

RI Marine Fisheries Council
 Summer Flounder Advisory
 Panel Meeting Minutes
 June 20, 2012, 6:00 PM
 URI Bay Campus, Coastal
 Institute

R. Hittinger, Chairman	M Bucko*
B. Loftes ^A	R. Fuka
J. Carvalho	T. Jackson
H. Loftes	E. Cook*
A. Conti*	S. Parente
J. Tremblay*	B. Mattiucci*
M. Roderick	A. Gewirtz*
D. Ferguson	M. Bucko*
G. Allen	R. Jolie
R. Smith	C. Brown*
K. Booth	J. McNamee, DFW staff
D. Fox ^A	

(*primary advisory panel member; ^A alternate member)

R. Hittinger began the meeting. He stated that J. McNamee of the RI Division of Fish and Wildlife (DFW or Division) had a presentation which covered the first agenda topics. R. Hittinger stated that after the presentation the panel would discuss any proposals they may have for the summer flounder exemption certificate program. He noted that there was a quorum present therefore they would be able to vote on proposals, which could then be forwarded to the RI Marine Fisheries Council (RIMFC).

Prior to beginning the presentation S. Parente asked if he could make statement regarding the newly published notice for the next RIMFC meeting in July. R. Hittinger granted his request. S. Parente stated that under the agenda item relating to the advisory panel (AP) meeting which was currently underway, the way the agenda item was worded presupposed an outcome to the evenings meeting. He voiced his displeasure with the way the agenda topic was worded because it fed in to the notion that the item was already decided and that they were wasting their time at the meeting. J. McNamee stated that he apologized for how the agenda topic was worded but assured the group that there was no predetermined outcome of the meeting. He stated that he thought this would be clear once he began the presentation.

J. McNamee began the presentation (attached). He stated that the DFW was not coming forward with a strong proposal on what they thought should happen to the exemption certificate program. Instead, it was decided that the DFW would simply look at a number of different projections from a number of different perspectives and present this information to the group, thus allowing the AP to advise the RIMFC and subsequently the Director as to the best course of action for this program. He then went in to some

background information which was useful for the subsequent analyses, which was followed by a number of different analyses. The take home point from all of the projections was that there was a strong possibility that landings would increase in the summer period, but depending on what the allocation was for that period determined how it would affect either a closure, a decrease in possession limit, or if it would prevent an increase in possession limit. J. McNamee ended the presentation at this point.

B. Loftes began the discussion by stating that one way to improve the program was to remove the requirement that the exemption certificate be tied to the vessels federal permits. He also noted that the possession limit doesn't increase much beyond 100 pounds in the majority of summers, so the aggregate program isn't too much of an issue. In addition, there are gear triggers that need to be considered by commercial fishermen that keep them from availing themselves of the aggregate program. He concluded his comments by stating that he felt this was simply the DEM trying to clear the way for catch shares.

C. Brown noted that removing the exemption certificate program could create closures in the fishery, and his fear was that these closures would increase discards during a time when there was going to be accountability for all mortality, not just landings. A. Conti added that just because there is an aggregate limit and a vessel catches their weekly allowance in one day doesn't mean they will stay home, so if a lot of new people are taking part in the aggregate, the discard problem will still exist.

J. Carvalho noted that all of the projections done by the DFW account for the existence of an aggregate program. He stated that one way to solve some of the summertime issues was to end the summer aggregate program.

At this point, R. Hittinger noted that there was a pre-submitted proposal that was up for discussion (attached). This proposal was submitted at a November 2011 public hearing and was now coming forward for vetting. R. Fuka gave a brief introduction, but stated that while this proposal came from the RI Fishermen's Alliance (RIFA), he noted that his organization was equally split on the proposal, some disagreeing with it. He turned it over to J. Carvalho for presenting the proposal. In summary the program was about creating equity amongst RI fishermen. The proposal removed the exemption certificate requirement for RI residents, but kept it in place for the non-residents who currently had them. By doing this all RI residents would be treated equally in the summer flounder fishery while fishing in state waters. He followed with a comment that he felt the RIMFC never had any right to develop this program as they created a property right. J. Carvalho concluded that he felt his proposal was a good one, but it could not be implemented alone. There were other aspects of the summer flounder fishery that needed to be addressed first, most notably the termination of the summertime aggregate, and setting one reasonable possession limit for the whole year. He stated that until these issues were addressed, status quo was in order for this program.

B. Loftes began the discussion on this proposal. He stated that out-of-state boats had historically landed a lot of fluke in RI and therefore had a claim to some of RI's quota. He stated that he also didn't like the inequity that currently existed as noted by J. Carvalho,

but he felt there were better ways of solving that issue without getting rid of the program. His fear was if they terminated the exemption certificate program, catch shares would be next.

B. Mattiucci stated that the program was working well as it protected the inshore summer fishery, which he felt needed to be recognized as the large economic benefit it was to the state.

K. Booth posed the question of what the right possession limit would be to protect the inshore fishery enough to allow the removal of the program. There was discussion on this question but it did not result in a conclusion. From this discussion a second option arose. The idea was brought forward to give out the inactive permits noted in the presentation. K. Booth wondered if there was a mechanism to do this, but several AP members voiced support for this idea.

D. Fox stated that he thought if the quota were more constrained, which he thought was a very real possibility, the group wouldn't be so quick to talk about reactivating a bunch of latent permits.

C. Brown stated that the analyses focused on the summer period, but there was a danger in the winter fishery as well, as he felt there would be a lot of out-of-state effort that would come in to the winter fishery. He was also concerned about reciprocity issues with other states, as this could create a hindrance for RI fishermen fishing out of state.

R. Hittinger noted that another proposal had come forward that evening from the RI Commercial Rod and Reel Association (attached). S. Parente presented the proposal. In summary the proposal was opposed to ending or modifying the current exemption certificate program. The proposal gave several reasons for the opposition including the fact that it was a safeguard for the summer fishery, they thought it was dangerous to add another variable in to a period of time where they had just reopened a seven day a week fishery as well as increasing the weekly limit for the summertime aggregate program, and they also stated that individuals had value added to their businesses by having an exemption certificate and until more was known about the economic consequences of changing the certificates status, it should not be modified.

G. Allen stated that his organization, the RI Saltwater Anglers Association, had submitted a statement he wanted to add to the record. R. Hittinger asked G. Allen to give the statement (attached). In summary, G. Allen stated that his organization was opposed to removing the exemption certificate program.

At this point R. Hittinger asked if there were any further discussion. Hearing no new proposals or further discussion, R. Hittinger asked if anyone wanted to make a motion to provide advice from the AP to the RIMFC. **R. Mattiucci made a motion to recommend not eliminating or modifying the summer flounder exemption certificate program. The panel voted to approve the motion 8 – 0, with no objections or abstentions noted.**

R. Hittinger asked if there were any further discussion. M. Bucko stated that the equity issues mentioned during the meeting were important. He thought they should be addressed and he thought they could be addressed by a workshop on this issue. R. Smith followed along this line of thinking and stated that he thought in the near term some of these issues could be resolved by engaging the Industry Advisory Committee (IAC) on this topic to see if they could figure out a way to activate some of the existing latent permits and give them to residents who had lost their permits or never received one even though they were qualified. D. Fox agreed with this and stated that he thought they could develop a system like they have with licensing and they could build in exit:entry ratios for the permits to be protective of the existing summer flounder fishery.

R. Hittinger adjourned the meeting at this point.

RIMFC Summer Flounder Advisory Panel

RI Summer Flounder Exemption Certificate Discussion



Introduction

- DFW has decided to not advocate strongly for a complete removal of exemption cert program at this time
- Instead will present a number of analyses and provide fishing community with the information for consideration and advice
- Current meeting is to:
 - Follow through on an item from November 2011 public hearing
 - RIMFC requested a meeting to discuss this topic
 - There was a proposal that came forward during hearing that needed to be vetted



Background - Program

- Vessels were permitted to apply for a "RI Summer Flounder Exemption Certificate" with a moratorium on new permits as of 1/1/97
- Exemption certificates were granted based on the following criteria:
 - Vessel had an operator with a valid RI commercial license
 - Had at least one pound of summer flounder landings history in RI between 1987 - 1992
- RI Summer Flounder Exemption Certificates are allowed to be transferred with the following caveats:
 - Vessel permits (state and federal), Certificates of Exemption, and fishing history cannot be split
 - Certificates of Exemption may not be combined to create larger replacements vessels
 - The replacement vessel may not exceed a 10% increase in LOA, 10% increase in GRT or NT, or a 20% increase in horsepower
- There are both resident and nonresident permit holders



Background – Current Permit Status

- Current Permit Information:
 - Permits issued - 173
 - Transfer actions - 90+
 - Inactive permits - 25
 - Invalid - 21
 - Nonresident permit holders - 56



Background– Licenses and Activity

License Category	# of Licenses	# Landing Fluke	% Active in Fishery
MPL (Resident Only)	862	353	41%
PEL w/RFF	263	149	57%
Residents		99	
Non-Residents		50	
CFL w/RFF (Residents)	18	9	50%
Resident Landing Permits	43	13	30%
Non-Res Landing Permits	7	6	86%
Totals	1175	521	44%
Residents		465	
Non-Residents		56	



Background– Gear Activity

- Gear info for 2009 – 2011, state logbook and vtr
- Filtered for summer months (May – October)

Gear Type	Pounds Landed	% of Total Landings
RR	718338.01	27.91046252
OTHER	1855385.05	72.08953748



Summer Flounder Landings Impact Analysis - Introduction

- .DFW will focus the following analyses on summer period
 - .It is assumed that this period would have the largest impact from a change in the exemption certificate program
- .The DFW has developed a number of different projections to analyze impacts under various assumptions:
 - .One that simply looks at landings levels and projects potential impacts
 - .One that looks at landings while accounting for the different gear types operating in the state
 - .One looking at existing information to see the influence of increasing possession limits
 - .One looking at the number of exemption certificates while accounting for landings and gear types
- .And a final analysis looking at licensing information
- .All of the analyses were conducted to view the issue from multiple angles and using the information available at the present time



Summer Flounder Landings Impact Analysis

- .Analysis accounting for landings
- .Assumptions:
 - .All trips that landed approx 100 lbs (95 – 105 lbs, 26% of all events) could land a full aggregate amount if able
 - .All fishers would decrease trips to 1 per week at max aggregate amount
 - .Currently only land ½ weekly limit
- .This could potentially result in an increase of 50% more landings
- .Likely would result in remaining at low poss lim or early closure in 2010
- .Likely no closure in 2011, but would prevent any poss limit increase
- .Likely create either a drop in possession limit or early closure in 2012



Summer Flounder Landings Impact Analysis

- Analysis accounting for landings and gear
- Assumptions:
 - Summertime gear stratification would remain at 3 year average of 28% rod and reel and 72% other gears
 - All fishers using non rod and reel gear would decrease trips to 1 per week at max aggregate amount
 - Currently only land ½ weekly limit
 - Non rod and reel participants would increase landings through joining aggregate
- This could potentially result in an increase of 17% more landings
- Likely would result in remaining at low poss lim in 2010
- Likely no closure in 2011, but potentially prevent any poss limit increase
- Likely create a drop in possession limit in 2012



Summer Flounder Landings Impact Analysis

- Analysis accounting for new participants and possession limit changes
- Do new vessels enter the fluke fishery when the possession limit goes up
- 2010 data (May – October) was analyzed to see if new participants become active when the possession limit goes to both 300 and 600
 - In each case no more than 3 new vessels entered fishery after the possession went up
- 2011 data (May – October) was analyzed to see if new participants become active when the possession limit goes to both 300 and 600
 - In each case no more than 5 new vessels entered fishery after the possession went up
- Conclusion – To date, increased possession limits do not entice new vessels in to the fishery
 - May be because constrained by exemption cert
 - Does not account for RSA



Summer Flounder Landings Impact Analysis

- Analysis accounting for exemption certificates, gear, and landings
- 287 separate participants in summer (max 2010 – 2011)
- 127 active exemption certificates
- Assume they all land in the summer at average rates
- Results in 160 fishers without permits fishing in summer
- Based on gear ratios, applying those ratios to the 160 non permitted fishers, could result in 115 new fishers able to participate in and maximize the aggregate program
- Conclusions:
 - This could potentially result in an increase of 40% more landings
 - Likely would result in remaining at low poss lim or early closure in 2010
 - Likely no closure in 2011, but would prevent any poss limit increase
 - Likely create either a drop in possession limit or early closure in 2012



Summer Flounder Landings Impact Analysis

- Analysis accounting for licenses
- As noted in earlier table, only 44% of eligible licenses actively participate in fluke fishery
- If all of these licenses became active, would increase landings by 66%
 - Assumption – all would enter fishery at same levels as current fishery
 - Likely would have resulted in remaining at low poss lim or an early closure in 2010
 - Likely would not have closed the fishery early in 2011, but may have prevented any possession limit increase
 - Likely would create either a drop in possession limit or early closure in 2012
- If only ½ of these licenses became active, increase would be more modest, 33%



Conclusions

- Main impacts would arise during the summer months
- Likely would increase landings in summer, magnitude can range from 17% to 66%
- Given current possession limits, the main issue would arise from the summer aggregate
- Potentially ways to mitigate impact:
 - Continue to not allow participation in both summer and winter programs
 - Adjust weekly limit amount to a level that would protect against large increases in landings and effort
 - Protect inshore harvest areas with gear restrictions
 - Others?



Proposal Submitted by the RIFA

- The RIFA brought forward a proposal for the RI Summer Flounder Exemption Certificate Program at the Nov. 9, 2011 public hearing
- Listed below is a summary of what the proposed changes would accomplish according to the authors:
 - The exemption certificate program for summer flounder will be eliminated for commercially licensed RI residents. All qualified RI resident licensed holders will be held to the same standard and possession limits for summer flounder.
 - Non-resident restricted finfish license holders will retain the two hundred pound (200 lb) daily possession limit.
 - Non-resident summer flounder exemption certificate holders will retain their exemption from the two hundred pound daily possession limit. Non-resident exemption certificates cannot be transferred or sold and are applicable only to the individual presently issued the certificate and the named vessel. Non-resident exemption certificate holders may upgrade or replace the named vessel with restrictions.



The following proposed language changes are for the Rhode Island Summer Flounder Exemption Certificate Program as found in **Rhode Island Marine Fisheries Statutes and Regulations, Part VII, Minimum Sizes of Fish/Shellfish**. Listed below is a summary of what the changes will accomplish.

1. The exemption certificate program for summer flounder will be eliminated for commercially licensed RI residents. All qualified RI resident licensed holders will be held to the same standard and possession limits for summer flounder.
2. Non-resident restricted finfish license holders will retain the two hundred pound (200 lb) daily possession limit.
3. Non-resident summer flounder exemption certificate holders will retain their exemption from the two hundred pound daily possession limit. Non-resident exemption certificates cannot be transferred or sold and are applicable only to the individual presently issued the certificate and the named vessel. Non-resident exemption certificate holders may upgrade or replace the named vessel with restrictions.

7.7.6 Non-Resident Possession Limit – No non-resident commercially licensed under RIGL 20-2.1-6 and 20-2.1-7 shall possess, offer for sale or sell in excess of two hundred (200) pounds of summer flounder *Paralichthys dentatus*, in any calendar day, in the State of Rhode Island. Provided however, that the two hundred pound possession limit shall be waived for every non-resident that has been issued a Non-Resident Exemption Certificate for summer flounder.

7.7.7 Non-Resident Exemption Certificate – For every non-resident and named vessel issued an exemption certificate by Fish and Wildlife prior to January 1, 2012, the following rules apply.

- (a) A certificate of exemption issued by the Division is valid only for the individual and named vessel to which it was issued.
- (b) A certificate of exemption shall not be pledged, mortgaged, leased, attached, transferred or sold and shall possess no property right of exchange.
- (c) **Upgrading or Replacement Vessels:** A vessel owner possessing an exemption certificate wishing to upgrade or change the named vessel shall apply to the Division for approval and provide to the satisfaction of the Division, proof that the upgrade or applicant vessel is replacing the vessel named in the exemption certificate.
- (d) The exemption certificate holder shall supply credible written evidence verifying that the upgraded or replacement vessel is fully owned by the exemption certificate holder. Proof of full ownership of both vessels is required and ownership shall be determined solely by an issued and valid US Coast Guard documentation or state registration.
- (e) The upgraded or replacement vessel shall not exceed a 10 percent increase in length overall (LOA), a 10 percent increase in gross registered tonnage (GRT) or net tonnage (NT), or a 20 percent increase in horsepower of the named vessel as issued on the initial exemption certificate.

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

~~**7.7.6 Moratorium on the Landing of Summer Flounder** – No person shall possess, land, sell, or offer for sale in excess of two hundred (200) pounds of summer flounder *Paralichthys dentatus*, in any calendar day, in the State of Rhode Island or the jurisdictional waters of the state without a summer flounder exemption certificate issued by Fish and Wildlife and a valid Rhode~~

~~Island commercial fishing license. Application for a summer flounder exemption permit must be received by Fish and Wildlife prior to January 1, 1997. Provided, however, that the two hundred (200) pound daily limit shall be waived, during the 2010 calendar year, for any vessel whose owner does not have a summer flounder exemption certificate but has been authorized for participation by the Director in an approved summer flounder sector allocation pilot program, conducted pursuant to section 7.7.11.~~

~~**7.7.7 Exemption Certificates** Fish and Wildlife will issue an exemption certificate for a vessel if the owner of the vessel or his/her representative applies to Fish and Wildlife prior to January 1, 1997, for the issuance of such a certificate and demonstrates to the satisfaction of the Director that:~~

~~**7.7.7.1** the operator of the vessel possesses a valid Rhode Island commercial fishing license to land summer flounder up to the amount permitted by the Rhode Island Marine Fisheries Council regulations; and~~

~~**7.7.7.2** the subject vessel meets any of the following criteria:~~

~~a. the vessel was operated by a person who possessed a valid Rhode Island commercial fishing license and landed and sold in excess of one pound of summer flounder to a Rhode Island licensed dealer during the period from January 1, 1987, through December 31, 1992; or~~

~~b. the vessel fished exclusively in the Exclusive Economic Zone (EEZ) and landed and sold in excess of one pound of summer flounder to a licensed Rhode Island licensed dealer sometime during the period January 1, 1987, through December 31, 1992. The Department may require additional supporting documents including but not limited to the ship's logs, ice and fuel slips; or~~

~~c. the vessel replaces a vessel which was operated by a person who possessed a valid Rhode Island commercial fishing license, and the vessel being replaced landed and sold in excess of one pound of summer flounder to a Rhode Island licensed dealer during the period from January 1, 1987, through December 31, 1992, and if the vessel being replaced was lost by sinking or was otherwise destroyed, the replaced vessel is required to have been owned by the applicant at the time of the loss; or~~

~~d. the vessel replaces a vessel which fished exclusively in the EEZ and landed and sold in excess of one pound of summer flounder to a Rhode Island licensed dealer, during the period January 1, 1987, through December 31, 1992, and if the vessel being replaced was lost~~

~~by sinking or was otherwise destroyed, the replaced vessel is required to have been owned by the applicant at the time of the loss.~~

~~e. If the vessel is replacing a vessel that was lost by sinking or was otherwise destroyed, documentation must be presented from a licensed insurance company, U.S. Coast Guard report, or some other valid evidence of ownership to the satisfaction of the Director.~~

~~**7.7.8 Application for Certificate of Exemption** — A vessel is eligible to receive a Rhode Island Summer Flounder Exemption Certificate if it meets the following conditions. The applicant applying for an exemption certificate shall:~~

~~**7.7.8-1** provide Fish and Wildlife with a copy of the operator's valid current Rhode Island commercial fishing license or non-resident landing license, and Federal Fluke Permit if the summer flounder is to be taken in the Exclusive Economic Zone (EEZ); and~~

~~**7.7.8-2** submit a completed notarized application for said certificate; and~~

~~**7.7.8-3** submit proof that the vessel meets the requirements set out in 7.7.7 and~~

~~**7.7.8-4** provide a completed notarized waiver authorizing the Department to access records verifying that this vessel and operator meet the criteria set forth in 7.7.7; and~~

~~**7.7.8-5** provide Fish and wildlife with a copy of the vessel's U.S. Coast Guard documentation papers or state issued boat registration certificate proving ownership of the vessel.~~

~~**7.7.9 Submission of Application** — Application for an exemption certificate shall be mailed or submitted prior to January 1, 1997 to the office of Fish and Wildlife at: Oliver Stedman Government Center, 4808 Tower Hill Rd., Wakefield, RI 02879, Attention: Fluke Exemption.~~

~~**7.7.10 Transfer of Rhode Island Summer Flounder Certificate of Exemption** —~~

~~Any Certificate of Exemption issued by the Division is only valid for the vessel to which it is issued. A vessel may be sold with all certificates, permits (state and federal) and history transferred together or without the certificates, permits (state and federal) and history for purposes of replacing the vessel. In instances when a vessel owner retains all certificates, permits, and history they must be applied to a replacement vessel owned by said individual within ninety (90) days.~~

~~(f) Change in ownership: A Certificate of Exemption is presumed to transfer with the vessel whenever it is bought, sold, or otherwise transferred, unless there is a written agreement, signed by the transferor/seller and transferee/buyer, or other credible written evidence, verifying that the transferor/seller is retaining the vessel's fishing and permit history for purposes of replacing the vessel. Individuals who purchase a vessel issued a Certificate of Exemption must supply credible written evidence verifying that they are the full owner of said vessel. Vessel ownership will be determined solely by an issued and valid (unexpired) US Coast Guard documentation or state registration.~~

~~(g) Replacement Vessels: A vessel owner wishing to transfer a Certificate of Exemption issued by the Division must apply to the Division for approval and provide to the satisfaction of the Division of Fish and Wildlife proof that the applicant vessel is replacing a vessel which has been removed from the Summer Flounder Exemption Program (as described in 7.7.6)~~

~~(1) The vessel owner must supply credible written evidence verifying that the transferor/seller is retaining the vessel's Certificate of Exemption for purposes of replacing the vessel. If a vessel owner elects to sever the Certificate of Exemption from a vessel, the Certificate of Exemption may be transferred only to another vessel fully owned by said vessel owner. Proof of full ownership of both vessels is required. Vessel ownership will be determined solely by an issued and valid (unexpired) US Coast Guard documentation or state registration.~~

~~(2) Vessel permits (state and federal), Certificates of Exemption, and fishing history cannot be split.~~

~~(3) Certificates of Exemption may not be combined to create larger replacement vessels.~~

~~(4) The replacement vessel may not exceed a 10 percent increase in length overall (LOA), a 10 percent increase in gross registered tonnage (GRT) or net tonnage (NT), or a 20 percent increase in horsepower of the vessel's baseline specifications, as applicable.~~

~~(5) Vessel baseline specifications: The vessel baseline specifications in this section are the respective specifications (length, gross registered tonnage, net tonnage, horsepower) of the vessel that was initially issued a Certificate of Exemption.~~

~~(6) A vessel may be upgraded, whether through refitting or replacement, and be eligible to retain a Certificate of Exemption, only if the upgrade complies with the following:~~

- ~~i. The vessel's horsepower may be increased only once, whether through refitting or replacement. Such an increase may not exceed 20 percent of the horsepower of the vessel's baseline specifications, as applicable.~~
- ~~ii. The vessel's length, GRT, and NT may be increased only once, whether through refitting or replacement. Any increase in any of these three specifications of vessel size may not exceed 10 percent of the vessel's baseline specifications, as applicable. If any of these three specifications is increased, any increase in the other two must be performed at the same time. This type of upgrade may be done separately from an engine horsepower upgrade.~~

~~(c) Certificates of Exemption or permits may not be:~~

- ~~(1) pledged, mortgaged, leased, or encumbered in any way;~~
- ~~(2) transferred with any retained right of repossession or foreclosure, or any condition requiring a subsequent transfer;~~
~~or~~
- ~~(3) attached, distrained, or sold on execution of judgment.~~

(RIMF REGULATION) [Penalty – Part 3.3; (RIGL 20-3-3)]



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June 20, 2012

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401-364-0027

Dear Bob,

The Board of Directors of the R.I. Saltwater Anglers Association has evaluated the possibility of RIDEM eliminating the Summer Flounder Exemption Certificate program and we are opposed to this elimination.

We believe such an action would be detrimental to the near-shore summer flounder populations that recreational fishers rely on for much of our fishing effort during the summer months. This would be caused largely by encouraging additional commercial effort on the part of the net fishery in inshore waters during summer months.

Please record our organization as **opposed** to the elimination of this Exemption Certificate program.

Respectfully,

Stephen J. Medeiros
President

The Rhode Island Saltwater Anglers Association represents over 6,500 recreational anglers and 30 affiliated clubs

Blue Water Anglers • Bowling Green Fishing Club • Bristol County Striper Club • Benjamin's Fishing Club • Buckeye Brook Coalition
Buzzards Bay Anglers Club • Connecticut Surfcasters Association • CT/RI Coastal Fly Fishers • East Bay Anglers • East Greenwich Yacht Club
Galilee Tuna Club • Italian Progressive Fishing Club • Jamestown Striper Club • Massachusetts Beach Buggy Association • Massachusetts Striped
Bass Association • Narragansett Pier Sportfishing Association • Narragansett Salt Water Fishing Club • Narragansett Surfcasters • Newport County
Saltwater Fishing Club • Ocean State Surfcasters • Old Colony Amphibians • Pioneer Valley Boat & Surf Club • Princeton Fishing Team
Rhode Island Marine Trades Association • Rhode Island Mobile Sportfishermen • Rhode Island Party & Charter Boat Association
Rhody Fly Rodders • Slater Mill Fishing Club • St. John's Fishing Club • Stripercoast Surfcasters • Thundermist Striper Club
United Fly Tyers of Rhode Island • Weekapaug SurfCasters



To: Richard Hittenger, Chair

June 20, 2012

Summer Flounder Advisory Panel

Re: Proposal to Eliminate the Summer Flounder Exemption Certificate

The Rhode Island Commercial Rod & Reel Association has serious concerns about the proposal to eliminate the summer flounder exemption certificate that is scheduled to be discussed at the Summer Flounder Advisory Panel meeting to be held on June 20, 2012.

The exemption program was instituted in 1995 to protect the fishery from over harvesting. While the fishery has shown that it is recovering, it is not the time to take two steps backward and jeopardize the delicate balance we have achieved. Our concerns include:

- We are in the first year of a seven day fishery. It is incumbent that we evaluate the effect of this change before we modify other variables in the fishery.
- If the exemption certificate were eliminated all State water fishermen would be able to fish in the aggregate program, drastically increasing effort on the species within State waters. This would have a devastating effect on the party/charter, recreational, and commercial rod & reel fishermen.
- The proposed change would encourage the activation of latent gill net endorsements and greatly increase the number of panels in the water. Those nets would remain in the water continuing to fish for other species after the fisherman has reached his fluke limit, but they would continue to kill summer flounder. This increase in effort from gill nets and mobile gear will result in early closure of the seasons.
- Mobile gear fishermen would be unlikely to dock the boat each day after they limit out on fluke as there are other fish to catch, and as a result more fluke will be wasted as they are thrown back dead into the sea as a result of high grading and an increase in discards.
- There will be a negative economic impact on those fishermen that currently hold exemption certificates. Consideration should be given to those that have invested in their business model following the State program.

If there is a belief that the program has outlived its usefulness, it should only be discussed after the Division of Fish and Wildlife has been able to thoroughly study the economic and biological impacts of such an action, and has presented that information to the public for review.



It is our recommendation that the Advisory Panel rejects this proposal and remains at status quo.

Jerry Tremblay, Treasurer

Rhode Island Commercial Rod & Reel Association

Voting Member Summer Flounder Advisory Panel

Fluke AP 6/20/12

Sign In

Rich Hittinger

Al Conti

STEPHEN PARENTE

Jerry Tremblay

Bob In all wood

Mike Roderick

Brian Loftes

HAROLD LOFTES

Rick Fuka

Jerry Carvalho

Aaron Gewirtz

DAN FERGUSON

MIKE BUCKIN

GEORGE ALLEN

Edwin Cast

ROBERT JOLIE

ROBERT SMITH

CHRISTOPHER BROWN

Samuel Barr

RIFMC

RI MTA

RICRA

RICRAA

RICRAA

TOWN DOCK

RIFA / AAFC

AAFC / RIFA

RIFA

RIFA

FV/Nancy Beth

FN DAN MULLINS

BART + Tackie

RISAA member (Rec)

Primarily - Rec.

RICRAA

RICFA

RI MFC