

**7.8 Winter Flounder (Blackback)** -- No person shall take, possess, sell, possess for sale, or offer for sale any winter flounder measuring less than twelve (12) inches total length whether caught within the jurisdiction of this State or otherwise. During a closure of the R.I. winter flounder fishery a vessel fishing in the Exclusive Economic Zone (EEZ) may traverse Rhode Island waters for the purpose of landing winter flounder provided they are not fishing and nets are stowed in accordance with Section 10.10 of these regulations.

**7.8.1 Winter Flounder - ~~Four~~ Two fish per person per calendar day recreational possession limit** -- The taking and/or possession of winter flounder by recreational fishermen is prohibited with the exception that annually, beginning on the fourth Saturday in April and continuing for 30 days, and beginning on the last Saturday in September and continuing for 30 days, fishermen may take and possess not more than ~~four (4)~~ **two (2)** winter flounder **per person per calendar day** in Rhode Island waters. Said fish shall not be offered for sale. The ~~four~~ **two (2) per person per calendar day** fish possession limit shall not apply to fishermen licensed pursuant to RIGL ~~20-2.1 20-2-26, 20-2-27, 20-2-28, or 20-2-28.1~~, provided winter flounder possessed by those licensed in the above sections are harvested in compliance with R.I. Marine Fisheries ~~Council~~ Statutes and Regulations.

**7.8.2 Winter Flounder - Mesh Regulations/Commercial Fishing Gear** -- The minimum mesh size for bottom trawl nets is six (6) inch diamond mesh or six and one half (6.5) inch square mesh applied throughout the body and extension of the net, or any combination thereof, and six and one half (6.5) inch diamond mesh or six and one half (6.5) inch square mesh applied to the codend of the bottom trawl nets as defined in paragraphs (a) and (b) of this section. The minimum mesh size for gill nets is six and one half (6.5) inch diamond mesh or six and one half (6.5) inch square mesh applied throughout the net. Vessels may utilize commercial fishing gear with mesh smaller than the sizes referenced in this section provided they do not possess any winter flounder except as provided in Section 7.8.1.

(a) For vessels greater than 45 ft in length overall, a diamond mesh codend is defined as the first 50 meshes counting from the terminus of the net, and a square mesh codend is defined as the first 100 bars counting from the terminus of the net

(b) For vessels 45 ft or less in length overall, a diamond mesh codend is defined as the first 25 meshes counting from the terminus of the net, and a square mesh codend is defined as the first 50 bars counting from the terminus of the net.

#### **7.8.2-1 Net obstruction or constriction**

A fishing vessel subject to minimum mesh size restrictions shall not use any device or material, including, but not limited to, nets, net strengtheners, ropes, lines, or chafing gear, on the top of a trawl net, except that one splitting strap and one bull rope (if present), consisting of

line and rope no more than 3 in (7.6 cm) in diameter, may be used if such splitting strap and/or bull rope does not constrict, in any manner, the top of the trawl net. "The top of the trawl net" means the 50 percent of the net that (in a hypothetical situation) would not be in contact with the ocean bottom during a tow if the net were laid flat on the ocean floor. For the purpose of this paragraph, head ropes are not considered part of the top of the trawl net.

### **7.8.3 Winter Flounder Commercial Regulations**

**7.8.3-1 Legal Minimum Size -- No person fishing commercially shall take, possess, sell, possess for sale, or offer for sale any winter flounder measuring less than twelve (12) inches total length whether caught within the jurisdiction of this State or otherwise.**

**7.8.3-2 Commercial Seasons and Possession Limits -- Winter flounder shall be available during the following season:**

- (a) January 1 – December 31: It shall be unlawful to possess aboard or land from a vessel, in any one calendar day, more than 50 pounds of winter flounder during this period.**

**(RIMFC REGULATION) [Penalty - Part 3.3; (RIGL 20-3-3)]**