

**RI Marine Fisheries Council
Menhaden Advisory Panel
Meeting Minutes
November 30, 2010, 6:00 PM
URI Bay Campus, Coastal Institute**

S. Medeiros, Chairman	M. Bucko*
L Dellinger	J. Barker
G. Allen	P. Karcz ^A
R. Sousa	F. Tameo
D. Beutel*	D. Kaan
L. Lachance*	M. McElroy
J. Macari	M. Griffin, DFW staff
E. Cook*	B. Chutengen
B. Ferioli*	J. McNamee, DFW staff
T. Sparkman	

S. Medeiros began the meeting. He gave a brief outline of the agenda and then passed the meeting to J. McNamee of the Division of Fish and Wildlife (DFW). J. McNamee stated that he had a presentation that covered the first four agenda items. He began with an update on the coastwide menhaden stock assessment. The coastwide assessment indicated that the stock was not overfished and overfishing is not occurring. However, after passing peer review and Board approval, a coding error was found in the model, which was corrected and then rerun. The error did not have many major impacts to stock status, but it did put the F reference point over the threshold with an approximately 50% chance of overfishing occurring in 2008. J. McNamee then went on to indicate that the Atlantic States Marine Fisheries Commission Menhaden Board had charged its technical committee with a number of tasks in an effort to develop some alternative reference points with which to assess the menhaden stock. The research should be finished by the summer of 2011 and an addendum to the fishery management plan would most likely follow.

The presentation then covered the 2010 RI menhaden fishery. The fishery had a similar year to 2009 where there was only a small influx of menhaden in the spring leading to a short season and very little data with which to run the model. The purse seine fishery did not achieve its full cap, coming in under the cap by 59,000 lbs. The fishery closed on June 8 and did not reopen.

J. McNamee then went on to describe the regulatory structure for the menhaden monitoring program in Narragansett Bay. He concluded with the DFW proposals for 2011. The DFW was working on a major regulatory rewrite initiative to make the regulations more readable, but this would not change any regulations in any significant way. The DFW also proposed clarifying a few of the regulations that were promulgated in 2010, for instance the language regarding the vessel hold capacity that would be

clarified to only apply to new vessels not previously assessed, but did not propose changing anything in a significant way.

S. Medeiros then began to go over the written proposals that had been submitted. He began with the proposal submitted by L. Lachance from Ark Bait. There was a discussion prior to officially going through the Ark Bait proposal. R. Sousa stated that they would like to scratch the first item on their proposal as they agreed with the proposed change to the vessel hold capacity as stated by J. McNamee. L. Dellinger stated that he felt that the existing closed areas in the bay could be opened as the current program provided plenty of restriction on the commercial fishery. D. Beutel clarified the intent of the Ark Bait proposal with the September 15 ending of the threshold. R. Sousa stated that it simply ended the threshold for the lower half of the Bay, all of the other restrictions would remain.

The group began the official discussion on the Ark bait proposal (see attached). They decided to take each element one by one. Item A regarding the vessel hold capacity was scratched earlier in the meeting. The next item was an 85 foot vessel length limit restriction. **D. Beutel disagreed with the size and wanted to set the maximum at whatever the Ocean State vessel length was. He felt they should use the waterline length or documented vessel length as the standard.** There was some discussion about dealing with the effort issue through licensing by moving menhaden in to the restricted species category. J. McNamee mentioned that this could only be accomplished through the licensing regulations, not the finfish management plan. **The panel recommended setting a vessel length restriction as indicated by D. Beutel (post meeting note: the Ocean State is 87 ft long). It was a consensus recommendation with one abstention.**

The panel then began a discussion on whether or not any fish remained in the Bay and where they stayed in the Bay. It was pointed out that the discussion was not relevant to the proposal they were currently discussing. S. Medeiros went on with the Ark Bait proposal. The next item was a request to drop the graduated opening and go straight to a 120,000 lbs opening once 2 mlbs entered the Bay. D. Beutel stated that he agreed with the proposal, he did not see any need to add in the extra layer of complexity. M. Bucko stated that he would only agree if the opening limit was raised from 2 mlbs to 3 mlbs. B. Ferioli stated he wanted to stay at status quo. The three other panel members agreed with the change. **The recommendation from the panel were four to allow the proposed change, one to allow it only if the opening limit were raised to 3 mlbs, and one to keep the possession limits status quo. There was no consensus.**

The final piece of the Ark Bait proposal was to remove the 1.5 mlbs threshold after September 15 in an area in the lower portion of the Bay. All other restrictions would still apply. D. Beutel stated that he would agree with waiving the threshold in the lower portion of the Bay (further defined from Quonsett to the Carrier pier in Newport and the entire Sakonnet River) after September 15 and all other restrictions would remain including the cap. There was discussion about continuing to run the Bay model through the fall. M. Bucko stated that he could agree with this but only if the date were moved to October 1st. B. Ferioli agreed with this. E. cook stated that he agreed with D. Beutel's

original recommendation. **All panel members agreed to recommend the change to October 1st, thereby achieving a consensus for the proposal to waive the threshold in the lower portion of the Bay after October 1 and all other restrictions would remain including the cap.**

S. Medeiros stated that this finished the Ark Bait proposal. He then began a discussion of the Federated Sportsman's proposal. J. Barker described the proposal (see attached). In essence the proposal calls for a closure of the Providence River from Warwick Light to Rumstick Point. All other closed areas in the Bay would be open to commercial menhaden fishing. The proposal outlined a number of reasons supporting the need for the closure. R. Sousa refuted the implication that the upper bay closure would serve as a spawning closure. He stated that menhaden do not enter the Bay to spawn; they spawn offshore in the winter. J. McNamee asked a clarifying question about the extent of the non closed area opening. J. Barker stated that all other restrictions that currently apply would still be in effect, his proposal simply opens the areas that are currently closed below the proposed Providence River closure line. D. Beutel stated that he thought the proposal had merit and wanted to think about it more, but stated that he was not recommending it at this point in time. M. Bucko abstained from recommending the proposal but also agreed that it was worth looking at. B. Ferioli and E. Cook both stated that they supported the proposal, though E. Cook stated that he was casting his advice on behalf of the anglers he represents, he personally would be more inclined to go along with the current monitoring program as modified that evening. L. Lachance was opposed to the proposal. S. Medeiros asked L. Lachance whether he would be more open to the proposal if below the closure line all restrictions were removed including the current cap and threshold. L. Lachance stated that he would still be opposed to the change; he felt that the Providence River was critical to their fishery. R. Sousa stated that if the proposal closed the Providence River it should be closed to everyone, not just the commercial operation.

There were no other proposals brought forward, therefore S. Medeiros adjourned the meeting.