Rhode Island
Department of Environmental Management

DIVISION OF FISH AND WILDLIFE

401 423-1920
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3 Fort Wetherill Road
Jamestown, RI 02835

SUMMARY OF COMMENTS FOR THE NOVEMBER 8, 2012 PUBLIC HEARING

Hearing Officer: M. Gibson
DEM Staff: N. Scarduzio, J. McNamee, J. Lake, B. Ballou, and G. Powers
RIMFC Members present as observers: K. Booth

The public hearing was held on November 8, 2012 in Narragansett, RI at the URI/GSO Narragansett Bay Campus, in the Corless Auditorium. Approximately 25 people attended the hearing. The following items were presented for public comment:

1) **Amendments to commercial Summer flounder quota management plans for 2013:** There were two proposals for the 2013 summer flounder quota management plan that were brought forward for public comment. The first was for status quo. The second proposal was to change starting possession limits and the summer sub period end date. Decrease the starting possession limits for the winter 1 sub period to 300 lbs/day or 2,500 lbs/week for the aggregate program (from 500 lbs/day or 3,500 lbs/week), and change the summer period end date to September 15 (from Oct 31) and start of the winter 2 sub period on September 16, (from Nov 1), and decrease the winter 2 sub period starting possession limit to 200 pounds per day (from 700 pounds per day).

   There was a written comment received from E. Reid, President of Deep Sea Fish of RI, Inc., supporting a modified "status quo" as follows: for the Winter sub period (January 1 – April 30): he was in support of reducing the weekly possession limit to 2,500 lbs/week when engaged in the "aggregate landing program". For the summer sub period (May 1 – Oct 31): reinstate the prohibition of landing summer flounder on Fridays and Saturdays for the June 1 through August 31 period. For the Fall sub period (November 1 – December 31) reduce the daily limit to 500 lbs/day in order to attempt to have the fishery at viable economic limits to fishers during the December Holiday period to maximize value of the fishery and to avoid a premature closure. This was marked as Exhibit #3.

   There was a written comment received from J. Carvalho, RI Fishermen's Alliance, supporting the Division proposal (Proposal #2) to change the summer period to May 1 through September 15 (from May 1 through October 31). The Alliance also strongly opposed the reinstitution of any "sector" type program for the commercial harvest of summer flounder. Marked as Exhibit #4.

   Public Comment: S. Parente, RI Commercial Rod and Reel Association (RICRRA), stated his organization was in support of status quo (Proposal #1) since it was submitted by his organization. They were still of the opinion that status quo was a viable and

equitable option. He indicated the RICRRA proposal was prepared and submitted prior to the introduction of the DEM/Marine Fisheries proposed changes, specifically Proposal #2 – a change in starting possession limits and summer sub period end date. He stated relative to Proposal #2 (change in starting possession limits and summer sub period end date), they had analyzed it and determined that this proposal warranted serious consideration due to the reduced quota for 2013. He commented that Proposal #2 would seem to facilitate a 7-day fishery at 100 lbs/day during the entire proposed summer sub period, as well as, accommodate the vast majority of most fishers in all user groups. They had concerns about the possibility of increased effort in the shortened summer period. He state that both proposals had merit and deserved consideration and analysis. He further commented that his organization would tend to support Proposal #2 as the most favorable option, and Proposal #1 as a viable fallback position.

Public Comment: G. Tremblay, RICRRA, stated he supported Proposal #2 (change in starting possession limits and summer sub period end date).
Public Comment: D. Fox, F/V Lighting Bay, stated he was in support of status quo (Proposal #1). He commented that Proposal #2 amounted to a cut back for the fall period. He noted that you were asking us to have the same amount of fish last us six more weeks.
Public Comment: J. Macari, RICRRA, stated he supported Proposal #2 (change in starting possession limits and summer sub period end date).
Public Comment: T. Williams, F/V Heritage and F/V Tradition, stated he was in support of status quo (Proposal #1). He noted that with the price of fuel and having to fish offshore every time there was a cut back it affected their business.
Public Comment: J. Jordan, F/V Hopeful, stated he was in support of status quo (Proposal #1).
Public Comment: J. Kourtesis, F/V Christopher Andrew, stated he was in support of status quo (Proposal #1). He also made a comment that vessels should be allowed to participate in both the winter and summer aggregate programs, not just one or the other as in current regulation. He asked that the Department think about changing this provision.
Public Comment: M. Colby, RICRRA, stated he supported Proposal #2 (change in starting possession limits and summer sub period end date).
Public Comment: RICRRA member, stated he supported Proposal #2 (change in starting possession limits and summer sub period end date).
Public Comment: K. Jones, F/V Heather Lynn, stated he was in support of status quo (Proposal #1).
Public Comment: P. Rhule, Jr., F/V Sea Breeze Too, stated he was in support of status quo (Proposal #1).

M. Gibson closed this portion of the public hearing on summer flounder.

2) <u>Amendments to commercial Scup quota management plans for 2013</u>: There were two proposals that were brought forward for public comment. The first was a proposal for the starting possession limits to remain at status quo in 2013; the second proposal was to increase starting possession limits of 10,000 lbs/week for May/July/Sept sub periods, this proposal was presented by the Division of Fish and Wildlife (DFW).

There was a written comment received from E. Reid, President of Deep Sea Fish of RI, Inc., commenting about section 7.11.5-1(E) Dealer Reporting – he noted that given the potential

landing volume of scup, requiring Dealers to have records available by 10:0 AM the day after landing was unrealistic. In order to properly meet reporting requirements, a period of 48 hours after landing would be more appropriate. Marked as Exhibit #3.

Public Comment: J. Kourtesis, F/V Christopher Andrew, stated he was in support of Proposal #2 (Division recommendations to increase starting possession limits of 10,000 lbs/week for May/July/September sub periods).

Public Comment: J. Jordan, F/V Hopeful, commented about moving fish into the general category sector earlier if the fish trap sector did not harvest them. He indicated that the fish trap sector knew by the middle of June whether they were going to catch their quota or not. He suggested instead of 0 to 10,000 lbs/week make the 10,000 pound number larger, or to implement it faster in the summer.

M. Gibson closed this portion of the public hearing on scup.

3) <u>Amendments to commercial black sea bass quota management plans for 2013</u>: Five proposals for 2013 black sea bass quota management were brought forward for public comment. The first was a proposal to remain with status quo for 2013; the second proposal was to drop the starting possession limit to 25 lbs/day (from 50 lbs/day) May through October; the third proposal was to drop the starting possession limit to 25 lbs/day (from 50 lbs/day) May through December, increase the minimum size to 12 inches (from 11 inches), change the sub periods, and change the closed season to May 1 through May 31; the fourth proposal was in increase the starting possession limit to 100 lbs/day (from 50 lbs/day) May through October; the fifth proposal was to develop an aggregate program from May through October with a passion limit of 250 lbs/week.

Public Comment: S. Parente stated that the RICRRA was opposed to proposal #1 – status quo, at 50 pounds; under those parameters in 2012, at 50 pounds per day, the entire season from May 1 through October 31 the fishery was only open for 58 days out of a possible 180 days. He noted that due to such an artificially low quota and the fact that black sea bass was not considered a bycatch fishery, a bad situation became worst due to the market chaos that it caused. He commented that proposal #2 (drop to 25 pounds per day from May – October) was the RICRRA proposal, and they could reluctantly live with this scenario but could definitely support proposal #3 (drop to 25 pounds per day May – December, increase size to 12 inches, with a May closure). He explained that any scenario which drops the possession limit to 25 pounds per day was a positive step in bringing the fishery onto the bycatch category where it belonged. He also commented that reducing the daily possession limit by 50% would not necessarily double the amount of open days. He stated that his organization felt proposal #3 was far superior to all the other proposals and it was well thought out, viable and equitable. This proposal takes into account factors that would affect the fishery in an extremely positive way considering a low quota. The 25 lb/day possession limit places the fishery in a bycatch status where it belonged. RICRRA supports this proposal for the following reasons; it makes economic sense by increasing the value of the fish, and with a June 1 opening at 25 pounds per day it can be anticipated that the overall market infrastructure would improve dramatically with a longer and less fragmented availability of product. He also commented that an increased size to 12 inches was a step in the right direction as well.

S. Parente stated that RICRRA was opposed to proposal #4 (increase to 100 pounds per day from May – October) indicating this could not be supported by any management concept, and noted that in 2012 with a May 1 opening at 50 pounds per day the fishery closed in only 28 days and the rest of the season played out poorly as well. He stated that this proposal did not warrant further consideration. He stated that RICRRA was also opposed to proposal #5 (aggregate limits in May and July sub periods) which would adversely affect any sound management practices for this fishery. Parente commented that this proposal would be a derby type operation and would further exacerbate an extremely low quota, shorten the season, and make it difficult for enforcement to enforce against disingenuous operations.

In closing S. Parente stated that RICRRA was in support of proposal #3 as the best possible scenario for the majority of fishers, with proposal #2 as a viable fallback position.

Public Comment: J. Kourtesis, F/V Christopher Andrew, stated that proposal #3 with a May closure would be killing the most fish, for fishermen not to have a possession limit during that time period would create bycatch. He stated he was opposed to proposal #3. He stated that either proposal #1 (status quo) or proposal #5 (aggregate program) would be the most reasonable for the fishery. He commented that at least with these two options when they caught fish in their nets they could sell them and not have to throw them overboard dead.

Public Comment: T. Baker stated he supported proposal #3 (drop to 25 pounds per day May – December, increase size to 12 inches, with a May closure). He explained that not everyone fished with a net some people used fish pots and the fish were returned live most of the time. He explained the reason he proposed the May closure was because MA was open at the same time, noting that RI and MA were the only two stated in the area that could land black sea bass so why land them at the same time and then close so no one can land them in June, why not separate it, commenting that it made more sense economically.

Public Comment: RICRRA member, stated he supported Proposal #3 (drop to 25 pounds per day May – December, increase size to 12 inches, with a May closure).
Public Comment: G. Tremblay, RICRRA, stated he supported Proposal #3
Public Comment: J. Macari, RICRRA, stated he supported the AP proposal, Proposal #3.

Public Comment: D. Fox, F/V Lighting Bay, stated he was in support of status quo (Proposal #1), he commented that proposal #3 was just reallocating the quota.

Public Comment: M. Colby, RICRRA, stated he supported Proposal #3.
Public Comment: RICRRA member stated he supported Proposal #3.
Public Comment: B. Westcott, stated he was in support of status quo (Proposal #1).
Public Comment: K. Jones, F/V Heather Lynn, stated he was in support of status quo (Proposal #1).
Public Comment: P. Rhule, Jr., F/V Sea Breeze Too, stated he was in support of either status quo (Proposal #1), or Proposal #5 (aggregate program).
Public Comment: D. Pastel stated he supported Proposal #3.

A written comment was received from E. Reid, President of Deep Sea Fish of RI, Inc., commenting about modifying section 7.14.1-2 (Commercial Seasons and Possession Limits), as follows: (1) Period January 1 – April 30 – reduce the possession limit to 600 lbs/day (from 750

lbs/day); (2) Period July 1 – October 31 – distribute the sub period quota (39% allocation) between July 1 – July 31 and September 1 – October 31 in order to avoid prolonged closure and actually have a fishery during second "half" of the sub period. He noted that both measures were to aid in prolonging supply to market and provide fishers with quota at times of increase market demand. Marked as Exhibit #3.

A written comment was received from C. Cokely in support of either proposal #1 (status quo), or proposal #5 (aggregate program). Marked as Exhibit #5.

Written comments were received from E. Grant and B. Grant is support of proposal #1 (status quo) to maintain the 50 pound per day possession limit during May 1 – October 31. Marked as Exhibits #6 and #7.

M. Gibson closed this portion of the public hearing on black sea bass.

4) <u>Amendments to state waters Atlantic herring fishery Management Plan</u>: The Division proposed regulations to address the harvesting of Atlantic herring in RI state waters by requiring that a permit be issued by the DFW to allow for a possession over 2,000 pound per day. The proposed regulations also included provisions for: a river herring bycatch allowance, state waters Atlantic herring closure, and a federal possession limit transit allowance.

M. Gibson stated the proposal before you was a straw man proposal created by the Division and it was important to hear comments from industry in order for the Department to be able to incorporate those concerns into the regulations.

Public Comment: G. Allen, representing the RI Saltwater Angles Association (RISAA), stated they as recreational fishermen were concerned with the river herring bycatch. He reviewed their concerns pertaining to reducing the bycatch between the mid-water trawl and the in-shore trawlers: he spoke about SMAST designing a study to assisting MA with Atlantic herring and mackerel mid-water trawl fleet to avoid unwanted bycatch of river herring. Observer data revealed that although river herring were in frequent to mid-water trawl tows 80% of the overall observer herring bycatch was caught in 10% of the tows with the highest amount of river herring. To reduce bycatch they needed to know when and where these sporadic high bycatch events where occurring. MA increased their portside sampling and SMAST broadcasted information back to the boats by advising them of river herring interactions among the fleet. Some of RI small mesh bottom trawl herring fishermen approached MA seeking inclusion into the program. G. Allen, representing the RISAA, stated they supported the Division recommended proposal to reduce the amount of river herring bycatch. He noted that one aspect the proposals did not cover was funding for onboard and shore based observers. He suggested that the regulations could support some funding for these observes.

Public Comment: J. Kaelin, representing Lund's Fisheries, Inc. out of Cape May in NJ, stated they fished in RI last winter operating with pair trawls and does not believe any of their captains caused any of the problems that occurred, and are disappointed about the attitude of a couple of captains that caused significant problems here in RI. He explained that they have been involved in this process since it began with the legislators last year. He also

commented that he was speaking on behalf of Marybeth Tooley from O'Hara Corporation out the Rocklin Maine, and for David Ellington with Cape Seafood from Gloucester, MA. J. Kaelin stated they reviewed the Division proposal and noted they were some of the original cooperators on the SMAST project. He commented that the core of what was being proposed was something they strongly supported. He had some additional comments for consideration; (1) they were unsure if the mid-water trawl endorsement, that they were already required to have, would continue to be required and if the Atlantic herring permit would be in addition to that endorsement; (2) he was in support of a pre-fishery meeting with captains and this was one of the items they recommended when they spoke in the state senate; (3) in support of tying access into RI waters into the SMAST program, and are comfortable with including the move-along rule, under the SMAST project, in regulation. He did point out that he was in support of using the SMAST move-along rule but was not supportive of the state being more stringent than the SMAST rule he did not see the value of that. He felt we should keep the SMAST move-along thresholds consistent wherever that program was being used whether in the state of RI or the Gulf of Maine. He felt RI should use the threshold that was already in place under SMAST. (4) He commented that it would be wise to also use a boat permit because if there was a rogue captain then the owner of the boat does not get violated and there is no potential for the boat owner to be aware of the problem, He noted that perhaps there would be no need for a captain license if you had a boat license, but was not sure if that would work. (5) In terms of revoking the permit, he suggested revoking the boat permit; (6) He appreciated the State of RI going along with the 5% tolerance for federally caught river herring this was the same standard that exists in MA and NJ and allows us to continue to harvest. He also noted there would be a cap coming down from the Council which would be established accumulatively. He explained the way he understood the Division's proposal was if you had one single high bycatch event from anyone in the fleet the entire fishery would close. He stated they were opposed to that approach, and felt that was too stringent. J. Kaelin stated we should be looking at cumulative catches and would be informed by a bycatch cap for the fishery within the next year so we do not oppose the single event but we do oppose and do not support the single event percent closure approach that is in section 7.19.1-4. (7) He commented he assumed but was not sure that in section 7.19.1-5 (Federal Possession Limit Transit Allowance) this was if the RI fishery would be closed to boats under the pervious paragraph that we could transit into RI to land is what he thought that meant but he did not support the closure so he would rather have the state develop a system that used the move-along thresholds as our regulatory point of view. If guys were not paying attention to the red grids then maybe they lose access to the fishery rather than a single event closure.

Kaelin stated he thought the shore side monitors would move to where the fish are being landed so if you establish a 5% tolerance you may have additional landings, he felt the monitors would come to where the landings were. He also noted that someone mentioned that MA had some pending landing restrictions coming up this winter, and he was not aware of what they were or what they were about. As far as observers, the fishing industry, the herring industry, and the mackerel industry, have agreed to take 100% observer coverage on the A & B permitted herring boats at least for a couple of years so people will see more observers on these boats, and we will have to figure out a way to pay for them. They have agreed to pay them $350 per day but federal observes cost $1,200 per day. Those were his comments and he appreciated where the state was and the opportunity to come to the hearing as an out-of-state resident to make comments.

Public Comment: D. Fox asked what about state boats which were not required to have boat tracs/VMS? He wanted to know if a phone would be enough.

Public Comment: J. Lake clarified that for state vessels they would need to have either a phone or an email address so that the Division had a way to communicate to the captain that there was a red spot that they would need to move away from.

Public Comment: J. Kourtesis, F/V Christopher Andrew, stated he fishes for sardines all winter and he sometimes worked close to the herring boats and understood the need for this program but one problem he had was with the big push about the river herring. He noted that NEMAP inshore studies online showed no decrease of river herring in the last five years. He commented that having federal permits he takes observers all the time and when he runs into river herring he leaves the area. He offered some suggestions that might help smaller state vessels that worked on sardines or the herring fishery in state waters; keep the 2,000 pounds for when the area closes for federal boats, when the federal area adjacent to state waters closes in the herring fishery 2,000 pounds should be the limit so that everyone is on the same page but prior to the 2,000 pounds increase the limit to about 5,000 pounds. For people that want to go sardine fishing, without having to be enrolled in this SMAST program, since most of us guys do not have computers on their boats there should be a 5,000 pound limit before you have to enroll into this program. He wanted to point out there was another side to this that involved smaller state boats and they should be taken into consideration and possibly use a two tiered system.

Public Comment: D. Bethany from the SMAST program stated he wanted to express concerns he had about the proposed regulations and how the SMAST project was run. He explained the goal of the project was to work together with fishermen to assist fishermen to avoid river herring on their own without increased regulations so areas could be avoided without having large areas closed. He commented that the proposed regulations seem to undermine the goals of the SMAST project. He expressed concerns that instead of working together with fishermen this could lead to people avoiding them and/or being mislead with information and in return generating misleading results.

Public Comment: J. Kaelin commented that the whole SMAST program depended upon funding for it so if there was a year without funding then this system would not be in operation. He indicated he did not think it would hurt to put a little bit of pressure on the operators via regulations.

Public Comment: J. McNamee clarified that in section 7.19.1-5, it was not the Division's intent to allow a federally permitted vessel to land in RI ports if that captain was not properly licensed in the state. The herring permit would not supersede the licensing requirement.

M. Gibson closed this portion of the public hearing on this item, which concluded the public hearing.

List of Exhibits:
Exhibit 1 – Affidavit of Publication/Posting and Public Notice
Exhibit 2 – Copy of Public Hearing Notice and Annotated Documents
Exhibit 3 – Written comments and proposals submitted by E. Reid, President of Deep Sea Fish of RI, Inc., pertaining to summer flounder, scup, black sea bass, cod, and sea scallop fisheries.
Exhibit 4 – Written comments submitted by J. Carvalho, RI Fishermen's Alliance, pertaining to summer flounder fishery
Exhibit 5 – Written comments submitted by C. Cokely, pertaining to the black sea bass fishery
Exhibit 6 – Written comments submitted by E. Grant, pertaining to the black sea bass fishery
Exhibit 7 – Written comments submitted by B. Grant, pertaining to the black sea bass fishery

Exhibit # 3

Mailing Address:
P.O. Box 764
Wakefield, R.I., U.S.A. 02880
PHONE: (401) 782-1330

Plant Address:
65 State Street
Narragansett, R.I., U.S.A. 02882
FAX: (401) 782-4011

Attn: Mary S.
via fax.

26 October 2012

State of Rhode Island
Department of Environmental Management
Division of Fish and Wildlife
3 Fort Wetherill Rd.
Jamestown, RI 02835

Public Hearing Comments

Director Coit,

Please consider the follows comments with regard to proposed regulatory changes in the following fisheries:

SUMMER FLOUNDER
I support a modified "status quo" as follows:

Summer Flounder Sub periods and possession limits:
Section 7.7.1-1(a) Winter Sub Period 01 January-30 April: Reduce weekly landing limit to 2,500 lbs per week when engaged in "aggregate landing program". At this level, the fishery is economically viable to participants and should allow a sustained fishery for as long as possible during the period

Section 7.7.1-2 Summer Sub Period 01 May-31 October: Reinstate the prohibition of landing Summer flounder on Friday and Saturday for the period 01 June- 31 August. This change will have the following effects.
1) Extend existing trip limit (100 lbs/day) as far into the Sub Period as possible.
2) Allow an even flow of good quality product into the market without compromising quality. The "shelf life" of fish during this period tends to be limited regardless of method of catch or on board handling by fishers. In order to maximize the economic value of the fishery during this Sub Period, it is desireable to limit the time between landing and sale of top quality fish. This closure would accomplish this task.

Section 7.7.1-3 Fall Sub Period 01 November-31 December: Reduce daily limit to 500 lbs/day in order to attempt to have fishery at viable economic limits to fishers during the December Holiday period in order to maximize value of the Fishery. In other words, to avoid a premature closure

SCUP

Section 7.11.5.1 E Dealer Reporting; Given the potential landing volume of scup, requiring Dealers to have records available by 10:00 AM the day after landing is unrealistic. In order to properly meet reporting requirements, a period of 48 hours after landing is more appropriate.

BLACK SEA BASS
Modify plan as follows:

Section 7.14.1-2 Commercial Seasons and Possession Limits:
1) Period 01 January –30 April: Reduce possession limit to 600 lbs/day
2)Period 01 July-31 October : Distribute Sub Period Quota (39%) between 01 July-31 July and 01 September-31 October in order to avoid prolonged closure and actually have a fishery during second "half" of Sub Period

Both measures are to aid in prolonging supply to market and provide fishers with quota at times of increased market demand.

COD

Section 7.22.2-1 (a) Filleting of Cod (Recreational Harvest)
For ease of enforcement, no filleting on board should be allowed. Fish should be landed "Head-on" as in other Cod fisheries.

SEA SCALLOPS

Section 7.23.1-2 Possession Limits
Insert the word "meats" after "...pounds of shucked..."
This would allow fishers to land other by-products of the scallop (i.e. Roe or "guts") without undermining the daily possession limit of actual "meat".

Section 7.23.1-4 Equipment
This provision, as written, does not permit some "offshore" vessels to land their catch at any Rhode Island Port even though they may be Legally permitted to use a dredge(s) that exceed the 10.5 ft proposal. I do not believe it is the intent of this section to restrict the landing of legally caught sea scallops in Rhode Island Ports and chase Rhode Island based vessels using larger gear out of state. Wording should be refined to allow vessels possessing sea scallops to land in Rhode Island regardless of dredge size as long as they meet Federal Permit and gear stowage requirements (See section 7.23-1-3 Vessel Transit Allowance).

Thank you for the opportunity to provide my comments on the above Fisheries.

Kind regards

Eric Reid
President

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NOV 2012
R I DIV OF
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Exhibit # 4

Rhode Island Fishermen's Alliance

P.O. Box 337
East Greenwich, RI 02818

Date: November 5, 2012

Subject: RI Public Hearing 11/8/12

Summer Flounder Commercial Fishery

1. The Alliance supports the division proposal to change the summer period from May 1 through October 31 to May 1 through September 15.

2. The Alliance strongly opposes the reinstitution of any so called "sector" program for the commercial harvest of summer flounder.

The Alliance is in support of fisheries management programs for quota species that establish a uniform daily possession limit throughout the year with aggregate landings allowed during the winter months when the resource is generally harvested from federal waters. This system of management eliminates the need for time periods and the conflict associated with granting individuals from one user group greater or lesser access. Uniform daily access allows for greater overall participation especially during the time when the resource is most available and the public receives the greatest benefit. Species under small quota would be available throughout the year on a consistent basis and the frequent opening and long periods of closures would be eliminated. Fishing enterprises are resourceful and will adjust to uniform access to the resource whether readily available or in limited supply, taking advantage of their particular method of harvest.

The Alliance does not support any fisheries management program that is purposefully designed to grant special favor and access to any individual or groups of individuals; opposes the use of individual or group history as a basis for special or allocated access; opposes programs that through management, eliminates or limits the public's access to the resource for extended periods of time; and opposes management programs that are designed to provide the greatest benefit to the harvester rather that to the public.

Jerry Carvalho
VP RIFA

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NOV 2012
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Exhibit # 5

Director Coit,

I am writing this to support either status quo or an aggregate limit for the 2013 commercial black sea bass season. The changes to the management plan of the other proposals should not be enacted for the following reasons:

- A 25lb limit is an unreasonable limit to propose for sea bass:
there is an active directed fishery that would be unfairly displaced by such a low limit. Nobody is pleased with the short seasons, but displacing one group that is already operating at a minimum level is wrong. Any management plan that maintains the minimum 50lbs, or uses creative measures to improve the fishery should be considered.

- The May 1 subseason start should be maintained. As the fish are moving inshore different user groups fish for sea bass during May that do not catch them during the summer/fall. As for delaying because of price, May historically has some of the higher prices of the spring/summer. This year was an anomaly as the fish moved inshore during April, creating a glut when multiple states opened in May, usually this is not a problem.

Ex vessel prices: From RI landings according to NMFS

2010

May: 2.96/lb

June: 2.91/lb

2011

May: 3.69/lb

June: 2.67/lb

In addition, MA fishermen/managers are looking into altering their quota management program to prevent a repeat of this past year.

- The Nov. 1 subseason start should also be maintained. Originally, each subseason was allocated 25%. The Winter subperiod was reduced to 11% and quota moved to the fall season, now at 39%. There are a different group of fishermen that fish in the Nov period that may not fish in the fall. As the fish move out during the first weeks of Nov, fisheries which do not normally catch sea bass during the fall encounter them and wish to continue to do so. This season has already been reduced to a bare minimum, and many of the fishermen who actively fish during this period wish it to remain. Again, taking from one group to give to another should not be done when at all possible. This would be the same as the summer season being reduced to benefit the Jan-March season, which would be unfavored by many. I would encourage a fall season to be created, but it should come from the quota allocated to that timeframe. Delaying the Summer season from July1 to Sept 1would accomplish this without displacing users.

Please help keep some form of a profitable fishery by maintaining a minimum of 50lbs or an aggregate limit.

Curtis Cohely

MPL # 466

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NOV 2012

Exhibit # 6

RIDEM and RIMFC,

I am submitting this written comment on the proposed amendments to the black sea bass quota management plan. I support status quo, with a minimum possession limit of 50lbs/day. Further reducing the possession limit would eliminate any chance to have a profitable fishery. The goal of the quota management plan is to keep the season open as long as possible under reasonable possession limits. Reducing the limit below 50lbs would be unreasonable. Commercial fishermen that are actually trying to make a living on the water have found a way to remain profitable with the 50 lb limit, but any further reduction would eliminate the people who have traditionally targeted this species.

Thank You

EARL S GRANT

MPURP 000077

Earl S Grant

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Exhibit # 7

RIDEM and RIMFC,

I am submitting this written comment on the proposed amendments to the black sea bass quota management plan. I support status quo, with a minimum possession limit of 50lbs/day. Further reducing the possession limit would eliminate any chance to have a profitable fishery. The goal of the quota management plan is to keep the season open as long as possible under reasonable possession limits. Reducing the limit below 50lbs would be unreasonable. Commercial fishermen that are actually trying to make a living on the water have found a way to remain profitable with the 50 lb limit, but any further reduction would eliminate the people who have traditionally targeted this species.

Thank You,

Brian Scott PEL 1540

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