

Feb 20, 2022

To whom it may concern.

My name is Christopher Brown, I am a fisherman out of Point Judith for 45 years. I have extensive experience in the management of our fisheries as well as the science that compels them. I was the founder of the RI Fluke Conservation Cooperative and a participant, I was the president of NEFS V and a fishing member. I sat as an advisor to the NEFMC on the Groundfish AP for 5 years. In addition to fishing activities I was a founding member of the Commercial Fisheries Research Foundation , Founding and long time president of the East Farm Commercial Fisheries Center, a well established and respected conservation engineer. I would like to thank you for the opportunity to provide comments on the Pilot program for aggregated fluke landings in the periods that are outside of the traditional Winter aggregate period, that I also wrote and requested for the industry many years ago.

I will issue my comments relative to the three options that are being considered at this time.

Option 1, Extension of the pilot in its current form.

I am opposed to the continuation of the program beyond the pilot stage. 3 years is an adequate time to consider design, flaws, and impacts both good and bad. This was the time period allowed the former program under pilot status. It was poorly planned in it's profound lacking of goals or guidance to the participants .It seemed to seek to understand only if the non winter period could support an aggregate program without exhausting the allowed quota for the sub period. The answer to this question is not foreseeable via any analysis

in that the pilot could provide. It chooses to ignore the catching potential of the rod and reel sector. A group that in different years has been extremely consequential in landing fluke during the warmer months. Managing in a vacuum is ill advised and could lead to premature sub period closure and high regulatory discards from a disenfranchised mobile and fixed gear fleet. The pilot program should not be considered for continuation because of the pathetic level of monitoring that was asked of it. The previous pilot program paid for at sea monitors and achieved an overall monitoring rate of 25% of all trips. In addition, Bayesian math principals provided insight to the behavior of the fleet on days when they were not monitored. The current pilot gave no consideration to such a prevalent feature of fisheries management. The pilot operated on the assumption that those involved would fish fewer days and therefore provide relief to the resource via harvesting efficiency of a single species. The designers of the program placed no restrictions on effort. Vessels were free to fish 7 days and target fluke and bass on favorable market days. No attempt was made to account for regulatory discards in the overall assessment of the program or its effect on the overall mortality of resource .It seem obvious that if you cannot measure it then advancing management blindly is reckless and irresponsible. In addition to being effectively unmonitored, enforcement played no visible role in ensuring that those involved were fishing in accordance to applicable mesh size regulations or even that landing limits in aggregate were adhered to. In the previous pilot program , participants were required to call enforcement and announce each and every time fluke were landed, an hour prior to arrival. No such precautions were taken. This is a failure of both management and enforcement. A template for a successful pilot has

been demonstrated and ignored, smart gear technology, designed at the Research Foundation was never considered and there is no way to consider the impacts on mortality. Management cannot advance without dividing benefits between the resource and the harvester. In the words of Aldo Leopoldt" when the resource and harvester are bettered by reason of their partnership we have effective conservation, when one or the other grow poorer we do not. It is my opinion that this program made a few fishermen more money at the cost of conservation.

2. Should the program be expanded to accommodate more participants?

It is unimaginable that the program would be made larger, given that it was compelled in no way by any modern concepts of fisheries management , lacked mortality goals, failed to monitor, enforce or assess its impacts beyond simple landings. Expanding the program seems a shallow attempt to curry favor with those who have been critical out of mere jealousy. Fisheries management is many things but it is no place to foster popularity at the expense of our nations resources. The fluke pilot that preceded this one had the for thought to expand the participants in its final year, thus effectively stress testing its theory and underpinnings. No such consideration was given , even though an ample demonstration of such was provided.

3. Should the pilot program be discontinued?

It is my opinion that this program should be discontinued. So much was wrong about it. It choose to ignore any major advances in gear technology that was developed here in Rhode Island , by Rhode Islanders. It was not even entertained that a vessel with camera

equipment, of which there is an increasing number in the port of Point Judith, in an attempt to verify that which now has gone unseen. It carried itself as if money was all that mattered and stewardship had no place at the table. And possibly worst of all it severed and bombed back to the stone ages the essential partnership between industry and science. For all of the above and more I cannot imagine how this program renewed and god forbid , expanded.

From: [David Fewster](#)
To: [Duhamel, Peter \(DEM\)](#); [Lake, John \(DEM\)](#)
Subject: [EXTERNAL] : Comments DEM meeting 2/7/22
Date: Thursday, February 10, 2022 8:47:10 PM

Good evening folks . I'd like to comment on the meeting from Monday night. Thanks David Fewster

#1- I'm in favor of Proposal #1 for commercial Bass season. Early season

#2- I'm in favor of the fish trap proposal to transfer unused quota.

#3- I strongly oppose the gillnet proposal. This is no time to add a user group to Harvest striped bass and create even more pressure on a very small quota. Unfortunately this method of fishing will also create a fishery that is almost impossible to police. Nets will be moved to take advantage of a species that was not previously targeted in recent years. Hopefully we will remember what caused the collapse years ago. I release my by By-catch and it swims away. Unfortunately a net doesn't and never will.

#4- I am in favor of status quo for Tautog proposal. Same quota/limits/season.

#5- I'm in favor of tagging before off loading

6#- pilot program.

I'm in favor of adding 10 new users

I'm in favor of including original participants. (equipment investment)

I'm in favor of including sea bass

I'm in favor of choosing winter or summer for fluke.

This program allows me to fish safely (Choosing days)

This program creates less by-catch, allows fewer fuel costs, gives us time for proper repairs, Allows for quality time with family....

By extending this program we will get more data to make better decisions. Perhaps a questionnaire if people would participate ?

I prefer 7 days limit. But 6 days would cover expenses and be acceptable.

I prefer the program runs all season to harvest sea bass and fluke. This will also give us more DATA. If not Spring and early summer would be better than the fall when the weather is more unsettled for the program. Or first and second weeks of the month of the season.

Thank you for accepting my comments. David Fewster MP753

Sent from my iPhone

-----Original Message-----

From: John Walker <johnnywalka51@yahoo.com>

Sent: Monday, February 21, 2022 9:49 PM

To: Lake, John (DEM) <john.lake@dem.ri.gov>

Subject: [EXTERNAL] : Public comment regarding aggregate pilot program.

Hello john, just following up on our conversation we had the other day.

I would like to go on the record with the following comments regarding the proposals for the future of the aggregate program.

1. I am in favor of continuing the program.

2 I am in favor of expanding the program to any and all qualified Rhode Island licensed fisher and Rhode Island registered boat, that meet the criteria and are willing to follow the rules governing the program.

3. I am opposed to the proposal to close the aggregate program for sea bass in the early spring , my reason for this is simple, the spring run of sea bass in really the only time that the inshore Gillnet fishers and the inshore small boat dragger fleet seem to consistently catch these fish. This closure would be disproportionately unfair to there fishers, therefore I cannot support that proposal. Furthermore, the spring time is usually when these fish are high in value. Also, the early spring inshore small boat fishery is very limited by the bad weather that we tend to get early in spring. Most small boat fishers are not able to safely fish 7 days a week in early spring. The aggregate program is a very useful tool for these fishers to remain profitable, and safe during this time of year when the weather is foul and the water temperature still quite cold and dangerous. For these reasons I must oppose any proposal to close the aggregate program during any period. I am however in favor of a trigger of it is necessary to prevent over harvest.

4. I am opposed to any proposal that limits the aggregate possession limit to anything less than 7 times daily limit. Fishing on the aggregate program is already enough of a trade off for fishers because we loose out on a lot of the other less valuable but still profitable species that we would catch if we were harvesting on a daily basis. Such as squid, scup, butter fish and other such species. The aggregate program in itself is already proving to be a much better option from a conservation perspective as it is, seeing as there is significantly less bycatch and discard/Highgrading . For these reasons, I must oppose and regulations that limit the weekly aggregate limit to anything less than 7 times daily limit for both sea bass and summer flounder.

Thank you, please respond to let me know that you did in fact receive this message and let me know if you have any questions or concerns.

Sent from my iPhone

From: michael monteforte <mike.monteforte@hotmail.com>

Sent: Tuesday, February 1, 2022 10:33 AM

To: Lake, John (DEM) <john.lake@dem.ri.gov>

Subject: [EXTERNAL] : Aggregate program

To: John lake

- *If the new aggregate program is not implemented then I would like to be able to participate in the experimental Aggregate program. So to that point I would like to see 60 permits made available.*
- *My thought on the term of the program should be as long as it would take to make a determination that the program was a success or failure. Time and patience is a necessity.*
- *The time limit on the aggregate program for summer flounder and black sea bass should be determined by the landings and remaining available resource. It would seem to make sense to divide the fisheries into 3 different time zones. Winter, summer, and fall. If the quota in one of those time zones is not met then it should be transferred to the next time zones, Equally.*
- *I made this comment at the workshop for this program. I am sure there are more points that could be made, but for me I think this program would be wonderful, for four reasons:*
 - *First." Safety" Why do I say that, because we have been given a amount sea bass or summer flounder to catch. So when the weather is good and fishable you can take advantage of this window of opportunity and fish. If the fishing is good you catch your limit, then you can do something else for the rest of the week (take family to the beach). During the winter sub period this would be a Wonderful provision, given that there are so few days to fish safely.*
 - *Second. You can land your catch, when it is best for the market. For example Tuesday, Wednesday or Thursday. This is not an absolute but at times can be an important factor. Sometimes it just comes down to supply and demand.*
 - *Third." Expense ". For my fishing operation, my major expense is gas. I use the most gas steaming to and from my gear.*
 - *So eliminating the number of days I need to fish to make a living would increase my profits considerably. Here is an example: For round numbers let's say it takes 10 gallons a day to steam to my gear and fish and return home. I'm allowed to catch 250 pounds for the week, I catch this amount in two days. 20 gallons of gas at \$3.40 equals 68 dollars. Now without the aggregate program I'm still allowed to catch my 250 pounds of sea bass but can only land 50 lbs. a day. So it takes 5 days to catch my limit, 10 gallons of gas per day so that's 50 gallons times \$3.40 equals \$170. So the difference for me between the two programs, which represents a clear profit is \$102 a week.(Groceries for the week). When you consider the whole fleet that fishes for Sea-bass and summer flounder the*

savings in dollars is enormous. Also when you consider less fuel is used by the whole fleet, what a savings of our precious petroleum resource.

- *Fourth. There is another point to consider when you determined to use the aggregate program or not, Is this. If everyone was to remove their gear from the water after their limit was caught it would allow the recreational fisherman to come in and fish where your gear was previously. This could be complicated but perhaps is a consideration.*

Thank you for all you do!

Michael Monteforte Sr.

-----Original Message-----

From: Paddy <erin15@cox.net>

Sent: Thursday, February 3, 2022 10:24 AM

To: Olszewski, Scott (DEM) <scott.olszewski@dem.ri.gov>

Subject: [EXTERNAL] : Pilot program

Hi Scott , as the owner of the Cody and Enterprise out of Point Judith I would like if you could submit my statement as I won't be able to make the meeting . I think the fluke and sea bass pilot program is a great idea and if run again this year and following years , I would like to see more boats in program and make it available to everyone that wants to get in it. I also suggest that it's not the same boats every year and that everyone that is interested gets a fair Chance by lottery to get into programs.

Thank you

Paddy Mc glade

Sent from paddy

Russell Sylvestre
F/V Haul-In
Newport RI

As time goes by I try to get more involved in the management process. Honestly it has been a completely disheartening experience thus far with regards to federal weak lines and closures. However the state process seems like we have a good shot at implementing new regulations that could have profound positive impacts on my and others commercial operations.

I am in support of proposal 2 for commercial Tautog harvesting. Daily landing limits 10/fish per day are a huge burden on small fishing operations. The time it takes to catch those fish and then sell them in the same day is not a feasible option for me. Having a higher daily landing limit will allow me to allot more time towards that fishery, because the financial incentive will be there. Currently I do not do much with Tautog because the logistics of catching and selling ten fish a day simply do not work with my current business model (I try to haul through my gear in as few days as possible). I also am in support of tagging the fish before they are offloaded as oppose to the current rules. Even with my limited experience with Tautog, I am positive that tagging them before they leave the boat is a much safer and effective option. There were several times when I found myself not properly applying the tag (fish moving, rough weather, trying to move quickly) all which could be negetage if I was allowed to tag the fish at the dock.

The Black Sea Bass fishery is another example of daily landing limits making my and others operations far less efficient. It is worth it financially for me to go and catch 100lb of BSB, but it is not once I have to deliver the fish to a dealer daily. Being able to land seven days worth of fish in one day, now creates an entire new day of work for me. For my personal operation I would still be in favor of the aggregate even if it was only a five day landing limit, but my vote is for the seven day landing limit in one day. I am aware of the concern that the quota will be caught up too quickly but I truly believe that is a risk we need to take for this first year of the program. The consensus from the meeting seemed to be that we really have no idea how many people will even be willing to purchase the necessary equipment to participare. That being said I would like to see us move forward with open enrollment in the BSB aggregate on a seven day landing limit.

Furthermore I think that using a lottery system, or anything short of open enrollment for anyone who wants in on the BSB aggregate is a huge mistake. With the lack of knowledge of how many people will even purchase the transponder and parcitape, leading to a lack of data on how fast the quota will be caught up. Strictly an example here: I apply for the BSB aggregate and the state decides to use the lottery system. Previous participants are allowed to remain in the program and new ones added through the lottery. If I was not selected but the guy who docks his boat two slips up from me is, this is going to harbor huge amounts of animosity between us really through no fault of the individual fishermen. That fishermen will be making more money (efficiency, fuel, time) than me, and that will pit fishermen against one another. As we know fishermen talk and words twist and spread quickly throughout ports. It would be

borderline outrageous if someone who wanted the aggregate for the 2022 season was not able to participate. Meanwhile, previous participants of the program are allowed to continue harvesting in 20222 with the aggregate program. It is well known that there are people in the program now who haven't even landed a Black Sea Bass in years, or not even a RI resident.

In summary I am in support of proposal two; Tautog 25fish/day MWF, with those fish being tagged prior to being offloaded. I am also a huge supporter of the Black Sea Bass aggregate being available to anyone who wants to participate. I would like to be able to harvest seven days worth of landing limits in one day as my business would greatly benefit. A seven day limit would be ideal, but the program still has my support at a six and even five day landing limit as both would still be more efficient and profitable than the status quo. Aggregate landing limits should be applied to all sub periods. Thank you for your consideration and time, and feel free to contact me.

sylvestrer@my.uri.edu

401-523-601