

RHODE ISLAND MARINE FISHERIES COUNCIL
Minutes of Shellfish Advisory Panel
April 28, 2010 4:30 PM
Jamestown Public Library
Jamestown, RI

MFC Members Present: J. King (SAP Chair), S. Parente
SAP Members Present: R. Bercaw, D. Brayton, W. Cote, S. DiPetrillo, J. Gardner, J. Grant, D. Goebel, O. Kelly, M. McGiveney, G. Schey, P. Kennedy
SAP Members Absent: J. Mullen
Scientific Advisor: D. Leavitt (absent)
DEM Water Resources: J. Migliore
DEM Marine Fisheries: N. Lazar, D. Erkan, R. Satchwill

A meeting of the shellfish advisory panel was held on 4/24/2010 at 4:30 pm in Jamestown to discuss the following 3 items:

- 1- Soft-Shell Clam regulations as result of changing the pollution line adding approximately 40 acres of new shellfish grounds.
- 2- Establishing a new spawning sanctuary in Sycamore Cove in Potter Pond for oyster restoration.
- 3- Water quality report

1- Soft-Shell Clam Regulations

After a brief introduction by Chairman Jody King, Erkan outlined the purpose of the meeting stating that in response to the recent DEM-DWR announcement to change pollution lines allowing access to about 40 acres of fishable grounds north of Conimicut light house, the Division of Fish and Wildlife (marine section) found a reasonable justification to propose amending the existing management measures to protect the highly productive beds of softshell clams (steamers) in this area. The data shows that on average (2006-2009) about 70% of the state landings originated from Conimicut area and that a significant depletion trends were observed suggesting overfishing. In response, the Division proposal includes, (1) establishing a new management area with a reduced possession limit (currently at 12 bushels) and (2) increase the minimum size currently at 1.5".

Ballou explained the administrative procedure for changing the proposed regulations. He added that a notice was posted at this time to meet the APA requirements for public hearing, followed by a RIMFC meeting, and then the Director's decision. The new rules will take effect 20 days from the filing date, projected for end of June 2010. Lazar added that the Director is also required to provide an economic impact analysis 60 days in advance.

Chairman noted that since item 1 and 3 are related, the panel will combine the 2 agenda items in one. Joe Migliore presented a chart describing the new pollution chart for 2010 showing significant changes opening several areas to shellfishing as a result of water quality improvement. The list of changes include opening about 40 acres in Conimicut Pt area, a large area in the NW Greenwich Bay, and Cedar Pt, Green hill pond while closing an area in Sheffield cove and Pottowomut River. In general water quality seems to show gradual water quality improvement statewide and hoped to see more openings in the future.

After a long debate on the proposed changes regarding the soft-shell clams, the **SAP voted to propose to the RIMFC changing the minimum size from 1 ½” to 1 ¾”** with a minority vote in favor of 2” minimum size. The Chair took a poll by everyone in the audience regarding the bushel limit. Results showed (16) voted to reduce the current bushel limit from 12 to (5, 7, 8, and 9 bushels) while (13) voted to keep the possession limit at 12. Lazar announced that Dr. John King from URI has been contracted by DEM in order to conduct a side scan sonar survey in the Conimicut area. Results will be available at the next public hearing. In addition a presentation will be made available to the public with regards to the Division’s recommendation on these proposed changes.

Additional discussion followed regarding establishing the new area combined with the southern portion of the Conimicut area as a Management Area allowing the Director to implement regulations to help avoid stock overfishing and allowing sustainability.

2- Establishing a new spawning sanctuary in Sycamore Cove in Potter Pond for oyster restoration.

Lazar outlined that due to the NRCS funded oyster restoration projects, the Division of Fish and Wildlife is in the process of establishing spawning sanctuaries in Narragansett Bay and the Coastal Ponds to put seeds a protected areas so to allow the growth and development of oyster reefs. The issue was discussed at the last SAP meeting but a group opposed the proposal. The Division changed the proposal to address the concerns of the residents by allowing half of this area open and closing the other half for oyster seeding. Discussion ensued. Concerned residents were not present. **Chair proposed without objection to table the question until the next meeting.**

Meeting adjourned at approximately 6:15 pm.

Minutes prepared by:

Najih Lazar