

From: CaptRichT1@aol.com
To: [Duhamel, Peter \(DEM\)](#)
Subject: 2023 Black Sea Bass recreational guidelines
Date: Wednesday, March 22, 2023 8:22:28 AM

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Hello,

I am the owner operator of the charter boat Restless out of Point View Marina. I have been in business for over 30 years. As a charter boat captain my job is to entertain the people on my boat through fishing. Many of my customers live in RI and have friends etc. that fish either recreationally or commercially via rod and reel. It has become increasingly difficult to keep people interested when I have to explain to them why, they have to throw back fish that their friends are able to keep.

In the case of Black Sea Bass, I support increasing the size limit to 16.5 inches for the private recreational sector (giving them an additional 5 days in the 2 fish possession season), and leaving the charter group status quo at 16 inches.

Thank you for your consideration and support of the Charter/Party Boat industry.
Captain Rich Templeton
Charter Boat Restless

From: [Bryan Nimirosky](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: Comment regarding Commercial Striped Bass
Date: Tuesday, March 14, 2023 7:47:57 AM

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Good morning, I am writing today as a stakeholder involved in Yhe upcoming striped bass season. My recommendation is to follow the division recommendation of option 1, having open days of Mon Tuesday Wednesday. I believe this will be easiest for enforcement as opposed to having Mon, Tues, Thursday , having to be off water midnight by Midnight. Thank you for allowing input

Brian Nimiroski

From: rifish@verizon.net
To: [Duhamel, Peter \(DEM\)](#)
Subject: Comments from 3/6/23 public hearing
Date: Tuesday, March 7, 2023 3:19:18 PM

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Hi Peter, my comments are as follows;

- Striped Bass - I prefer industry proposal # 3.

I am baffled that the Black Sea Bass regulations are getting more strict instead of being increased. They are everywhere and in huge numbers. The same applies to Scup.

The fish that has steadily been declining along the southern beaches is the Summer Flounder. I'm guessing competition from the Sea Bass for food isn't helping that fishery.

Thanks.
Dave.

From: [David Blackburn](#)
To: [Duhamel, Peter \(DEM\)](#)
Cc: [Kenneth Booth](#)
Subject: Compliance
Date: Saturday, March 18, 2023 3:32:37 PM

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Dear Peter,

As I am certain you are well aware, the published mission statement of RI DMF is "To manage and and enhance Rhode Island's resources and habitat through sound science, informed management decisions and education". Having run a close a 40 million dollar a year corporation with 350 employees and an international sales and supplier base I am keenly aware of the criticality of timely and accurate data and information in making critical decisions and achieving mission objectives.

The fiasco that was represented by last year's management of the commercial Striped Bass fishery resulted in a quota distribution failure between sub periods resulting in no more than a token opening of the second sub period and a yearly landings total which was significantly above our federal allocation resulting in a loss of quota for 2023 that seems to have as it's root cause a failure of timely data supply to DMV. More specifically, based upon DEM statements, was the fact that 80% of dealers were in non-compliance with DEM's timeliness of reporting requirements and yet no corrective actions were initiated.

It is my understanding that new rules for 2023 are in place that should enhance timeliness of catch data. However, when I asked at the last meeting what the consequence(s) for dealer noncompliance would be the response was that "we haven't discussed that yet" - or something approximating that statement.

I would respectfully request that as part of the management plan for 2023 there be timely and meaningful negative consequences instituted for report timing noncompliance to avoid a reoccurrence of 2022's Striped Bass fishery management failure.

Sincerely,

David A Blackburn

RICCRA Treasurer



**RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

Division of Law Enforcement
235 Promenade Street, Room 250
Providence, RI 02908

401-222-3070
Fax 401-222-6823
Telecommunication for Hearing Impaired 711

March 6, 2023

Conor McManus
Department of Environmental Management
Division of Marine Fisheries
3 Ft. Wetherill Rd.
Jamestown, RI 02835

Dear Dr. McManus,

The RI DEM Division of Law Enforcement submits the following public comment regarding the proposed regulation amendments to Part 3 of the Division of Marine Fisheries Regulations.

All the proposed regulation changes to "Commercial General Category Striped Bass" include the deletion of "There will be no commercial possession" in section 250-RICR-90-3.11.2.A.3.b.(3).

(3) The fishery will be closed in each calendar week on **Thursday**, Friday, Saturday and Sunday during this sub-period. ~~There will be no commercial possession or s~~ Sale of striped bass on these days for general category commercial fishermen **is prohibited**.

We are opposed to the changes to this section and request that the prohibition on commercial possession on closed days be kept in place. Deleting this section would allow for commercial fishermen to fish on closed days for sale on open days. It would also provide more opportunity for "stockpiling" of fish for later sale in this state or neighboring states.

The Division would also prefer for the closure days to be consecutive. Illegally commercial fishing from dusk – midnight the evening prior to an open day or landing fish in the early morning hours of closed days is a common violation encountered and having non-consecutive days would introduce additional time when officers would have to combat these illegal practices.

Thank you for your consideration.

Sincerely,

Dean Hoxsie
Chief, RI DEM Environmental Police

From: [Aaron Scripps](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: proposed regulations
Date: Monday, February 27, 2023 8:15:16 AM

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Good Morning Peter,

I am writing in response to upcoming proposed regulations. I am personally not in favor of any of the striped bass proposals. If I had to choose, it would be proposal #1. I strongly oppose taking away available fishable days during the week, this can cause lack of income and hardship due to foul weather conditions. This can create a dangerous situation with small vessels trying to capitalize on small opportunity windows. I don't think removing days from such a small quota is going to effect the sustainability of this fishery. I have been on the water nearly every day the past few years and everything I have observed leads me to believe that the current health of the striped bass population is very good. I have seen more small and large fish even when not targeting them these past few years than I have in the past 20! I think that we should try to stay inline with Massachusetts quota and season as we do on the recreational side. I would also recommend using more up to date data to assess the current status of any fishery. Thank's for your time.

R/Aaron Scripps

[Sent from Yahoo Mail on Android \[go.onelink.me\]](#)

From: [STEPHEN BURKE](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: striped bass proposal
Date: Tuesday, March 21, 2023 9:43:23 AM

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Commercial General Category Striped Bass - Proposal #1
stephen burke #rstnd22010424
thanks

From: [Sean Moreschi](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: Public Comment Striped Bass
Date: Wednesday, March 15, 2023 5:29:34 PM

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Hello Mr Durhamel,

I would like to comment on Striped Bass Commercial General Category Management:
I support Option 3.

Regards,
Sean Moreschi
Multi-purpose license holder
Rod-n-reel / Spearfishing Harvester.

Sent from my iPhone

From: [Greg Renzulli](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: · Proposed amendments to commercial striped bass general category management
Date: Tuesday, March 7, 2023 12:03:09 PM

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Hello my name is Greg Renzulli License # RSDNT 22010350. I am writing to support in support of :

b. Proposal #2 (industry proposal):

- Eliminate two sub-periods and adopt single season with 100% allocation from June 1 – December 31;
- Add additional closed days on Tuesdays and Thursdays.

The commercial striped bass fishery is not even a viable option for income anymore for someone who works on the water full time. Our quota has been reduced down to nothing while our neighbors in Massachusetts have ten times our quota! How am I supposed to make an income off of ten fishing days? We need to fix this in many more ways than the proposals put forth. There needs to be a quota restructuring and we need to start using data available from the present times instead of using data from thirty plus years ago. Furthermore increased license availability and effort are taking place while we get reduced in quota each year. Even if the dealer reporting was an issue and created overage, why is it the fishermen suffer once again?

As for the 2023 season I support the above proposal because with the little quota we even have it would be nice to stretch the effort out and hopefully with reduced days per week create a better market for the few fish we will be selling.

From: [Janice Lachance](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: Commercial Striped Bass Proposal
Date: Wednesday, March 8, 2023 12:47:02 PM

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Dear Peter:

My name is Raymond A. Jobin, Holder of Commercial License
#MULT0612.

I would like to go record as a Supporter of Proposal #3/Striped Bass General
Category.

Respectfully submitted,

Raymond A. Jobin
rayjobin68@aol.com

From: [James Boyd](#)
To: [Duhamel, Peter \(DEM\)](#)
Cc: [Lengyel, Nicole \(DEM\)](#); [Lake, John \(DEM\)](#); [Bo Christiansen](#)
Subject: Comments concerning proposed rule amendment 250-RICR-90-00-3 - Finfish
Date: Wednesday, March 22, 2023 3:17:04 PM

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Dear Mr. Duhamel,

I am submitting the following comments concerning amendments for the striped bass season as presented in Subpart § 3.11.2(A) of the above referenced rules. I am in support of Industry proposals 4 and 5.

As recently as the 2020 regulations (250-RICR-90-00-3) the commercial striped bass season opened on May 20. In the last couple years, however, the season has opened later on June 1. I am in support of an earlier opening May 22 to allow commercial fishermen who fish primarily in Narragansett Bay to catch striped bass before they leave the Bay for cooler nearshore waters, including Block Island. Global warming has increased water temperatures of Narragansett Bay by 1.2 °C since 1950. Thus, bait fish and stripers are arriving earlier in the Bay than in decades past. This fact justifies the proposed May 22 opening to accommodate Bay fishermen. The later openings favor Point Judith fishermen and disadvantage fisherman who primarily are fishing within Narragansett Bay. Both Industry proposal 4 and 5 are consistent with the Division's proposal to reduce fishing effort to 3 days/week with the exception for an earlier (by one week) May 22 opening.

Thank you for your consideration.

Sincerely - Jim

James Boyd
130 Miller Avenue
Rumford, RI 02916
jrboyd130@gmail.com

From: [Joe Macari](#)
To: [Duhamel, Peter \(DEM\)](#)
Cc: [Lengyel, Nicole \(DEM\)](#); [Lake, John \(DEM\)](#)
Subject: Public Hearing -March 6
Date: Tuesday, March 7, 2023 2:55:12 PM

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Hi Peter-

The following comments are in response to the Public Hearing on March 6, 2023

-I would like to submit support of Proposal 1 for the General Category-Commercial Striped Bass for 2023, i.e., **Division Proposal**

-I am in favor of the Division proposal for **Dealers - Striped Bass Reporting**

-I am NOT in favor for any proposed Industry or Division proposals/changes relative to **Summer Flounder Exemption Certificate Program or Aggregate (Summer/Fall) Program for Summer Flounder and Black Sea Bass**

-Menhaden - 2023 Commercial Management –I am in favor of Proposal 1 – Division Proposal

-Menhaden - 2023 Commercial Management-I am NOT in favor of Proposal 2 – Industry Proposal

Respectfully-

Joe Macari

License # RSTND22010474

[Jmacari1@cox.net](mailto:jmacari1@cox.net)

From: [Bill Barbour](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: I also agree with joe macari
Date: Monday, March 13, 2023 10:55:14 AM

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Sent from my iPhone

Captain Mark Sherer
Gannet Outdoor Adventures
1059 Frenchtown Road
East Greenwich, RI 02818

March 12, 2023

Mr. Pete Duhamel
3 Fort Wetherill Road
Jamestown, RI 02835

Dear Mr. Duhamel:

At the March 6, 2023 Public Hearing, DEM listed five proposals for Commercial General Category Striped Bass Management. It is my recommendation to accept the Department proposal number 1. Any proposal that does not have consecutive fishing days, creates an enforcement issue and a logistics issue for fishermen who fish at night and sell their catch the following morning.

Very truly yours;

A handwritten signature in black ink, appearing to read "Mark H. Sherer". The signature is fluid and cursive, with a large initial "M" and a stylized "H".

Mark Sherer

From: [Bill Barbour](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: I concur with mark Sherer
Date: Monday, March 13, 2023 10:52:49 AM
Attachments: [Doc - Mar 13, 2023 - 8-48 AM.pdf](#)

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Sent from my iPhone

From: [Capt. John Rainone](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: comments of public hearing
Date: Wednesday, March 22, 2023 1:16:24 PM

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Hi Peter, I am an owner operator of L'il Toot Charters in Pt. Judith RI. I have been making a living on the ocean taking recreational fishermen out fishing for 43 yrs. Sometimes the regulations have made it difficult for the Charter Boat Fleet to operate and compete with our neighboring States and our own recreational sector in RI.

We have seen some changes made in previous years allowing the For Hire Fleet a different set of Regs from the Recreational Sector. I think this is a great idea and should be applied to all species of fish. It should also be used Coastwise in all neighboring States.

I believe the For Hire Fleet should have Status Quo in Bluefish, Tautog, Striped Bass and especially Sea Bass. We need to have a decent bag limit in order to attract anglers from neighboring states to fish with us. This helps bring money into our state through Tourism. We are a small number of boats and have not increased in size compared to the Recreational Community. They have far exceeded the For Hire industry in growth and fish taken from the biomass, and they are constantly growing from shore, kayaks, and boats. We are a business oriented fishery just like the Commercial Industry, and we should be treated the same with regard to having enough fish allotted to us to maintain our businesses.

Thanks,
John Rainone

--

Capt. John Rainone
L'il Toot Charters
35 Ocean View Dr.
Narragansett RI 02882
401-783-0883 401-497-6683 C
www.LilTootCharter.Com [liltootcharter.com]
www.facebook.com/pages/Lil-Toot-Charters/268318656187 [facebook.com]

Dear Rhode Island Marine Fisheries Council,

As a full time RI State Waters commercial fisherman I support the following proposals.

Menhaden Commercial Management- **I support proposal 2.** In light of the quota increase the state received, regulations must be relaxed in order to allow fishermen to harvest the quota we are allocated. Current regulations are so strict, it did not allow us to harvest our ~2 million pound quota last year. With an increase to ~5 millions pounds this year, regulations need to be relaxed to allow for more harvest. The current way the menhaden management area is set up has prevented local, smaller boats from getting into the fishery. I believe public outcry would be significantly lessened if you had local 30-49ft boats taking part in the fishery vs 70+ft boats whom are often from out of state. A smaller daily or weekly limit that was not subject to the MMA would achieve this.

Aggregate Program for Summer Flounder and Black Sea Bass- **I support industry proposal 3b.** I am the industry member who made this proposal as I believe Aggregate Program members should not lose 2 days a week of Black Sea Bass limit by participating in the program. There are 7 days in a week, not 5. As a full time fisherman who fishes every day I am being punished by losing 2 days of BSB limit in order to access the efficiency offered by the Aggregate Program.

I totally understand the implications of this years quota decrease and I designed my proposal conservatively to accommodate. I only proposed possession limits of 7x the daily limit in the summer when the daily limit is 50lbs. I felt that in light of the quota decrease 7x the daily limit in the fall sub periods where the possession limit is 100lbs a day would be too aggressive and lead to quota exhaustion before the end of the sub periods. In the summer season (May 1 to Aug 15) last year the weekly limits started at 5x 75lbs = 375lbs per week. In both summer sub periods, this was quickly raised to 5x 100lbs = 500lbs per week. There were more days at the higher limit than the lower so conservatively we can say the weekly aggregate limit was ~ 450lbs per week. My current proposal is for a 350lb weekly limit in the summer sub periods, which is plenty conservative to account for the quota decrease. Lastly, the 80% trigger will ensure that even with a quota decrease we will not have closures. The last 20% of quota at 50lbs per day with no aggregate will be enough to ensure we don't use up the quota before the end of the sub period.

Thank you for your time,
Ken Murgio

From: [eric](#)
To: [Duhamel, Peter \(DEM\)](#); [Lengyel, Nicole \(DEM\)](#)
Subject: menhaden proposal comment
Date: Tuesday, March 21, 2023 1:02:15 PM

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After attending the meeting on March 6th and hearing the concerns of the different rod and reel fishing organizations, I would like to propose a weekly limit of 75,000lbs with a daily limit of 25,000lbs for the menhaden fishery inside the Narragansett Bay management area. This will allow a small operation to fish Monday thru Friday at 15,000lbs a day. My operation is a medium sized where I am surveyed to carry 25,000lbs; this management proposal would allow me 3 days a week. My hope in adding to the current rules is to incentivize the local fleet to get involved in the menhaden seine fishery. If the state were to allow a reasonable possession limit in the Narragansett Bay management area from May to December it would give Rhode Islands smaller boat fleet a better opportunity to take part in the states menhaden seine fishery.



Menhaden Proposals

Atlantic Red Crab Company

Benthic Huntress LLC

Overview

We would like to propose three new rule changes for the state of Rhode island to consider to make the state menhaden fishery more efficient and user friendly.

Proposals

1. Move the east and west passage's most southern menhaden management area boundary lines north to the sakonnet and jamestown bridge after september 1st. In conjunction with that the landing limit would be 120,000 lbs per vessel per day from the new boundary lines south if the management area was closed.
2. After the spring migration of fish leave Narragansett bay we would like the tac to reset in the management area if fish return in the fall.
3. During the instance that the management area is closed we believe you should consider going to a 40,000lbs weekly limit rather than a 120,000lbs limit, which was proposed.

Reasoning

1. We are proposing this because we believe this will not only increase the state's chance to catch the new and increased quota that has been allotted, but it will also give fishermen an area that they can work in that will be much safer during fall weather.
2. We are proposing this because we believe that when fish leave narragansett bay during the spring enough to a point that the management area closes that returning fish represent a completely different body of fish. Therefore, being a different body of fish, the rolling tac that is assessed to the bay's biomass of menhaden should be reset back down to the 2,000,000lbs threshold for a potential bay opening.

3. We are proposing this because we believe as it is right now, there is a good relationship and level of respect between menhaden seiners and the commercial and recreational sport fishermen that rely on menhaden for part of their business. If the bay is closed due to low number of menhaden we don't think it would be the best look to be able to let menhaden seiners fish in closed waters five days a week with a weekly cap of 120,000lbs. We do understand it would create an opportunity for other residents to participate in the menhaden fishery which is always good, but believe it would be best if it was kept to one day per week or lower the limit to 40,000lbs per week.

Conclusion

On behalf of the Atlantic red crab company and benthic huntress LLC we believe these 3 proposals would help better the menhaden fishery in rhode island in such a way that it would increase rhode island landings, create a safer working environment, and present great opportunity and relationships for the commercial fishing community. Please consider these proposals and any feedback or points of views on these we would greatly appreciate.

Best regards

ARC

Benthic fishing LLC

From: [Zachary St.](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: Commercial menhaden management
Date: Thursday, March 23, 2023 11:11:52 AM

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Hello Pete I am a commercial fisherman and support option two for the commercial menhaden management
Sent from my iPhone

From: [Spencer Bode](#)
To: [Duhamel, Peter \(DEM\)](#); [Lake, John \(DEM\)](#); [Olszewski, Scott \(DEM\)](#)
Subject: Public comment Finfish 2023
Date: Monday, February 27, 2023 12:13:37 AM

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Thank you for your time. I am sending this email from the continental shelf. I hope to attend the online meeting tomorrow via zoom.

First topic

4. Menhaden

I only see the division proposal. No industry proposal. ??

I would like the industry proposal to eliminate the MMA program and the biomass triggers to be on record. I support eliminating the MMA and I know Mr. John Williams does to. We as an industry of small mesh volume fisherman would like to revisit this topic and begin the discussion of removing this program.

Also I support the industry proposal of the 120k week limit in the MMA if the MMA is closed due to spotter plane not seeing the biomass.

Next regarding Aggregate program for summer flounder.

I do not support the divisions proposal to reverse that the pilot agg program did not require an exemption to land >300 vessel day. I disagree with the rationale and believe that is not the best available science for this given situation and we should put more value in industry stakeholders opinions then those numbers generated from a 3 yr pilot program.

Our state needs to allow younger fisherman to get involved in this fluke fishery as our quota utilization needs to expand. Allowing an increase in participants due to an increase in quota is what our state needs as we need to show an opportunity for young wild seafood harvesters to gain access into a business without the need for major financial investment.

I support both industry proposals to allow for a liberalization for non fluke certification holders. I support 2 a and 2 b. To allow for a full weekly possession limit for a vessel a day if no fluke cert is possessed and if that is not passed then option b 50% of the weekly possession limit for a vessel day.

I do not support part 14 increase 200 limit to 300.

I support that the limit should be unlimited reasoning being to allow new Rhode Island participants who will be able to utilize the quota in the same manner that the older fleet

Of Fluke cert holders is able to. We need to level the playing field.

I support allowing boats to participate in only one aggregate program. The winter or the summer. I do not support the division proposal to allow for fluke very holders to participate in both winter and summer.

Black Sea bass

I support a. 7x daily limit for agg program. I support a trigger of 90% for both fluke and sea bass.

Thank you again. Please let me know if there are any points I can clarify.

508-264-2176

From: [astrikercharters](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: Cbass, Scup, Stripped Bass
Date: Wednesday, March 8, 2023 6:37:21 AM

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Good morning Peter here are my proposals
C-Bass #2
Scup #2
Stripped Bass # 3
Thank you Russell Blank

Sent from my Verizon, Samsung Galaxy smartphone



R.I. Party and Charter Boat Association
P.O. Box 171
Wakefield, RI 02880
401-741-5648
www.rifishing.com



President
Vice President
Treasurer
Secretary
Director

Capt. Rick Bellavance
Capt. Steve Anderson
Capt. Andrew D'Angelo
Capt. Paul Johnson
Capt. Nick Butziger

February 18, 2023

Mr. Peter Duhamel
Fishery Management Plan Coordinator
R.I. Marine Fisheries Division
3 Fort Wetherill Road
Jamestown, RI

RE: Public Hearing Comments

Dear Mr. Duhamel,

On behalf of more than 50 members of the R.I Party and Charter Boat Association (RIPCBA) and over one hundred crew members, I offer the following comments relative to items presented during the public hearing held on March 6, 2023.

MENHADEN:

The RIPCBA supports the division proposals, and we opposed Industry proposal #2. We believe the menhaden resource is managed responsibly, with consideration of the value of Menhaden as a key ecosystem component and forage fish for many valuable species.

TAUTOG:

For recreational management of tautog, we support the status quo. The stock status does not warrant any further restrictions to measures, although we would support for-going any liberalizations until we have more catch and effort data to measure fishery trends. A more conservative approach will hopefully protect this important fall fishery that RI's charter/party fleets is extremely dependent on. Future management measures should consider the high economic value of the party/charter sectors tautog "shoulder season" relative to local communities and the small overall catch of tautog by the fleet. We also have concern that our partner in the region has subtle but important differences in their management measures, when we understand that the region should try to maintain the same measures. We recommend continued efforts towards complimentary recreational measures in the RI/MA region.

BLUEFISH:

We support status quo measures for 2023.

STRIPED BASS:

Reluctantly, we support status quo measures for 2023. The current slot limit is not fair and equitable across all recreational modes. The current slot limit forces excessive discarding of striped bass in the charter/party sector as we fish to catch our daily harvest limits. A better solution would be to remove the slot from the party/charter sector. This would allow us to harvest a daily limit faster and move onto other species, reducing discards. Another consideration would be adjusting the slot limit to protect marching cohorts so the largest number of fish can spawn. We disagree that protecting large spawners is better than protecting large years classes as they move into the fishery.

BLACK SEA BASS:

The RIPCBA supports a program that considers the border states measures, with a goal of status quo for party/charter sector. Analysis completed by the division and NOAA fisheries determined that leaving the party/charter sector at status quo measures for 2023 could be achieved with very little loss to the private recreational modes because the majority of mortality of Black Sea Bass is by the larger private modes. The decision to keep the party/charter sector status quo would be an overall benefit to the state's economy and have little impact to the private recreational modes. As we understand the analysis, increasing the size to 16.5 inches for the private modes and leaving the charter/party mode at status quo would extend the private mode 3 fish possession season by 5 days. If the private modes and the charter/party modes both go up to 16.5 inches, the private modes 3 fish season would still increase by 5 days, but the charter/party mode would only receive 1 extra day added to their 2 fish possession season. The RIPCBA membership would prefer to maintain the 16-inch size limit and forgo the additional fishing day at the beginning of the 2 fish possession season. Below, you will find additional rationale to support our recommendation for 2023 Black Sea Bass recreational measures.

1. The states of Massachusetts and Connecticut are proposing similar measures that would keep their charter/party status quo in 2023 and we need our state to do the same to remain competitive. The economic losses to the state would be significant if we do not stay in line with our neighbors, particularly Connecticut.
2. The difference in keeping the charter/party status quo, versus adjusting the charter/party regulations to include the 10% reduction, is minimal and amounts to a couple of days where private modes could get an additional fish. The benefit is not worth the potential losses to the state's economy and charter/party recreational anglers.
3. The percentage of sea bass catch is dominated by private modes and the share of charter/party sea bass catch has been going down for the past 5 years.
4. The charter/party mode catch has been reducing by percentage over the past 5 years, while private modes have been increasing their percentage of catch. The charter/party mode has been taking on a higher percentage of the realized conservation burden for several years.
5. The state needs to recognize that we cannot remain viable under inequitable reductions while the private modes fishing power grows year after year.
6. If charter/party businesses start to go away, charter/party clients could turn to unregulated and unlicensed angler to get them on the water, this is a safety concern as those operations would be unregulated and illegal.
7. The state needs to support its charter/party businesses because they are all licensed, regulated and safe. Our businesses are a requirement for those recreational fishermen who chose not to invest time

learning to fish or spend money on their own gear and boats. If charter/party businesses cannot remain profitable, all those recreational fishermen will be left high and dry.

8. Charter/party businesses are for profit companies and our role in the recreational fishery should enter the decision-making process. This is a philosophical management decision that we believe needs to be considered and supported. Separate measures proved successful in 2022 and show that separate measures by mode continue to be the best path forward for managing a diverse recreational fishery.

SCUP:

We support Proposal #1 (regional proposal). This is another example where sector separation is the best way to manage Rhode Island's recreational community. This proposal recognizes that the shore based sector would benefit from a smaller sized fish while the private boat mode has better access to larger fish and can accommodate a larger size to help out the shore sector. The charter/party sector will continue to receive a bonus season, but it will be cut slightly to 40 fish per person for federally permitted vessels fishing in both state and federal waters. Coupled with a ½ inch size increase the reductions would allow the shore sector to fish at all sights along the shore at 9 ½ inch fish. This proposal is a good alternative to offer the best regulations for the different sectors that fish for scup, while achieving a required 10% reduction.

Thank you for the opportunity to comment on these management alternatives for these key species that are all important to our success as small business owners in Rhode Island. We commend RI Marine Fisheries staff for the work done to analyze all these alternatives and for being accessible to RI's recreational fishing community. The RIPCBA recognizes and appreciates the strong support consistently provided by staff to help us develop alternatives that work the best for as many people as possible.

Respectfully Submitted,

Capt. Rick Bellavance

Capt. Rick Bellavance, President
RI Party and Charter Boat Association

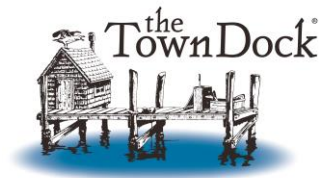
From: [Scott Lundberg](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: Public hearing comments
Date: Wednesday, March 22, 2023 6:11:03 PM

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Peter, please accept my comments in reference to the public hearing. My name is Scott Lundberg. I am the owner and the captain of Reel-to-Reel Sportfishing LLC. I have been a full-time charter boat captain since 1993. I support the status quo for tautog. Future management should consider the high economic value of this fishery for the party-charter boat fleet. I also support the status quo for bluefish. Concerning striped bass, I reluctantly support the status quo. I think the slot limit is a failure. I am honestly throwing back 20-25 striped bass a trip. Most of them are 40-50 lbs. I think the charter fleet should be exempt from the slot limit. My customers don't appreciate catching a trophy bass then, throwing it back knowing a commercial fisherman is allowed to catch and sell it. It's pretty hard to sell conservation in that conversation. I would support the status quo for black sea bass. Over the years the charter party boat fleet catch has gone down and the private sector catch has gone up. With the excessive price of diesel fuel, this has been the bread-and-butter fishery for me and others. We also need to stay competitive with Mass and Connecticut. Concerning scup, I support the regional proposal. Having been in this business for 30 years, the party and charter boat fleet keeps giving up fish but we never get anything back. The future of the party charter boat fleet looks dim. It's very hard to run a for-profit business when there is no product. I compare it to owning a shoe store. The shoe store only has Men's size 6 and size 14 in Burgandy. Thank you for your time, Scott Lundberg



45 STATE STREET | PO BOX 608
NARRAGANSETT, RI 02882

March 14, 2023

Peter Duhamel
DEM Division of Marine Fisheries
3 Fort Wetherill Road
Jamestown, RI 02835

Dear Mr. Duhamel,

I am writing to comment on the proposed actions presented by the Division of Marine Fisheries on March 6th, 2023.

The Town Dock supports the following:

1. The Division's proposal to increase the daily limit of summer flounder from 200 lbs/vessel/day to 300 lbs/vessel/day for those without a summer flounder exemption certificate.
2. The Division's proposal for the Aggregate Program for Summer Flounder and Black Sea Bass.

We do not support the industry's proposal due to concerns over items #1, #3 and #5. We support the ability of vessels to participate in both the winter and summer aggregate programs. We cannot support the increase of the black sea bass possession limit due to the concern of running out of quota during the season. We have always stressed the importance of being able to keep fisheries open throughout the different management seasons.

We do not support not being able to have small mesh gear aboard while participating in the aggregate program. Federal regulations allow the gear to be aboard if stowed properly. The regulations should mirror that.

Sincerely,

Katie Almeida
Sr. Representative, Government Relations, and Sustainability
The Town Dock



TOWNDOCK.COM
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PH 401-789-2200 | FAX 401-782-4421

In regards to the Divisional Proposal section e. Summer Flounder Exemption Certificate:

300 lbs/day maximum for vessels with no exemption is not enough. That doesn't pay the bills. Boats will have to go fishing for squid, scup, butterfish, whiting instead. Meaning they will be towing their fine twine nets. Meaning their will be bycatch. Its as simple as that. We are talking about hundreds of thousands of pounds of juvenile biomass. That is no exaggeration.

The industry proposal the way to go. It would allow for the exemption certificate to retain value during summer and fall while ensuring that there is participation and most importantly, BYCATCH REDUCTION.

Whoever makes the final decision here is in the position to do some good and make an immediate positive impact on the local ecosystem. I implore you to make your decision based on what is good for the environment and not based on what is good for the exemption certificate holders.

Trevor Knight

96 South bay dr

Narragansett RI 02882

1. Adopt new rule “*Part 23 - Aggregate Program for Summer Flounder and Black Sea Bass*” in conjunction with allowing the pilot program rules “*Part 12 – Research Pilot Aggregate Program for Summer flounder and Black sea bass*” to remain expired (i.e., do not extend term of pilot program into 2023).

Comment: Support for continuing program; results in significant reduction in discards and less habitat impacts, improves efficiency through reduced effort, fuel costs, fewer trips, less carbon footprint. Increased safety at sea provided by better flexibility allowing a choice of which days to fish (i.e., stay in port during bad weather). As a multi-sector operation allows for focused activity (i.e., fish pots, lobster pots, whelk pots, dragging) on different days resulting in fewer discards and improved efficiency. Reduces “derby” style when fishing daily limits which contributes to excessive discards. I do have some concerns about how the new starting daily possession limit of 300 lbs and resulting 2100 weekly limit on May 1 will effect participation from larger vessels, with that in mind I support another pilot year to study the effect of the higher limits on participation levels.

2. Summer flounder possession limit: Support 7X daily limit
3. Black sea bass possession limit: Support 5X daily limit
4. Closure Trigger: Support closure trigger of 90%
5. Participation in both the Winter I season and the Summer/Fall season for summer flounder:
Opposed to participation in both programs
6. Summer Flounder Exemption Certificate required in summer/fall program and Exemption Certificate:

Comment: Support to require the Exemption Certificate for the summer/fall program, however the current possession limit of 200 lbs/day for vessels that do not hold an Exemption Certificate is not economically feasible. Support to increase the daily possession limit form vessels that do not hold an Exemption Certificate to 400 – 500 lbs/vsl/day.

Addition Comment:

I believe the Division of Marine Fisheries should start the process of how to issue new Summer Flounder Exemption certificates to license holders given that the first two phases of the new program rules are complete. My understanding is that approximately 126 latent certificates were not renewed during the first two phases and 88 are currently in force. It should be determined how many of the lantents should be made available.

**COMMENTS ON PROPOSED AMENDMENTS TO DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT “DEFINITIONS AND GENERAL PROVISIONS”
250-RICR-90-00-1
February 27, 2023**

The ACLU of Rhode Island appreciates the opportunity to provide testimony on these draft regulations which make various amendments to the definitions used by the Department in its rules. We wish to briefly comment on one of the definitions that it seeks to amend.

Specifically, the proposal would amend the definition of “medical hardship,” which appears in Section 1.13, “Definition of Terms,” as follows:

“Medical hardship” means a significant medical condition that ~~prevents a license holder from meeting licensing application requirements.~~ renders an active licensed person unable to fish for a period in excess of fourteen (14) days, either as a result of the physical loss of function or impairment of a body part or parts, or debilitating pain. Demonstration of the medical hardship shall be in the form of a diagnosis and prognosis signed by a medical doctor (M.D. or O.D.).

As far as we have been able to ascertain from a search of the agency’s rules, the term “medical hardship” appears in only one other regulation of the Department, dealing with “Commercial Marine Fishing Licenses, Landing Permits, and Party and Charter Licenses.” [250-RICR-90-00-2] More specifically, it appears in a section dealing with qualifications for a temporary operator’s permit.

Our concern about this definitional change is twofold. First, it potentially significantly narrows the circumstances that constitute a “medical hardship,” and more concerningly, it would eliminate any medical condition that is not physical in nature. It would thus appear to exclude a person from qualifying for a temporary operator’s permit if their medical condition involves mental, rather than physical, illness. We believe such a limitation is inappropriate and in conflict with state and federal anti-discrimination laws.

Second, it is unclear to us why the Department seeks to require specific information about the illness that is the cause of the medical hardship. This strikes us as unduly invasive of the applicant’s privacy, and seems to put the Department in the position of wanting to second-guess a medical professional as to the impact of a medical condition on a person’s ability to engage in commercial fishery.

We therefore request that the current definition either be retained or amended along the following lines:

“Medical hardship” means a significant medical condition that ~~prevents a license holder from meeting licensing application requirements.~~ renders an active licensed person unable to fish for a period in excess of fourteen (14) days. Demonstration of the medical hardship shall be in the form of an attestation signed by a medical doctor (M.D. or O.D.).

Thank you in advance for your consideration of these comments. If the suggestion we have made is not adopted, we request, pursuant to R.I.G.L. §42-35-2.6, a statement of the reasons for not accepting these arguments.

Submitted by: Steven Brown, Executive Director