



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

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Summary of Comments

Agency: Department of Environmental Management

Division: Marine Fisheries

Regulation: **Part 3 – Finfish (250-RICR-90-00-3)**

Type of rulemaking: Regular rulemaking

Type of filing: Amendment

Timetable for action on the proposed rule:

- Date of public notice: October 15, 2025
- Date of hearing: November 3, 2025
- End of comment period: November 16, 2025

Proposed rules and comments received:

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 (abridged) Rule (*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:

Comments received:

- One comment received in support of this proposal
- Rhode Island Saltwater Anglers Association (RISAA) opposed

➤ **PROPOSAL 2 (Industry):** Expand weekly limit for menhaden regardless of the MMA status

Proposed (abridged) Rule (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.~~

~~ab.~~ Rhode Island resident only.

~~be.~~ 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.~~

~~cd.~~ 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:

Comments received:

- One written comment received in support of this proposal.
- Rhode Island Saltwater Anglers Association (RISAA) opposed.

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 (abridged) Rule (section 3.8.2(A)(3)):

3. Season and possession limit:

a. January 1 through May 18 ~~June 9~~: Closed.

b. May 19 ~~June 10~~ through December 31:

- (1) Allocation: One hundred percent (100%) of the general category quota.
- (2) Possession limit: Five (5) fish per person per day, or if fishing from a vessel, five (5) fish per vessel per day.
- (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.

Comments received:

- RI Commercial Rod and Reel Association opposed.
- One comment received in support of opening on June 1.
- One comment received opposed.

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

Proposed (abridged) Rule (section 3.8.2(A)(3)(a&b)):

3. Season and possession limit:

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

Comments received: RI Commercial Rod and Reel Association opposed.

- **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 (abridged) Rule *(section 3.8.2(A)(3)(b)(2))*:

- (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.

Comments received:

- RI Commercial Rod and Reel Association opposed.
- One comment received opposed.

- **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 (abridged) Rule *(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.

Comments received:

- Six public hearing comments were received in support of this proposal.
- RI Commercial Rod and Reel Association in support of this proposal.

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

Proposed (abridged) Rule *(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.

Comments received:

- Five comments received opposed.
- One comment received in support.
- RI Commercial Rod and Reel Association opposed.
- Rhode Island Saltwater Anglers Association (RISAA) opposed.

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

Proposed (abridged) Rule (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 (~~39~~ 27%) of the annual Rhode Island commercial quota.

Proposed (abridged) Rule (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.

Comments received:

- Six comments received in support of this proposal.
 - Two comments received in support of allowing harvest of striped bass by gill net (comments not specific to this proposal).
 - One comment received that gill nets and floating fish traps should not be included together in the same sector
 - One comment received to amend the eligibility criteria regarding the 30,000 pounds of cumulative landings of any marine species harvested (written comment provided)
 - Three comments received opposed.
 - Rhode Island Saltwater Anglers Association (RISAA) opposed.
- **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 (abridged) Rule (section 3.8.2(B)(2)):

Allocation:

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 thirty-nine percent (39%), until the striped bass rebuilding

period has ended, and the striped bass stock has been declared rebuilt by the ASMFC.

Comments received:

- Thirty-seven comments were received in support of this proposal.
- Two comments opposed to this proposal.
- Rhode Island Saltwater Anglers Association (RISAA) in support.

3. **2026 Commercial Tautog Management:**

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

Proposed (abridged) Rule (section 3.10.2(B):

2. April 1 through May 31:

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

3. June 1 through July 31: Closed.

4. August 1 through September 15:

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

5. September 16 through October 14: Closed.

6. October 15 through December 31:

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

Comments received:

- Three comments were received opposed to the proposal and in support of status quo.
- RI Commercial Rod and Reel Association in support of status quo.



4. **2026 Commercial Black Sea Bass Management:**

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

Proposed (abridged) Rule (section 3.6.2(B):

B. Season, allocation, and possession limit:

1. January 1 through April 30:
 - a. Allocation: ~~Fifteen~~ ~~Eighteen~~ percent (~~15~~ ~~18~~%) of the quota.
2. May 1 through June 30:
 - a. Allocation: Thirty percent (30%) of the quota.
3. July 1 through August 15:
 - a. Allocation: Twenty-two percent (22%) of the quota.
4. August 16 through September 15:
 - a. Allocation: Ten percent (10%) of the quota.
5. September 16 through October 15:
 - a. Allocation: Ten percent (10%) of the quota
6. October 16 through December 31:
 - a. Allocation: ~~Thirteen~~ ~~Ten~~-percent (~~13~~ ~~10~~%) of the quota.

Comments received: One comment received in support of this proposal.

➤ **PROPOSAL 2 (Industry/Noticed): Possession limit changes.**

Proposed (abridged) Rule (*section 3.6.2(B)*):

B. Season, allocation, and possession limit:

1. January 1 through April 30:
 - b. Possession limit: Five hundred (500) pounds per person and per vessel per week.
2. May 1 through June 30:
 - b. Possession limit: One-hundred (100) pounds per person and per vessel per day.
3. July 1 through August 15:
 - b. ~~One-hundred Fifty~~ (~~100~~ ~~50~~) pounds per person and per vessel per day.
4. August 16 through September 15:
 - b. Possession limit: ~~One-hundred Fifty~~ (~~100~~ ~~50~~) pounds per person and per vessel per day.
5. September 16 through October 15:
 - b. Possession limit: One hundred (100) pounds per person and per vessel per day
6. October 16 through December 31:
 - b. Possession limit: One hundred (100) pounds person and per vessel per day.

Comments received: Two comments received in support of this proposal.

➤ **PROPOSAL 3 (Industry/Noticed): Possession limit changes. This proposal should only be considered in conjunction with Part 23 – Aggregate Program,**

Proposal 5 to amend the Aggregate Program to be a single year-round program (see Part 23 – Aggregate Program, below).

Proposed (abridged) Rule (*section 3.6.2(B)(1)(b)*):

B. Season, allocation, and possession limit:

1. January 1 through April 30:
 - b. Possession limit: ~~One Five~~-hundred (~~100 500~~) pounds per person and per vessel per ~~day~~ week.

Comments received: One comment received in support of this proposal..

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

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

Proposed (abridged) Rule (*section 3.9.2(B)(3)(b)*):

B. Season, allocation, and possession limit:

3. September 16 through December 31:
 - b. Possession limit:
 - (1) Vessels that possess a valid Summer Flounder Exemption Certificate: ~~One Five~~-hundred (~~100 500~~) pounds per person and per vessel per day.
 - (2) Vessels that do not possess a valid Summer Flounder Exemption Certificate: ~~One Two~~-hundred (~~100 200~~) pounds per person and per vessel per day.

Comments received: No comments were provided.

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

Proposed (abridged) Rule (*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.

Comments received: No comments were provided.

- **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 (abridged) Rule (*section 3.9.2(D)*):

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

Comments received: One comment was provided in support of the proposal.

IMPORTANT! The public hearing was recorded and is publicly available on the Division of Marine Fisheries YouTube channel [here](#). *This document serves only as a tally of support, opposition, or alternative proposals received, as provided in written and oral comments received; it does not include supporting details, rationale, or discussion of matters not specific to the proposed rules.*