

**RI Marine Fisheries Council**  
**Summary of Meeting Minutes of the**  
**Industry Advisory Committee**  
**July 20, 2010 - 6:00 PM**

URI/GSO Campus, Coastal Institute Building, small conference room  
South Ferry Road, Narragansett, RI

There were 13 people present (\* IAC member)

|                        |                  |                        |
|------------------------|------------------|------------------------|
| Kenneth Ketcham, Chair | Robert Smith*    | Bob Ballou, RIDEM      |
| Jerry Tremblay*        | Lanny Dellinger* | Nancy Scarduzio, RIDEM |
| Stephen Parente        | John Rainone     | Najih Lazar, RIDEM     |
| Mike McGiveney*        | Michael Colby    | Daniel Costa, RIDEM    |
| Rick Bellavance        | Chris Brown*     | Jonathon Peros, Intern |
| Eric Reid*             | Tina Jackson     |                        |
| Stephen Arnold*        |                  |                        |

*IAC Members Absent: Robert Mattiucci, Ted Platz and Carl Grandquist*

***1. Review of commercial licensing-related issues, and discussion on potential new initiative to establish vessel-based licensing program.***

D. Costa gave a power point presentation outlining the different commercial license types and linking commercial licensing and SAFIS (Standard Atlantic Fisheries Information System) reporting. Costa noted that only vessels with commercial declaration stickers are entered into the SAFIS Management System. Then reviewed some of the licensing interface issues with SAFIS; no automatic update from DEM database, vessels without commercial declaration stickers are not in the system, pointing out that some dealers have become frustrated since they cannot use the system to full capability and cannot find many vessels.

D. Costa explained he had interviewed a few dealers and had put together a list of issues with the licensing system from the dealer's perspective; multiple licenses per person, which creates confusion with which license to use; endorsement confusion with what endorsement can land which species; no resource via internet to look up license information, unsure of license real owner because of no picture on the license; vessel may not be in the system; among other issues. He also reviewed a list of issues with the licensing system from a fisheries manager perspective which included a number of issues relative to the SAFIS data system, and it also not being integrated with the DEM licensing database system.

Costa also presented possible solutions and ideas for the IAC members to think about for future action. He cautioned there were no easy solutions for any of his suggestions and it might take some time to accomplish, but they should be highlighted and considered; a vessel based system for landing licenses, (consolidate licenses i.e. make all landing licenses Multipurpose and attached to the vessel, with out-of-state landing licenses labeled differently); a hybrid approach such as a vessel/person based license; establish an online interface query for dealers to easily look-up license/vessel data from the DEM website; implement a new picture ID style license; upgrade licensing database to windows based program; provide endorsements to cover all marine species; and manage all endorsements not just license types.

Members discussed ways to consolidate licenses and tie vessels to landings. The group was in support of simplifying and consolidating the license structure. B. Ballou asked if members wanted to consider a legislative proposal to convert Rhode Island to a hybrid vessel/person based license

system. He commented that this would be a more streamlined, consolidated, and simplified program.

B. Ballou asked about another issue that members might need to take immediate attention on, like a regulatory change, associated with the sale of vessel and gear provision, which allows for anyone who has been actively fishing and wishes to sell their vessel and retire, it also allows the buyer to obtain the equivalent license. However, the Department has been confronted with an increased number of awkward situations where the history is not tied to the vessel being sold or the history is tied to the vessel, but there is a shell game that takes place where the vessel gets sold then gets bought right back. He proposed to tweak the regulations to tie the history to the vessel being sold rather than to the individual. Also, if there should be any timeframe during which the buyer has to retain and utilize the vessel. There was discussion about the issue, but no specific recommendations were given.

B. Ballou brought up another point that the IAC usually reviews at this time, it was the limiting nature of the endorsement that goes along with the CFL pertaining to the restricted finfish and the quahog fisheries. He explained that due to the small number of CFL licenses that become available each year, usually 3 for restricted finfish, those three compared to approximately 2,000 license holders are subjected to the basic harvest levels, which are half the limit. He felt that because of the small number of restricted finfish endorsements that go out he realized this was insignificant compared to the total number of license holders. He suggested that for new entrants, in the case of the restricted finfish fishery, they might be able to go right to a PEL w/restricted finfish (full harvest level). He noted that the current possession limit with a CFL w/quahog endorsement was three bushels and if members wanted to consider this as well, as they go through the licensing exercise.

## ***2. Discussion on new commercial license opportunities for 2010:***

### ***Licensing Overview***

N. Scarduzio handed out and reviewed a summary of license and endorsement data from 2003-2010. She explained this was back-up information that summarized the changes in licensing and the Department now had seven years worth of licensing information, supplemented with SAFIS data for the last few years.

### ***Shellfish Sector - Quahog***

N. Scarduzio reviewed a hand-out on licensing summary from 2003-2010 for the quahog fishery. The data available over the seven-year period (2003-2010) indicated that the total number of eligible licensees -- multipurpose (MPL), principal effort licenses (PEL) with quahog endorsements, over 65 Shellfish, and Student Shellfish -- had declined by 30%, from 2,272 to 1,592 total licenses.

The data for 2010 indicated that of 26 multipurpose licenses “retired” or not renewed in 2010, 3 had fished for quahogs at least one day during 2009. There were 23 principal effort licenses with quahog “retired” or not renewed, 4 had fished at least one day during 2009.

N. Scarduzio summarized that for 2010, based on last year (2009), applying a 3:1 exit/entry ratio to all eligible licenses (MPL’s + PELs with a quahog endorsement that retired in 2010 would result in the issuance of 16 new CFLs with a quahog endorsement for 2010.

**M. McGivney made a motion to recommend status quo to the Council, to continue to apply the same standard as last year, which would apply a 3:1 exit/entry ratio to all eligible licenses (MPL’s + PELs with a quahog endorsement that retired, to make 16 new CFLs**

**available for 2010. C. Brown seconded the motion. All were in favor, the motion passed unanimously, (7 to 0).**

**Shellfish Sector – Soft-Shell Clams**

N. Scarduzio reviewed licensing information for soft-shell clams. The data for 2010 indicated that of 26 multipurpose licenses “retired” in 2009, 1 of the 26 had some activity. There were 20 principal effort licenses w/ SS Clam endorsement “retired”, 1 had fished at least one day during 2009. There were 13 CFLs w/ SS Clam endorsements “retired”, 5 had fished at least one day during 2009. In summary, a total of 59 licenses eligible to fish for soft shell clams retired; and 7 of those had been active in the fishery.

There was discussion and review of the soft-shell clam licensing information. M. McGiveney stated that down the road industry may want to change the exit/entry ratio, but for now they would like to keep it at status quo.

**M. McGiveney made a motion to recommend status quo to the Council, to continue to apply the same standard as last year, which would apply a 5:1 exit/entry ratio to ALL retired licenses (59) to make 12 new CFLs w/ SS Clam endorsement available for 2011. B. Smith seconded the motion. All were in favor, the motion passed unanimously, (7 to 0).**

**Finfish Sector – Restricted Finfish Fishery**

N. Scarduzio reviewed a summary of license types for the past seven years, from 2003-2010, in the restricted finfish fishery. She indicated there was an overall decline in licenses. The total number of eligible licenses (MPLs and PELs w/ Restricted finfish (RFF)) had declined by 26 %, from 1,529 to 1,138. A total of 22 new licenses (CFL w/RFF) have been issued during this time period.

The data for 2009 indicated that of the 1,196 total licenses that were eligible to fish for restricted finfish 678 or 57% were active in that they fished to some degree for restricted finfish in 2009.

N. Scarduzio summarized that for 2010, there were 26 multipurpose licenses (MPL) and 18 principal effort licenses with restricted finfish (PELs w/RFF) that retired in 2010. Of the 26 MPLs, five (5) had some activity. Five (5) out of the eighteen (18) retired PELs w/RFF had fished at least one day during 2009.

N. Scarduzio explained based on past practice, currently in regulation, applying a 5:1 exit/entry ratio to active licenses (MPLs and PELs w/RFF) that retired, with activity being any level in the fishery over the past year, there would be a total of ten (10) retired licenses divided by the 5:1 exit/entry ratio to get two (2) new CFLs w/RFF endorsements to be made available for 2011.

C. Brown reminded members of the previously discussed issue of increasing the CFL from the basic harvest level to the full harvest level, making it the same as the PEL, and suggested incorporating this into one motion. B. Ballou suggested just calling the CFL a PEL. This would eliminate the CFLs w/RFF endorsement and just convert them all to PELs w/RFF.

B. Ballou also reminded members about the awkwardness in trying to fit 2 new licenses within the three categories and 3 new licenses was the better number to work with. He reminded folks that last year members made 3 the minimum number for CFLs w/RFF endorsements so at least one person from each of the categories would be able to get a license.

**A motion was made by C. Brown to recommend to the Council to apply the current 5:1 exit/entry ratio to the restricted finfish fishery; to make 3 the minimum number of new**

**restricted finfish endorsements available for 2011 at the PEL w/RFF endorsement (full harvest level), and convert all CFLs w/RFF endorsements to PELs w/RFF, thereby eliminating the CFLs w/RFF endorsement category; taking B. Ballou's suggestions into account. E. Reid seconded the motion. All were in favor, the motion passed unanimously, (7 to 0).**

B. Ballou noted that the Department was planning to change the title of the licensing regulations to "Commercial Fishing License Regulations".

**Crustacean Sector – Lobster Fishery**

B. Ballou indicated there were no relevant changes to lobster licensing at this time.

**L. Dellinger made a motion to recommend to the Council to remain at status quo. B. Smith seconded the motion. All were in favor, the motion passed unanimously, (7 to 0).**

***3. Discussion on proposal to amend RI Marine Fisheries Regulation Part III, Section 3.2.1 to provide DEM with additional flexibility to adjust possession limits and seasons in accordance with federal fisheries management and quota management plans:***

B. Ballou noted this was not a licensing issue just another issue to make IAC members aware. He explained that currently under Part III, Section 3.2.1, the Director has the authority to adjust possession limit changes related to quota managed finfish species, but not changes to seasons. The Division realized this with the pending season changes for black sea bass (season extensions) that we would have to go out to public hearing in these instances, which takes a few months in order to make changes just to extend the season. He explained we would like to have the ability to be able to implement these federal changes in a timelier manner.

B. Ballou stated that the Division would craft language that would be considered at the Council meeting, then go out to public hearing.

C. Brown asked what would be the state's course of action when there was a discrepancy of abundance between ASMFC and NMFS on species that they co-manage, for example when they close scup down for the federal boats they should keep it open for state boats. He explained that often times they close it down due to projections of landings and felt it was a shame for state license holders to have to close with quota still on the table.

B. Ballou thought the Department would like to have the flexibility to make those decisions that were in the best interest of the state's fishermen. He commented that we would keep this on our radar.

K. Ketcham asked if a motion was needed to bring this forward to the Council or was this just for discussion. B. Ballou stated a motion was not needed the Division would draft a proposal for Council consideration.

M. McGiveney stated that his group is looking for the Director to have more discretion in the management area openings from December to April. Currently it is only in the window of December. B. Ballou stated that was the same concept, but should be incorporated into the shellfish regulations.

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The meeting was adjourned.