

RHODE ISLAND MARINE FISHERIES COUNCIL
Minutes of Monthly Meeting
May 4, 2006
URI Narragansett Bay Campus
Corless Auditorium
South Ferry Road
Narragansett, RI

RIMFC Members: D. Preble, K. Ketcham, G. Allen, S. Parente

Chairperson: M. Gibson

RIDEM F&W Staff: J. McNamee, N. Scarduzio

DEM Staff: R. Ballou

DEM Law
Enforcement: S. Hall

Public: 20 people attended

Chairman M. Gibson called the meeting to order. He asked if there were any changes to the agenda. M. Gibson stated that the Council might want to add an FYI item to discuss the recently held sector allocation workshop run by Sea Grant. **There were no objections by the Rhode Island Marine Fisheries Council (RIMFC or Council) to approving the agenda with the modifications.** M. Gibson asked if there were any objections to approving the minutes of the April 3, 2006 Rhode Island Marine Fisheries Council meeting as submitted. **D. Preble made a motion to approve the minutes as submitted, there were no objections from the Council therefore the minutes were approved as submitted.**

Advisory Panel Reports

Tautog: G. Allen gave the report. The panel met to discuss recreational measures for 2006. The meeting began with an informational slideshow given by J. McNamee, which reviewed the Atlantic States Marine Fisheries Commission (ASMFC) stock assessment that was done in 2005, and the recreational fishery performance in 2005. The panel discussed the information presented. The next task for the panel was to review and develop proposals for the 2006 recreational fishery. The panel developed three proposals because they did not support the proposals put forward by the Division of Fish and Wildlife (DFW). These three proposals were conservative in the spring to protect spawning fish. They also reviewed a written proposal submitted by a panel member. The panel recommended sending the four proposals developed and discussed that evening to public hearing along with the three already submitted by the DFW. The final agenda item was to discuss a slot limit analysis developed by the DFW at the request of the tautog advisory panel. Due to the length of the meeting and the absence of a panel member

who made the request, the panel decided to put the slot limit discussion off until a subsequent RIMFC meeting.

New Business

Council advice to DEM Director on 5/4 public hearing items: M. Gibson asked that the Council go back through the slideshow and take the topics one at a time, beginning with summer flounder. **D. Preble made a motion to recommend to the Director that he remain at status quo for 2006. G. Allen seconded the motion.** The Council and audience discussion centered on remaining at the relatively conservative management measures in order to achieve the 2009 stock goals. **The Council voted unanimously to approve the motion.**

The next public hearing item was recreational scup measures. **D. Preble made a motion to recommend to the Director that he adopt proposal 2 (splits the party/charter and shore/private modes). K. Ketcham seconded the motion.** The DFW stated that it did not know if this would be acceptable to the ASMFC because they had not approved different seasons for the different modes. K. Ketcham stated that he did not want the state to lose any fish and felt that the party/charter industry should be allowed a by-catch fishery in November. He went on to state that the June fishery is much more beneficial to the other states in the region relative to RI. D. Preble stated that there is a substantial by-catch fishery in November for scup and this would be a benefit to the RI party/charter industry to have this fishery. He went on to say that the June fishery for party/charter boats was insignificant. F. Blount stated that he supported K. Ketcham's statements and went on to say that the party/charter industry would take an even shorter season (a July start date) if they could have November open to fishing. There was discussion about Massachusetts's compliance with the regional plan. **The Council voted 2 in favor (D. Preble, K. Ketcham) and 2 opposed (G. Allen, S. Parente). The motion failed.** There was more discussion on the unnecessary 50% reduction RI took when the state switched to the regional management plan. **G. Allen made a motion to recommend that the Director that he adopt proposal 2 with the caveat that the DFW is to look in to developing a conservation equivalency that will allow the party/charter mode to have November as an open season at 25 fish. If the ASMFC does not accept this than the recommendation will be for proposal 1 (June 1 start date for all modes).** **D. Preble seconded the motion.** F. Blount asked whether the ASMFC had approved adding 30 days, the question being could they add November for all modes rather than June. M. Gibson stated that they could not because November was considered to have much higher scup landings than June. **The Council voted unanimously to approve the motion.**

The next public hearing item was tautog management. **D. Preble made a motion to recommend to the Director that he approve the following management plan: 5/1 – 10/21 at 3 fish and 10/22 – 12/15 at 10 fish. K. Ketcham seconded the motion.** G. Allen stated that he was opposed to this motion because he felt the data that had been presented showed a problem in wave six and this would not take care of this. D. Preble stated that his motion was an attempt to keep the plan simple and went on to state that if the bag limit in the fall were decreased this would put the charter industry at a competitive disadvantage with regard to neighboring states. He stated that he was

opposed to anything that would hurt local small businesses. There was a discussion about the recreational data as the council considered data provided by the DFW. G. Allen stated that looking at this data, wave 6 is the problem because landings are trending upward during that period. He wanted everyone to remember that tautog are RI fish. D. Preble stated that biomass is increasing based upon the presented data and he did not want to jeopardize small businesses in the state for no reason. **S. Parente stated that he wanted to submit a friendly amendment to include the June spawning closure to D. Preble's original motion.** K. Ketcham stated that he did not want to put the RI charter industry at a competitive disadvantage relative to the liberal regulations in New York. G. Allen stated that this was an enforcement issue. **S. Parente's friendly amendment was accepted and seconded by K. Ketcham.** G. Allen stated that this motion now takes fish away from people in the bay in the spring without doing anything substantive to the fall fishery where there is clearly high fishing pressure. There was further discussion on catch by wave. M. Plaia stated that the New York regulations are a concern for RI. J. Rainone stated that the charter industry makes only a small percentage of the fall catch and they should not be punished for the high catches coming out of the recreational mode. M. Neto stated that he supports J. Rainone's statement. R. Hittinger stated that he supports the motion. **The Council voted 3 to approve (D. Preble, K. Ketcham, S. Parente) and 1 opposed (G. Allen). The main motion carried.** F. Blount stated that if the Director does not accept the recommendation of the Council he would like to see a detailed explanatory statement of why the Council's recommendation was not followed as required by the administrative procedures act.

The next public hearing item was changes to the winter flounder management plan. **G. Allen made a motion to recommend to the Director that he adopt the advisory panel approved proposal where the southern boundary of the winter flounder CMLMA moves to the Colregs line. D. Preble seconded the motion. K. Ketcham made a friendly amendment to the motion to include the Narrow River in the listing of coastal ponds. The friendly amendment was accepted and seconded by D. Preble. The Council voted unanimously to approve the motion**

Council briefing on URI Sea Grant leadership workshop: M. Gibson stated that URI had hosted a workshop where individuals from different aspects of fisheries came together to discuss different strategies for leadership in their various areas. M. Gibson stated that he had attended as well as several of the Council members. M. Gibson felt it was very useful and informative. The Council members agreed.

Old Business

Council review of Safe Harbor Provision and endorsement for public hearing: M. Gibson stated that the Council had seen the Safe Harbor provision before and had rendered comments on it. The latest version they had been provided had incorporated those comments and was being presented to the Council one last time. The Council could also endorse this policy to go to public hearing. **The Council had no objection to this course of action.**

Discussion about floating fish trap markers: G. Allen stated that the Coast Guard had refused to comment on the fish trap marker issue as well as responding about the new fish trap locations. What he was requesting was that the Council authorize a floating fish trap advisory panel meeting to discuss trap markings and develop something aside from the Coast Guard that the group felt would increase safety. M. Gibson asked the Council if they objected to convening the floating fish trap advisory recognizing that there was not a draft agenda to approve but citing the fact that G. Allen had suggested the agenda topic as being the marker discussion. K. Ketcham stated that he was concerned about the trap owners being able to attend as their traps were currently in the water. He wanted to verify attendance before they actually convened a meeting. The Council had no objections to this course of action.

Briefing on the sector allocation process: M. Gibson stated that the Council had requested further study of the sector allocation issue following the original public hearing on the topic. Sea Grant had initiated a workshop on sector allocation. They had their first meeting, which set out the schedule of the process. The first meeting did not discuss anything of substance, it was strictly a process scheduling meeting. Future meetings will be held and reports would be made to the Council during the process. D. Preble stated that any proposal that comes out of the group will be a pilot program. G. Allen stated that he felt there should be recreational representation at these workshops. M. Gibson stated that the group had discussed this and he thought the workshop was going to be expanded to include recreational fishermen.

Post agenda discussion

An audience member asked if enough nominations were received for the Council vacancies. M. Gibson stated that there were and these were all forwarded to the Director.

The chairman adjourned the meeting.

Jason E. McNamee, Recording Secretary