

RHODE ISLAND MARINE FISHERIES COUNCIL
Minutes of Shellfish Advisory Panel
July 21, 2010 4:30 pm
Corless Auditorium, Narragansett, RI

MFC Members Present: J. King (SAP Chair), S. Parente

SAP Members Present: R. Bercaw , W. Blank, D. Goebel, P. Kennedy, O. Kelly, J. Gardner, J. Grant, G. Schey, S. DiPetrillo, M. McGiveney

SAP Members Absent: D. Brayton, W. Cote, J. Migliore, J. Mullen

DEM Staff: R. Ballou, E. Cabral, A. Liberti, L. Mouradjian, G. Powers, M. Sullivan

DEM Marine Fisheries: D. Erkan, N. Lazar

King opened the meeting asking for consideration of the agenda and addition of any items. McGiveney asked that a volume measurement (“quart system”) be part of the discussion as an alternative for possession of undersized clams. King noted that Water Resources and Enforcement were present to answer questions. The meeting proceeded primarily as a discussion of pertinent issues rather than following an agenda sequence..

Lazar updated the Shellfish Advisory Panel on the status of ongoing research by DEM staff in cooperation with the University of Rhode Island. Sampling of $\frac{1}{4}$ meter² quadrats in the Conimicut area is ongoing. Stations include fished areas south of the triangle, the triangle itself, and unfished areas to the north. Length, weight, volume, thickness, and density data are collected. Landings data since the opening of the new area in Conimicut were presented and discussed. A summary of a reference point based on yield per recruit model was presented and current harvest rate based on the depletion model were also presented and discussed. Preliminary data suggests that removal of the 1 $\frac{1}{2}$ -inch immature clams will impact optimum sustainable yield. The 2-inch size class has a substantial spike in fecundity. Surveys of the top 12 dealers indicated that 80% do not buy smaller than 2-inch clams. F&W Marine fisheries objective is to maximize yield per recruit. A 1 $\frac{3}{4}$ -inch clam is 35% less fecund a 2-inch clam. A 1 $\frac{1}{2}$ -inch clam currently could be harvested prior to spawning.

Extensive discussion ensued. Lazar noted that an estimated 75% of the total available biomass is being harvested (despite repeated rainfall closures since the initial opening). Erkan noted that the long-term goal would be to have a uniform density of clams throughout the Conimicut beds with the shellfishing pressure better distributed rather than a concentrated harvest. Some members of industry claimed that all the clams will die before reaching the 2-inch minimum size and they will lose access to the resource if a 2” minimum is implemented. There were also claims that there is a substantial Rhode Island market for the 1 $\frac{1}{2}$ -inch size class (staff survey of dealers showed the contrary). Erkan noted that there are more fishermen eligible to fish for

soft-shell clams than the area can support with a 12-bushel possession limit and a 1 ½ - inch minimum size. Ballou outlined the purpose of the SAP: The status of the survey, the need to discuss and develop management methods, and the process to review comments from industry. Industry comments ranged from full support to total opposition. Many want site-specific research and are unwilling to consider changes in the absence of local information. Concerns were raised because of the unpredictable timing of water quality closures and openings. Dealers are not interested in product harvested when water quality opens on a Saturday or Sunday.

Certain industry members want to be involved with sampling and data collection. Again a request for RI-specific mortality data was offered.

King initiated discussion on possession limit. Some present believe that the high density of clams is reducing the overall health of the population with a corresponding reduction in value. F&W staff believes that the reduction in value is in response to flooding the market with product at the current 12 bushels-per-day possession limit. 1500 licenses are eligible to land soft-shell clams, 200 license holders are actually landing soft-shell clams. Lazar noted that quota-based management would be necessary in the absence of an appropriate minimum size. More comments were raised in support of appropriate management as proposed by F&W.

Erkan noted that the initial F&W proposals for a statewide softshell clam management presented at the June 2nd 2010 public hearing included:

- 1) establish a 2-inch minimum size,
- 2) establish a 6 bushels-per-day possession limit,
- 3) establish a shellfish management area in Conimicut area

were all intended to protect and enhance the sustainability and value of the fishery. The changes were proposed to correspond with the newly accessible (high-density) Conimicut triangle. The adjacent beds to the south had been fished down to a relatively low density, and the proposed changes were to have a minimal detrimental effect on industry. The common-sense changes and high density would give the opportunity to develop a long-range management plan.

Lazar reminded the group of the responsibility to develop objectives for resource sustainability and how should value be maintained from an economic prospective. He again suggested quota and holiday harvest periods, as potential methods, to maximize value.

King initiated the discussion on harvest methods. The need for an enforcement presence was raised. Cabral clarified the illegal harvest methods for soft-shell clams. No mechanical means (no water pumps or air-assisted harvest). The burden of proof deters enforceability (must be seen). Erkan suggested a restriction of mechanical means north of a predetermined line and/or no snails or bivalves be harvested by

mechanical means. Cabral also clarified that the possession is based upon volume (bushels), not by weight.

King initiated a discussion on management measures for meeting objectives. Erkan and Lazar clarified the proposed management area boundary and intent of the regulations. The boundaries were drawn to encompass historic soft-shell clam beds and establishment of a 6 bushels-per-day possession limit for that species. No possession limit changes for other species were suggested for the proposed management area. Additionally the boundaries were intended to simplify regulatory authority in the event of changes to Water Resources harvest closure areas.

The Director was asked if any changes were forthcoming. New information cannot be considered in the decision process associated with the public hearing. An illegal market for the 1 ½" clams raises concerns from a public health perspective. Discussions are to continue. Roundtables will be considered for the future. Emergency action may be taken if there is a need.

King noted the need to better-coordinate water quality openings to maintain market value - Under Department consideration. There was additional discussion about the possibility of dockside sales. Health Department rules provide for dealer licensing, but the rules are necessarily stringent. Dealer licenses are available.

Adjourn approx. 8:05 PM

prepared by: D. Erkan