



## 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 23 – Aggregate Program (250-RICR-90-00-23)**

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. 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 (abridged) Rule (section 23.11(E)(1)):

E. Possession Limit:

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).~~

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

**Comments received:**

- Two comments received in support of the proposal.
- Rhode Island Saltwater Anglers Association (RISAA) opposed.

➤ **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”

**Comments received:**

- One comment received opposed to the proposal.
- One comment received in support of the proposal and weekly possession limits.
- RI Commercial Rod and Reel Association opposed.

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

**Proposed (abridged) Rule (section 23.11(D)(2)):**

D. Permit Conditions:

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.

**Comments received:** One comment received in support of the proposal.

➤ **PROPOSAL 4 (Industry):** Amend the permit condition requirement to submit reports for summer flounder and black sea bass prior to offload.

**Proposed (abridged) Rule (section 23.11(D)(2)):**

D. Permit Conditions:

2. Participants shall document catch and effort information for summer flounder and black sea bass through the Division approved electronic application prior to offload.

**Comments received:** RI Commercial Rod and Reel Association opposed.

➤ **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.

Proposed (abridged) Rule (sections 23.10 and 23.11)

**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

**Comments received:**

- Three comments were received in support of this proposal.
- One comment received opposed to this proposal if resulting in increased effort.
- RI Commercial Rod and Reel Association opposed.

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

Proposed (abridged) Rule (section 23.11(A)&(E)):

23.11 Summer/Fall Program

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

E. Possession Limit:

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.

**Comments received:**

- Four comments received in support of the proposal.

- One comment received in support of the proposal, but add cap to # of tautog tags issued based on the number of tags issued in the previous year, or number of tags issued in a previous number of years, or lower the possession limit, or lower the closure trigger (written comment provided).
- One comment received in support of the proposal, and in support of a weekly possession limit for tautog that would be less than 7X the daily limit.
- One comment received in support of the proposal only with an increase in the commercial quota for tautog
- One comment received opposed to the proposal.
- RI Commercial Rod and Reel Association opposed.

**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.*