



**Rhode Island Department of Environmental Management
Division of Marine Fisheries**

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Summary of Proposed Rulemaking

Comment Period: October 14 – November 14, 2025

Public Hearing: Monday, November 3, 2025

RI Marine Fisheries Council: Monday, December 1, 2025

Note: Order of proposals reflects order received

Proposals reflect amendments for regulatory changes, however, STATUS QUO is always an option, unless otherwise specified

Part 3 – Finfish (250-RICR-90-00-3)

1. Commercial Menhaden Management:

- **Proposal 1 (Industry/Noticed):** Increase the weekly limit for menhaden regardless of the MMA status and add one additional open day.

Proposed Rule (*Part 3 – Finfish; section 3.21.2(A)*):

1. Weekly possession limit: ~~Twelve Six~~ thousand (~~12,000 6,000~~) pounds per vessel per week provided that the State's quota has not been exhausted or if the Episodic Event Set Aside Program has been enacted in Rhode Island.
 - a. Open Days: Monday, ~~Tuesday~~, and Thursday of each week.
 - b. Rhode Island resident only.
 - c. Gear restrictions:
 - (1) Hand-haul seine only, cast net, and floating gill net only.
 - (2) Maximum net size: Four-hundred and eighty (480) feet by forty-eight (48) feet.
 - d. Seasons and allocations:
 - (1) April 1 through April 30: 100,000 lbs.

(2) May 1 through 31: 100,000 lbs.

(3) June 1 through June 30: 100,000 lbs.

- e. All commercial menhaden operations conducted in the Management Area, prior to and after the State's quota has been reached, are subject to the provisions of § 3.21.2 of this Part.

2. Daily Possession limit:

- **Proposal 2 (Industry):** Expand weekly limit for menhaden regardless of the MMA status.

Proposed Rule (Part 3 – Finfish; section 3.21.2(A)):

- 1. Weekly possession limit: Twelve ~~Six~~ thousand (12,000 ~~6,000~~) pounds per vessel per week provided that the State's quota has not been exhausted or if the Episodic Event Set Aside Program has been enacted in Rhode Island.

~~a. Open Days: Monday and Thursday of each week.~~

~~a~~b. Rhode Island resident only.

~~b~~e. Gear restrictions:

(1) ~~Hand-haul seine only, cast net, and floating gill net only.~~

(~~2~~) Maximum net size: Four-hundred and eighty (480) feet by forty-eight (48) feet.

~~c~~d. ~~Seasons and allocations:~~ January 1 through December 31.

~~(1) April 1 through April 30: 100,000 lbs.~~

~~(2) May 1 through 31: 100,000 lbs.~~

~~(3) June 1 through June 30: 100,000 lbs.~~

d. Monthly landing trigger: Once 100,000 pounds is projected to be reached in any month, the weekly possession limit will close until the start of the next month.

- e. All commercial menhaden operations conducted in the Management Area, prior to and after the State's quota has been reached, are subject to the provisions of § 3.21.2 of this Part.

2. Daily Possession limit:

2. **2026 Commercial Striped Bass Management (General Category, Floating Fish Trap, Gill Net):**

- **Proposal 1 (Industry/Noticed):** Amend the General Category season and closed days.

Proposed Rule (*Part 3 – Finfish; section 3.8.2(A)(3)(a&b)*):

- a. January 1 through May 18 ~~June 9~~: Closed.
- b. May 19 ~~June 10~~ through December 31:

Proposed Rule (*Part 3 – Finfish; section 3.8.2(A)(3)(b)(3)*):

The fishery will be ~~open~~ ~~closed~~ in each calendar week on Tuesday ~~Friday~~, ~~Saturday~~, ~~Sunday~~, and ~~Monday~~ during this sub-period. There will be no commercial possession or sale of striped bass on Wednesday, Thursday, Friday, Saturday, Sunday, or Monday ~~these days~~ for general category commercial fishermen.

- **Proposal 2 (Industry):** Amend the General Category season.

Proposed Rule (*Part 3 – Finfish; section 3.8.2(A)(3)(a&b)*):

- a. January 1 through June 1 ~~June 9~~: Closed.
- b. June 2 ~~June 10~~ through December 31:

- **Proposal 3 (Division):** Amend the General Category possession limit. This option is being put forward proactively in case the ASMFC adopts commercial reductions for 2026 at their October 2025 meeting.

Proposed Rule (*Part 3 – Finfish; section 3.8.2(A)(3)(b)*):

- (2) Possession limit: Three ~~Five~~ (3 ~~5~~) fish per person per day, or if fishing from a vessel, three ~~five~~ (3 ~~5~~) fish per vessel per day.

- **Proposal 4 (Division):** Amend the General Category closed days. This option is being put forward proactively in case the ASMFC adopts commercial reductions for 2026 at their October 2025 meeting.

Proposed Rule (*Part 3 – Finfish; section 3.8.2(A)(3)(b)*):

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

- **Proposal 5 (Industry):** Amend the gill net prohibition for striped bass to allow for commercial harvest under the general category fishery.

Proposed Rule *(Part 3 – Finfish; section 3.8.2(C))*:

Gill net prohibition for striped bass: No person shall take or possess any striped bass while gillnetting, or while hauling a gillnet, north of a line commencing at upper pier in the town of Narragansett and extending in a straight line in a northeasterly direction to Beavertail Lighthouse and thence continuing in a northeasterly direction in a straight line to Castle Hill Lighthouse in the city of Newport.

- **Proposal 6 (Industry)**: Amend the FFT allocation and gill net prohibition for striped bass to allow commercial gill net harvest.

Proposed Rule *(Part 3 – Finfish; section 3.8.2(B)(2))*: Allocation: During a single calendar year, the floating fish trap quota shall not be more than twenty-seven ~~thirty-nine~~ percent (27 ~~39~~%) of the annual Rhode Island commercial quota.

Proposed Rule *(Part 3 – Finfish; section 3.8.2(C))*:

Gill nets ~~prohibition for striped bass~~:

1. Allocation: During a single calendar year, the gill net quota shall not be more than twelve percent (12%) of the annual Rhode Island commercial quota.
2. Minimum size: Twenty-six inches (26").
3. Season: April 1 through December 31.
4. Possession limit: Unlimited with the total weight of striped bass landed (measured in pounds) equal to or less than twenty percent (20%) of the total combined weight of all other fish landed.
5. Permit required: No person shall harvest striped bass with gill nets without a valid Striped Bass Gill Net Harvest Permit obtained from the Director. Application for this permit shall be made on forms prescribed by the Director.
 - a. Eligibility:
 - (1) Must hold a valid gill net endorsement.
 - (2) Must demonstrate at least thirty thousand (30,000) pounds of cumulative landings of any marine species harvested in the three (3) preceding calendar years.
 - b. Permit conditions: The permit is valid only for the calendar year of issuance.

6. Gill net prohibition for striped bass:

- a. No person shall take or possess any striped bass while gillnetting, or while hauling a gillnet, without a valid Striped Bass Gill Net Harvest Permit.
- b. No person shall take or possess any striped bass while gillnetting, or while hauling a gillnet, north of a line commencing at upper pier in the town of Narragansett and extending in a straight line in a northeasterly direction to Beavertail Lighthouse and thence continuing in a northeasterly direction in a straight line to Castle Hill Lighthouse in the city of Newport.

- **Proposal 7 (Industry):** Do not allow any floating fish trap allocation change until after the 2029 rebuilding timeline for striped bass or the striped bass stock has been rebuilt.

Proposed Rule (*Part 3 – Finfish; section 3.8.2(B)(2)*):

Allocation:

- a. During a single calendar year, the floating fish trap quota shall not be more than thirty-nine percent (39%) of the annual Rhode Island commercial quota.
- b. The floating fish trap allocation will not be subject to change, and will remain 39%, until the striped bass rebuilding period has ended, and the striped bass stock has been declared rebuilt by the ASMFC.

3. 2026 Commercial Tautog Management:

- **Proposal 1 (Industry/Noticed):** Sub-period allocation changes.

Proposed Rule (*Part 3 – Finfish; section 3.10.2(B)(2)(a)*):

Allocation: Forty ~~two and one-half~~ percent (40 ~~42.5~~%) of the annual quota.

Proposed Rule (*Part 3 – Finfish; section 3.9.2(B)(4)(a)*):

Allocation: ~~Thirty Fifteen~~ percent (30 ~~15~~%) of the annual quota.

Proposed Rule (*Part 3 – Finfish; section 3.9.2(B)(6)(a)*):

Allocation: ~~Thirty Forty-two and one-half~~ percent (30 ~~42.5~~%) of the annual quota.

4. 2026 Commercial Black Sea Bass Management:

- **Proposal 1 (Industry/Noticed):** Sub-period allocation changes.

Proposed Rule (*Part 3 – Finfish; section 3.6.2(B)(1)(a)*):
Allocation: ~~Fifteen Eighteen~~ percent (~~15 18~~%) of the quota.

Proposed Rule (*Part 3 – Finfish; section 3.6.2(B)(6)(a)*):
Allocation: ~~Thirteen Ten~~ percent (~~13 10~~%) of the quota.

- **Proposal 2 (Industry/Noticed)**: Possession limit changes.

Proposed Rule (*Part 3 – Finfish; section 3.6.2(B)(3)(b)*):
Possession limit: ~~One-hundred Fifty~~ (~~100 50~~) pounds per person and per vessel per day.

Proposed Rule (*Part 3 – Finfish; section 3.6.2(B)(4)(b)*):
Possession limit: ~~One-hundred Fifty~~ (~~100 50~~) pounds per person and per vessel per day.

- **Proposal 3 (Industry/Noticed)**: Possession limit changes. **This proposal should only be considered in conjunction with Part 23 – Aggregate, Proposal 5 to amend the Aggregate Program to be a single year-round program** (see Part 23 – Aggregate below).

Proposed Rule (*Part 3 – Finfish; section 3.6.2(B)(1)(b)*):

Possession limit: ~~One Five~~-hundred (~~100 500~~) pounds per person and per vessel per ~~day~~ week.

5. **2026 Commercial Summer Flounder Management:**

- **Proposal 1 (Division/Noticed)**: Amend sub-period possession limits.

Proposed Rule (*Part 3 – Finfish; section 3.9.2(B)(3)(b)(1)*):
Vessels that possess a valid Summer Flounder Exemption Certificate: ~~One Five~~ hundred (~~100 500~~) pounds per person and per vessel per day.

Proposed Rule (*Part 3 – Finfish; section 3.9.2(B)(3)(b)(2)*):
Vessels that possess a valid Summer Flounder Exemption Certificate: ~~One Two~~ hundred (~~100 200~~) pounds per person and per vessel per day.

- **Proposal 2 (Industry/Noticed)**: Amend landing restriction for summer flounder.

Proposed Rule (*Part 3 – Finfish; section 3.9.2(D)*):
Summer flounder may be ~~offloaded~~ ~~landed~~ between the hours of 6:00 A.M. to 8:00 P.M. only.

- **Proposal 3 (Industry)**: Amend the landing restriction for summer flounder for harvesters. **This proposal should only be considered in conjunction with Part 7 –**

Dealers, proposal #1 regarding the landing restriction for summer flounder for dealers (see below Part 7 – Dealers Proposal 1).

Proposed Rule (*Part 3 – Finfish; section 3.9.2(D)*):

~~Summer flounder may be landed between the hours of 6:00 A.M. to 8:00 P.M. only.~~

Part 23 – Aggregate Program (250-RICR-90-00-23)

1. Summer/Fall Aggregate Program for Summer Flounder and Black Sea Bass:

- **Proposal 1 (Industry/Noticed):** Amend weekly black sea bass limit to 7x the daily limit.

Proposed Rule (*Part 23 – Aggregate Program; section 23.11(E)(1)*):

Black sea bass:

- a. ~~May 1 through October 15:~~ The weekly possession limit will be equal to the daily limit multiplied by seven (7).
 - b. ~~October 16 through December 31: The weekly possession limit will be equal to the daily limit multiplied by six (6).~~
 - aē. Once 85% of the sub-period quota is projected to be reached, the possession limit may revert back to a daily limit.
- **Proposal 2 (Industry):** Amend title of part 23 to remove “aggregate” and change all instances of “aggregate” to “weekly or bi-weekly landing limit program”.

Proposed Rule (*Part 23 – Aggregate Program*):

Part 23 —~~Aggregate~~ Weekly Landing Limit Program

Change all instances of “aggregate” to “weekly or bi-weekly landing limit”.

- **Proposal 3 (Industry):** Amend the permit condition requirement to submit reports prior to offload.

Proposed Rule (*Part 23 – Aggregate Program; section 23.11(D)(2)*): Participants shall document catch and effort information through the Division approved electronic application no more than twenty four (24) hours after ~~prior to~~ offload.

- **Proposal 4 (Industry):** Amend the permit condition requirement to submit reports prior to offload.

Proposed Rule (*Part 23 – Aggregate Program; section 23.11(D)(2)*): Participants shall document catch and effort information for summer flounder and black sea bass through the Division approved electronic application prior to offload.

- **Proposal 5 (Industry)**: Amend *Part 23 - Aggregate Program* to be a single year-round program. **This proposal should only be considered in conjunction with Part 3 – Finfish, 2026 Commercial Black Sea Bass Management Proposal 3 to amend possession limit changes** (see Part 3 – Finfish, 2026 Commercial Black Sea Bass Management above).

Proposed Rule (*Part 23 – Aggregate Program, sections 23.10 and 23.11) and Part 3 – Finfish, section 3.6.2(B)(1)(b)*)

23.10 Winter I **Season Program**

- A. Authorizes the aggregate possession limit of summer flounder and black sea bass during the specified season(s) to authorized permit holders.
- B. Eligibility:
1. The vessel, if harvesting summer flounder from Federal waters, holds a valid Federal Summer Flounder Moratorium Permit ~~and Rhode Island Summer Flounder Exemption Certificate issued pursuant to Part 14 of this Subchapter.~~
 2. The vessel's owner and operator(s), if harvesting summer flounder ~~from State waters, holds~~ without a valid Summer Flounder Exemption Certificate, must be a Rhode Island resident. Vessels owned by a corporation(s) must meet the following conditions:
 - a. The business or corporation must be registered with the State of Rhode Island in the preceding calendar year and in good standing.
 - b. At least one member of the corporation must be a RI resident. RI resident must demonstrate they have a vested interest in a business or corporation that owns the commercial fishing vessel and must document their vested interest on certificate of authority and disclosure of corporation forms prescribed by the Department.
- C. Season: Sunday of the first full week in January through April 30.
- D. Possession Limit: ~~Four thousand (4,000) pounds per vessel per biweek.~~
1. Summer flounder:

- a. Vessels that possess a valid Rhode Island Summer Flounder Exemption Certificate: Four thousand (4,000) pounds per vessel per biweek.
- b. Vessels that do not possess a valid Summer Flounder Exemption Certificate: The weekly possession limit will be equal to the daily limit multiplied by seven (7).
- c. Possession limits may revert back to a daily limit once 80% of the sub-period quota for each species is projected to have been reached.

2. Black sea bass:

- a. The weekly possession limit will be equal to the daily limit multiplied by seven (7).
- b. Possession limits may revert back to a daily limit once 80% of the sub-period quota for each species is projected to have been reached.

23.11 Summer/Fall **Season Program**

C. Season Period: May 1 through December 31

- **Proposal 6 (Industry)**: Add tautog as an authorized species to the aggregate program.

Proposed Rule (*Part 23 – Aggregate; section 23.11(A)*):

Authorizes the aggregate possession limit of black sea bass, ~~and~~ summer flounder, and tautog during the specified season(s) to authorized permit holders.

Proposed Rule (*Part 23 – Aggregate; section 23.11(E)*):

3. Tautog: The weekly possession limit will be equal to the daily limit multiplied by seven (7).

- a. Once 85% of the sub-period quota for is projected to be reached, the possession limit may revert back to a daily limit.

Part 6 - General Equipment Provisions (250-RICR-90-00-6)

1. **Delete Reference to RIGL in Rule Pertaining to Marking of Traps:**

- **Proposal 1 (Division/Noticed)**: Remove the reference to RIGL in rule to clarify that the rule also applies to recreational pots.

Proposed Rule *(Part 6 – General Equipment Provisions; section 6.4(B)(2)):*

Each pot used for the taking of marine species shall have attached a buoy, and each pot and buoy shall be identified with the name and license number of the owner. ~~(R.I. Gen. Laws § 20-4-7)~~

2. **Escape Vent requirement for all Pots and Traps:**

- **Proposal 1 (Division/Noticed):** Amend rule to require an escape vent requirement for pots and traps.

Proposed Rule *(Part 6 – General Equipment Provisions; section 6.4(B)(7)):*

Escape vents: All pots and traps must be constructed with at least one (1) rectangular escape vent with an unobstructed opening measuring not less than two inches by five and three quarters inches (2" x 5-3/4") or one (1) circular escape opening that must be a minimum of two and one half inches (2 1/2") in diameter, unless otherwise noted in regulation. Pots and traps utilized to catch certain marine species including, but not limited to, lobster, jonah crab, black sea bass, and scup have additional escape vent requirements. The following pots and traps are exempt from this requirement but may not be used to harvest lobster, jonah crab, black sea bass, and scup:

- a. Traps not exceeding twenty four inches (24") per side.
- b. Traps constructed with a mesh size not exceeding one inch (1").

Part 1 - Definitions and General Provisions (250-RICR-90-00-1)

1. **Penalties: Issuance of Tickets for Marine Fisheries Violations Through the RI Traffic Tribunal (RITT)**

- **Proposal 1 (Division/Noticed):** Amend regulations to be consistent with statute whereby violations will be subject to a \$100 fine per offense and shall be under the jurisdiction of RITT.

Proposed Rule *(Part 1 – Definitions and General Provisions; section 1.8):*

~~A. If the Director determines that there has been non-compliance with the provisions of these Regulations or a permit agreement, the owner and/or operator of the vessel and/or license holder shall be advised of such determination and the specific grounds therefore in writing. The determination shall specifically include notice that an opportunity for a hearing is available before the Administrative Adjudication Division pursuant to R.I. Gen. Laws Chapter 42-17.7 relative to either or both the finding that sufficient evidence exists of non-compliance with the provisions of these Regulations or the~~

~~permit agreement as well as the termination of the permit and or the imposition of a penalty pursuant to R.I. Gen. Laws § 20-1-16.~~

~~A.B.—Judicially imposed penalty for violations:~~

~~1.—Pursuant to R.I. Gen. Laws § 20-1-16, Unless otherwise specifically provided, the penalty for the violation of any Law or Rule or Regulation relating to ~~wild animals, wild birds, lobsters and fish,~~ marine, freshwater and anadromous fisheries and shellfisheries shall be a misdemeanor, punishable by a fine of not more than five hundred dollars (\$500.00) or imprisonment for up to ninety (90) days, or both, unless otherwise specifically provided.~~

~~B. Pursuant to R.I. Gen. Laws § 20-1-12, the penalty for any violation of any Law, Rule, or Regulations relating to seasons, possession limits, size limits and methods of take for any species of fish, game, bird, or other wild animal occurring within the state shall be a civil violation and subject to a fine of one hundred dollars (\$100) for each offense. The Rhode Island Traffic Tribunal shall have jurisdiction to hear and determine all violations specified in this section.~~

~~2C. Additionally, a person The owner and/or operator of the vessel and/or license/permit holder may be subject to the imposition of an administrative penalty pursuant to DEM's Rules and Regulations Governing the Suspension/Revocation of Commercial and Recreational Fishing Licenses; Part 80-00-6 of this Title, licenses issued pursuant to R.I. Gen. Laws Title 20 (250-RICR-80-00-6).~~

Part 7 – Dealers (250-RICR-90-00-7)

1. Dealer Fixed Place of Business Documentation:

- **Proposal 1 (Division/Noticed):** Require documentation for RI fixed place of business upon application of a dealers license.

Proposed Rule (*Part 7 – Dealers; section 7.6(B), 7.7(B), 7.8(B), & 7.9(B)*):

- Amend to include language requiring documentation attesting that the applicant, or their registered agent, maintains a fixed place of business in the state.
- Amend to include that documentation may consist of:
 - A current tax bill
 - A lease
- A notarized letter from an eligible landowner or leaseholder granting permission to use their address/business as their fixed place of business
- Any other documentation deemed acceptable by the Department.

2. **Landing restriction for summer flounder for dealers:**

- **Proposal 1 (Industry):** Delete the rule regarding the landing restriction for summer flounder. **This proposal should only be considered in conjunction with Part 3 – Finfish, 2026 Commercial Summer Flounder Management Proposal 3** (see above Part 3 - Finfish).

Proposed Rule *(Part 7 – Dealers; section 7.15(A)):*

7.15 Summer Flounder

~~Dealers shall receive summer flounder between the hours of 6:00 A.M. to 8:00 P.M. only.~~

Interested parties are invited to **submit comments concerning the proposed rules through November 14, 2025.** Send comments by mail or email to:

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