- c. Fluke Seasons: Should participants be authorized to participate in only the Winter I *or* the Summer/Fall aggregate programs, or both?
- d. Black Sea Bass Seasons: Should aggregate possession limits be available in all black sea bass sub-periods?
- e. Possession limit: Should the aggregate/weekly possession limit be equal to 5, 6, or 7 daily limits?

Possible Actions:

1. **Allow current pilot rule “Part 12 – Research Pilot Aggregate Program” to remain expired; no further action.**
 - Current winter I program for summer flounder maintained in separate rule (Part 3 – Finfish)
2. **Maintain current pilot rule with possible amendments:**
 - Amend eligibility criteria:
 - Prioritize past participants; use lottery as needed to add additional participants?
 - Amend number of available permits (rule current rule provides for 6 permits per gear category; or 36 total permits):
 - Increase to 10 available permits per gear category; 60 available permits?****

- Increase to 12 available permits per gear category; 72 available permits?
- Eliminate gear categories; provide for 54 available permits?
- Summer Flounder Exemption Certificate:
 - Certificate required to land >200 lbs/day?
- Term of program:
 - Through 2022?*
 - Through 2023?

3. **Adopt new rule to codify aggregate possession limits for summer flounder and black sea bass. Considerations for rule:**

- Summer Flounder Exemption Certificate – Summer/Fall season:
 - Certificate required to land >200 lbs/day?*
- Black Sea Bass:
 - Include black sea bass in the program?*
 - Seasons:
 - Open May 1 through December 31?
 - Closed in Spring/Summer; open September 16 - October 31 and November 1 - December 31 sub-periods only?*
 - Closed Mid-Summer July 1-August 15th only; open all other sub-periods?
- Possession Limits:
 - Daily limit multiplied by number of open days with a maximum 5X*, 6X, or 7X daily limit?

** Indicates items included in the proposed rule