

**RHODE ISLAND GOVERNMENT REGISTER
PUBLIC NOTICE OF PROPOSED RULEMAKING**

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Title of Rule: Aggregate Program

Rule Identifier: 250-RICR-90-00-23

Rulemaking Action: Proposed Amendment

Important Dates:

Date of Public Notice: October 16, 2025

Hearing Date: November 3, 2025

End of Public Comment: November 16, 2025

Rulemaking Authority:

R.I. Gen. Laws § R.I. Gen. Laws Title 20

R.I. Gen. Laws Chapters 42-17.1

42-17.6

and 42-17.7

and in accordance with R.I. Gen. Laws § 42-35-18(b)(5)

Administrative Procedures Act

as amended.

Summary of Rulemaking Action:

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 (section 23.11(E)(1))
- **Proposal 2 (Industry):** Amend title of Part 23 rule to remove “aggregate” and change all instances of “aggregate” to “weekly or bi-weekly landing limit program”.
- **Proposal 3 (Industry):** Amend the permit condition requirement to submit reports prior to offload (section 23.11(D)(2))
- **Proposal 4 (Industry):** Amend the permit condition requirement to submit reports prior to offload (section 23.11(D)(2))
- **Proposal 5 (Industry):** Amend Part 23 to be a single year-round program and amend the weekly black sea bass limit to a daily limit. 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 and accompanying document “Summary of Proposed Rulemaking” for full details).
- **Proposal 6 (Industry):** Add tautog as an authorized species to the aggregate program (section 23.11(A) and (E))

Additional Information and Public Comments:

All interested parties are invited to request additional information or submit written or oral comments concerning the proposed amendment until November 16, 2025 by contacting the appropriate party at the address listed below:

Peter Duhamel
Department of Environmental Management
3 Fort Wetherill Road
Jamestown, RI 02893
peter.duhamel@dem.ri.gov

Public Hearing:

A public hearing, in accordance with R.I. Gen. Laws § 42-35-2.5, to consider the proposed amendment shall be held at which time and place all persons interested therein will be heard. This hearing is subject to R.I. Gen. Laws Chapter 42-46, Open Meetings.

Public Hearing Information:

Date: November 3, 2025

Time: 5:00 P.M.

Location: URI Bay Campus/GSO, Corliss Auditorium
215 South Ferry Road
Narragansett, RI, 02882

The place of the public hearing is accessible to individuals with disabilities. If communication assistance (readers/interpreters/captioners) is needed, or any other accommodation to ensure equal participation, please call 401-423-1927 or RI Relay 711 at least three (3) business days prior to the meeting so arrangements can be made to provide such assistance at no cost to the person requesting. For questions regarding available parking, please contact the agency staffperson listed above.

Regulatory Analysis Summary and Supporting Documentation:

In the development of the proposed amendment consideration was given to: (1) alternative approaches; (2) overlap or duplication with other statutory and regulatory provisions; and (3) significant economic impact on small business. No alternative approach, duplication, or overlap was identified based upon available information.

For full regulatory analysis or supporting documentation contact the agency staffperson listed above.