



RHODE ISLAND

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

DIVISION OF MARINE FISHERIES

Three Fort Wetherill Road
Jamestown, Rhode Island 02835

Summary of Public Hearing Comments

Agency: Department of Environmental Management

Division: Marine Fisheries

Regulation title and identifier:

- Part 12 – Research Pilot Aggregate Program (250-RICR-90-00-12)
- Part 19 - Aggregate Program for Summer Flounder and Black Sea Bass (250-RICR-90-00-19)

Note: These two regulations are intricately connected and address the same subject matter. If Part 12 is maintained, with or without amendments, then Part 19 would not be adopted and the filing terminated. If Part 19 is adopted, then Part 12 would not be amended, the filing would be terminated, and the rule would be proposed for repeal at a later date.

Type of Filing: Amendment (Part 12); Adoption (Part 19)

Timetable for action on the proposed rule:

- Date of public notice: January 26, 2022
- Date of hearing: February 7, 2022
- End of comment period: February 25, 2022

Testimony and Comments:

The public hearing was recorded and is publicly available on the Division of Marine Fisheries YouTube channel [here](#). ***This document represents a synopsis of the comments provided; it does not include supporting details and rationale that may have been provided.*** Written comments submitted are provided separately.

1. 16 comments provided:
 - Continue as pilot or new rule:

- Majority of comments (all but 1) in support of maintaining a program, either as a pilot or new program (new rule); mostly unspecified if preferring continuation of the pilot program or a new rule.
- Summer Flounder Exemption Certificate required to land summer flounder >200 lbs/day: 3 comments opposed to requiring the certificate for the summer sub-period for summer flounder.
- Fluke Seasons - Participate in Winter I or the Summer/Fall aggregate programs, or both: 3 comments supporting participation in either sub-period, not both.
- Black Sea Bass season:
 - 2 comments specifically in support of including black sea bass in the program
 - 3 comments specifically in support of a May 1 through December 31 season
 - 1 comment specifically opposed to black sea bass seasons outside of the summer season
 - 1 comment specifically opposed to not including an early spring season
- Possession Limits: All comments in support of a possession limit equal to 7 daily limits; some were ok with a 6 day limit; 1 comment ok with a 5 day limit.
- Amend eligibility criteria:
 - 4 comments in support of prioritizing past participants.
 - 1 comment in support of open access
- Amend # of available permits:
 - 3 comments in support of eliminating gear categories
 - 1 comment in support of expanding to 60 available permits
 - 1 comment in support of expanding to 72 available permits
 - 3 comments in support of expanding # of participants
 - 1 comment in support of adding 10 new participants
- Term of program:
 - 1 comment in support of extending program through 2023
 - 1 comment in support of maintaining the program indefinitely
- Abandon program: Most comments in support of maintaining a program, either as a pilot or new rule; 1 comment strongly opposed to continuing any program without more strict compliance measures in place (written comment provided)