



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
DIVISION OF MARINE FISHERIES
3 Fort Wetherill Road
Jamestown, Rhode Island 02835

SUMMARY OF HEARING COMMENTS

A public hearing was held on **June 4, 2018** at 6:00 PM, URI Narragansett Bay Campus, Corless Auditorium, Narragansett, RI. Seven (7) persons were in attendance. The public comment period began May 18 and ended June 18.

Hearing Officer: *J. McNamee*

Other DEM staff: *B. Ballou, C. Hoefsmit, S. Olszewski, P. Duhamel*

RIMFC: *A. Dangelo, J. Grant*

- **Hearing Item 1:** Proposed amendment to “Part 1 - Definitions and General Provisions”, regarding modification and/or deletion of terms (section 1.7).
 - No comments were made or received.
- **Hearing Item 2a:** Proposed amendment to “Part 3 – Finfish” regarding removal of language “whether caught within the jurisdiction of this State or otherwise”, in several locations throughout the regulation, as unneeded and/or inconsistent with language regarding transiting (sections 3.7.1, 3.7.2, 3.8.1, 3.9.1, 3.9.2, 3.10.1, 3.13.1, 3.13.2, 3.20.1, 3.20.2, 3.21.1, 3.21.2, 3.23.1, 3.23.2, 3.24.1, 3.24.2, 3.28.1, 3.28.2, 3.29.1, 3.29.2, 3.30.1, 3.30.2, 3.31.1, 3.31.2).
 - No comments were made or received.
- **Hearing Item #2b:** Proposed amendment to “Part 3 – Finfish” regarding transfer of quota between the striped bass floating fish trap and general category fisheries (section 3.9.2(A)(3)).
 - *J. Grant:* Offered support of the proposed provision that provides for the transfer of quota back to FFT from GC if needed. Offered that the process regarding transfer has been working well to date, and that this process was very important for the FFT operators. Offered that process provides for the full harvest of the quota, which is very important, and that the hard date of October 15 could be problematic in this regard. He offered a suggested alternative of not removing the date, but to soften the language around so that transfers could occur prior to October 15 if needed. He offered concern that if transfers started too early in the year, that it could result in the loss of harvest to the FFT sector.

- I. Campbell: Offered support for comments made by J. Grant; specifically, that transfers occurring too early in the season could result in a loss of harvest to the FFT sector. He offered that the system in place where the FFT operators are consulted has worked well in the past, and that the problem that occurred last year was an anomaly.
- S. Campbell: Offered support for comments made by J. Grant and I. Campbell. She offered that the problem that occurred last year was an anomaly, and the regulations didn't need to be changed due to that problem.
- M. Conti: Offered concern about utilizing the full quota, and offered an alternative of an earlier date between October 1st and 10th as the hard date. He offered that the FFT sector has been accommodating regarding transfers, but not always in timely manner.
- **Hearing Item #2c**: Proposed amendment to “*Part 3 – Finfish*”, to increase the minimum size for recreational Shortfin Mako for consistency with NOAA (section 3.19.1(C)).
 - A. Dangelo: Offered support as proposed for consistency with federal regulations.
 - M. Conti: Offered support as proposed.
- **Hearing Item #2d**: Proposed amendment to *Part 3 – Finfish*” to decrease the fishing year starting possession limit for Aggregated Large Coastal (LCS) & Hammerhead species groups for consistency with ASMFC and/or NOAA Fisheries Management Plans (section 3.19.2(F)).
 - A. Dangelo: Offered support as proposed for consistency with federal regulations.
 - M. Conti: Offered support as proposed.
- **Hearing Item #2e**: Proposed amendment to “*Part 3 – Finfish*” regarding rod and reel gear and safe handling requirements for Coastal Shark management (sections 3.19.1(F) & 3.19.2(I)).
 - A. Dangelo: Offered support as proposed for consistency with federal regulations.
 - M. Conti: Offered support as proposed.
- **Hearing Item #2f**: Proposed amendment to “*Part 3 – Finfish*” to provide for federally permitted vessels to harvest, possess, or land Cod in state waters in the amount equal to the federal regulations, consistent with other groundfish species (e.g., haddock) (section 3.20).
 - No comments were made or received.
- **Hearing Item #2g**: Proposed amendment to “*Part 3 – Finfish*” to provide for the harvest of Barndoor skate in the Skate wing fishery (section 3.26.2).
 - No comments were made or received.
- **Hearing Item #3**: Proposed adoption of new regulation “*Part 12- Regulations for an Expanded Aggregate Program for Commercial Black Sea Bass and Summer Flounder*” to expand aggregate opportunities to commercial fishermen as a means to provide greater

operational flexibility and reduce discards, and to gather data necessary to make informed decisions about the impact of such a program on harvest rates and quota management.

- D. Borden/AOLA: Offered strong support for the proposal as a means to reduce discards and better understand fishing behavior. He offered that the aggregate possession limit for black sea bass in the winter season has been very positive for the off-shore lobster fishery in terms of reduced discards. He offered that the program would allow for a better understanding of fishing behavior when implementing an aggregate possession limit, and can therefore modify the program based on this data.
- M. Conti: Does not support the proposal at this time due to uncertainty with the impacts to various gear types and in-shore fishermen.