

RHODE ISLAND MARINE FISHERIES COUNCIL
Minutes of Monthly Meeting
June 4, 2007
URI Narragansett Bay Campus
Corless Auditorium
South Ferry Road
Narragansett, RI

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

Chairperson: M. Gibson

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

DEM Legal Counsel: G. Powers

DEM Staff: B. Ballou

DEM Law
Enforcement: S. Hall

Public: 14 people attended

Chairman M. Gibson called the meeting to order. M. Gibson stated that there were some adjustments to the agenda. Under agenda item #5, Other Business, he added 5(b) a Shellfish Advisory Panel Agenda. Under the FYI item #6, Gibson stated that he did not have that information yet, the ASMFC had not responded by the time he had left the office. He stated that he had been waiting for their response to a letter the Council had him draft regarding summer flounder. Therefore, item #6 was removed from the agenda. Gibson asked if there were any other changes to the agenda. S. Parente requested to add under New Business item 3(c) discussion and clarification of the newly imposed fluke landing call-in procedure. Gibson asked if there were any objections to approving the agenda as modified. **There were no objections to approving the agenda as modified therefore the agenda was approved as modified.**

The next agenda item was the approval of the Rhode Island Marine Fisheries Council (Council or RIMFC) meeting minutes. M. Gibson stated that there were two sets of minutes; one set from the last Council meeting held on May 14, 2007 and the minutes of the April 16, 2007 Council meeting where adoption of the minutes was postponed until such a time when the Council had a chance to review them. Gibson asked J. King if he had a need to adjust the April 16, 2007 meeting minutes. **J. King requested to amend the April 16, 2007 minutes by including his comments and sentiments about J. Gardner's aquaculture lease application.** M. Gibson stated that the amendments will be made and the minutes will then come before the Council. Gibson asked if there were any adjustments to be made to the last meeting minutes, May 14, 2007. J. King requested that the May 14, 2007 minutes be address at the end of the meeting. M. Gibson suggested that King and any other Council member work with staff, Nancy Scarduzio, to make necessary adjustments to the May 14, 2007 minutes if needed. He then stated that these two sets of minutes would then come forward to the Council later for approval. **Gibson asked Council members if there were any objections in proceeding in that manner concerning the meeting minutes from the past two meetings. There were no objections.**

New Business:

Council review and recommendation on updated advisory panel policy: M. Gibson stated that there was a RIMFC Advisory Panel Workshop that was held on May 16, 2007, and each Council member had a set of adjusted policies in their packets. G. Allen stated that they had a good meeting and went on to explained how the adjustments had been made to the document. G. Allen read the document audibly and highlighted the changes that were made. As he read the various sections of the document, he asked for comments from Council members. J. King asked a question under number 4 in the section “Panels will adhere to the following guidelines”, he asked if it could be stated more clearly that the alternate moves up to the primary position. There was some Council discussion and it was decided that the wording was clear. J. King agreed that it was clear. G. Allen stated that under number 5 there was a spelling error for the word “options”, the “p” was left out. G. Allen stated that the document as adjusted represents their recommended changes.

D. Preble made a motion to adopt the Species Advisory Panel Policy as revised on May 16, 2007. J. King seconded the motion.

M. Gibson asked for discussion from Council members. There was no discussion.

G. Allen reminded Council members to look at the draft letter that went along with the policy. He stated that the letter would be sent to all individuals selected to participate on the RIMFC Advisory Panels as a representative.

M. Gibson asked for comments from the audience. J. McNamee stated that he wanted to point out to Council members that the original policy starts with the Roman numeral VII. He stated that he was not sure where this number came from; he thought there might have been a body of policies that preceded this but he had not ever seen them. G. Allen stated there never was anything that preceded this. J. McNamee stated that his point was that he removed that number and heading, and started with the introduction so it would be a stand alone policy.

P. Brodeur asked G. Allen for clarification on the one-year term language. He hoped that after one-year individuals would still be able to get on the panel. He stated that he did not hear the word “consecutive” mentioned.

G. Allen stated that it was not intended that people could not serve another term.

M. Gibson clarified by stating it is not the Council’s intent to replace people every year.

J. Gardner stated that he was unclear on how AP members vote. He stated that he thought AP members were suppose to vote by their used group, not by an association membership or representative of an association. He stated that he thought this created some forgone conclusions, as an example he stated that he represented aquaculture on the SAP and there are other people, because of their user groups, that might have forgone conclusions and attitudes. He asked if that was the way the Council wanted the advisory panels to operate.

G. Allen responded to the question by reading the applicable paragraph that addressed the issue. He then stated that it does not say anything about associations.

J. King stated that the policy use to state that, but does not currently.

J. Gardner stated that his question had been answered.

J. Low asked if there was any way to enforce the way a member votes. He gave an example of a person within his user group that constantly votes against them and votes his own personal way.

M Gibson stated that he did not think it could be enforced. He stated that if feedback comes back to this Council at the end of a one-year term that an individual is not representing their group in a manner that the Council would expect them to, then it would be the Chair of that panel that would let the Council know that the person may need to be replaced.

N. Lazar had an administrative question regarding not having any chairperson available to chair an advisory panel meeting. He wanted to know what the Council would like the Division to do under those circumstances.

G. Allen stated that the Division representative always consults with the chairperson before a meeting, so normally a date is agreed upon that the chair is available. He stated that if a chair cannot make the meeting and cannot find a replacement chairperson then the meeting should be canceled.

N. Lazar asked a question about applicants who have violations within the three years prior to their application, if Council members wanted to see these applications or would they like them to be automatically eliminated and denied since they do not meet the requirements.

G. Allen stated if after review of the application by the Department the applicant does not meet the requirements then that application should not come forward to the Council.

M. Gibson asked for clarification if the Council would want to know what the total suite of applicants were and which ones were denied, or does the Council just want to see only the viable candidates.

Council members stated that they only want to see the viable candidates after DEM Enforcement internal review and background checks have been completed.

K. Ketcham stated that the applicants should go through the same screening process as applicants for the aggregate landing programs. He stated that the Council should only see the approved applicants that make it through the screening.

J. Low asked if a chairperson is not available could a Division staff person fill in for a chair.

M. Gibson stated that this had been discussed, but he was not willing to have a staff person sit in as chair because it would compromise the ability to record minutes and provide technical support. He stated that it is his understanding that the Council had taken a position on this item.

K. Court stated that at the March Council meeting he had requested that the Council look in to the splitting of the party and charter boat user groups on the advisory panels and he was told it would be taken up at this workshop. He wanted to know if it had been discussed.

G. Allen stated that it was not discussed at the workshop.

There was some discussion by Council members on the splitting of the party and charterboat user groups. G. Allen stated that he thought that should be up to the discretion of the chairperson based on the particular fish species. He stated that the chair should bring this to the Council's attention

J. McNamee stated for clarification that the item was discussed at the meeting. He stated that it was an agenda topic. What had been decided was just what the Council spoke about, instead of putting something in the policy the Council would take it on case-by-case basis.

D. Preble made a comment that he thought the Council had gotten into the one size fits all with respect to the advisory panels. He stated that the AP's serve at the pleasure and the purpose of the Council, which is why he felt there should be a Council member as the AP chair. He also stated that he was in agreement with the Council having the option to look at a case-by-case basis, he stated he did not want to have a one size fits all for these panels.

M. Gibson asked the Council to vote on the motion before them to adopt the Species Advisory Panel Policy as amended. The motion passed unanimously; the policy was adopted as amended.

Council review and comments on proposed groundfish advisory panel: M. Gibson stated that a template has been provided for Council review. He stated that it was up to the Council to indicate to the Division to proceed with the solicitation following the new AP policy the Council just adopted. Gibson stated that he wanted to make sure that the list contained all the positions that the Council wanted. He asked for any adjustments or endorsements from the Council members.

D. Preble stated that he wanted to figure out if the Council wanted all of the listed user groups or not. He stated that he did not see a clear roll for a bait and tackle shop representation. He asked Council members if they needed to have a split in the party and charter boat sector in this panel. He was not sure if gillnets needed to be included.

G. Allen stated the Council is dealing with an advisory panel that would look at issues pertaining to both federal and state waters. He asked K. Ketcham if the Council would need to have in-shore and off-shore trawl and gillnets as members.

K. Ketcham stated that we should have the trawl included and the gillnet-offshore, which are probably fishing for monkfish. He stated that the gillnet-offshore may not have anyone apply, but the option should be available. Ketcham stated that he knew of at least one boat that gillnets off-shore.

G. Allen asked Ketcham about the slots for traps and pots. K. Ketcham stated that he thought both should be included. M. Gibson asked for clarification on traps and pots. He asked if it should be stated as fish pots and floating traps. Ketcham agreed with the change.

F. Blount stated, regarding the trawl and gillnet inshore and off-shore positions, that it may be better to have someone who is permitted federally only and state only. He stated that the Council may end up with two people who are federally permitted. The in-shore and the off-shore may have very different views. He stated that state in-shore would be state only, but the federally permitted may be both.

M. Gibson suggested to the Council that he thought that was a good recommendation. He asked the Council if they wanted to solicit inshore which would be state permitted only and off-shore to be federally permitted. D. Preble stated he thought it was a good idea.

S. Parente stated that this came about primarily because of the gillnet issues, so he definitely was in favor of having the state and federally permitted gill-netters participate.

R. Rheault stated his comments were not specific to this advisory panel, but noted that the AP's did not have dealer representation included. He stated that he thought the AP's would benefit from having the dealers perspective.

M. Gibson stated that there was a dealer slot listed. J. King stated that there is also a dealer slot on the Shellfish AP.

M Gibson summarized by stating that for the in-shore trawl and the in-shore gillnet the Division would target state permitted individuals and the off-shore components for those would be federally permitted. Gibson asked if the Council wanted to keep party and charter boat separate.

T. Sutton asked for clarification about an individual who had a violation with in the last three years that they could not serve on an advisory panel. M. Gibson stated that the Council had just gone over the AP policy and that was correct. T. Sutton asked when the clock would start. When the fine was paid or when the action occurred. M. Gibson stated that enforcement would look at the period from when the application is received by enforcement, back three years.

S. Hall stated that they would look at when the resolution took place. He stated that in some cases an individual was charged but was found not guilty. Then it would not be an issue.

T. Sutton asked if he could have input at the AP meetings. M. Gibson stated that the AP meetings are open to the public.

D. Preble stated that he did not think the bait and tackle shop slot was needed. He asked that slot to be removed from the list. He suggested that the party and charter boat people who were present should be solicited for their opinions.

J. McNamee stated that he wanted to reiterate that he did not intend the structure of this advisory panel to be for strictly the monkfish issue. He explained that the reason he put the bait and tackle shop was that he was thinking about squid.

M. Gibson stated that user groups could always be added later. Gibson asked if there was a consensus that the bait and tackle shop slot was not needed at this time. Council members agreed to remove this slot. Gibson asked if party and charter boat should be separate entities, or should they be on the list at all.

F. Blount stated that for this particular issue it is mostly a commercial issue and party and charter does not have to be separated for this panel. He stated that he was not sure that there should be two separate panels anyway. He stated that for now we do not need it.

G. Allen stated that he would like to keep all three; recreational, party, and charter slots so the recreational user group's stays informed with what is going on. D. Preble stated that it did not

matter to him. M. Gibson suggested that the Council keep the slots for now and see what the response was from the broad scale solicitation.

P. Brodeur asked the Council to consider a long line category.

M. Gibson asked if Council members agreed to the changes and asked if they would like the Division to start the solicitation process. Council members agreed.

N. Lazar reminded the Chair that a Chairman was needed for this advisory panel.

M. Gibson asked Council members if they wanted to pick a chair at this time. M. Gibson suggested that the Council wait and discuss this at another time. There were no objections to this course of action.

Discussion and clarification of the newly imposed fluke landing call-in procedure: S. Parente stated that recently there was a rumor going around that fishermen had to call-in their fluke landings, which was never required before. He stated that he checked the regulations and he did not find any requirement in the regulations for an individual to call-in their landings. He read out loud what the regulation stated and claimed he did not see any requirement for people who caught less than the possession limit when the limit is less than 200 pounds.

M. Gibson stated that he had a discussion earlier in the day with DEM Enforcement and Enforcement had a different interpretation. They interpret that rule to require anyone to call-in when they possess fluke even if it is lower than the daily limit. S. Hall clarified by stating that once it dips below 200 pounds everyone has to call-in their fluke landing. S. Parente stated that he was not opposed to the requirement, the only issue he had was the way it was written. He stated that it was unclear and should be written more clearly. S. Hall stated that when that regulation was written DEM was targeting multiple landings.

M Gibson stated that this is current regulation, if the Council wants to have influence over that regulation change the request would need to go through the summer flounder advisory panel. M. Gibson suggested adding this issue to the summer flounder advisory panel agenda. There were further questions asked by S. Parente and F. Blount directed to S. Hall about various call-in scenarios.

Old Business:

Update on meetings regarding comprehensive aquaculture plan: N. Lazar reviewed the minutes from the aquaculture plan development working group meeting, which was held on May 10, 2007 at the URI Coastal Institute. He stated that out of 26 members, 17 were present at the May meeting. The group discussed if the meetings should be open to the public or not. It was decided that the public would be allowed to attend meetings. There was discussion about formulating an outline for the plan. They identified stakeholders who would be interested in the process. Previous plans developed by URI and DEM were identified. The group identified some of the environmental impacts such as essential fish habitat, carrying capacity, etc. Lazar stated that they identified some socioeconomic impacts such as; user conflicts, economic importance, regulations, etc. Lazar stated that the group had a lengthy discussion about public trust and how it should be used with future aquaculture leases. Members decided to invite experts to speak to the public trust issue at a special conference. N. Lazar went on to explain that the working group decided to work on a plan within the plan. This would be a smaller plan to address immediate issues, and then address a long-term vision and the mission of aquaculture for the future. In

essence, the group will write a plan for each pond, and then write a larger plan for the state. He stated that there was no specific timeframe decided, but there was discussion on the timeframe taking about two years. He also mentioned that the group discussed creating a mini plan to address the aquaculture applications in the system now.

Lazar stated that there was discussion about limiting sizes to 2 to 3 acres to start, or limiting expansions until the plan was developed. There was discussion about stopping all applications until a plan was in place. There was consensus that the group should pick a pond, the pond being Winnapaug Pond, look at other aquaculture plans, and hold a public trust meeting. Lazar stated that the next meeting would be held on June 21, 2007.

M. Gibson stated that at the last meeting not all Council members were present so it was decided to defer discussion about aquaculture issues to this meeting. He asked if J. King had any comments.

J. King stated that he first would like to comment about the lease expansion for P. Raso. King stated that P. Raso's application had already been review by the SAP and King thought there was no need for the application to go back to the SAP. Secondly, he stated that his original motion was to stop all aquaculture until a plan was in place. He was now considering softening his position. **He stated that he still wants to make sure that a plan is in place. What he wanted to see from CRMC and the working group, before this Council will take any more action on aquaculture leases is; an outline of the aquaculture plan, a time date of implementation, and a limited time on leases if not implemented. He stated that this is what he would like to offer as his softened position.**

M. Gibson clarified J. Kings comments by stating King's comments pertaining to the P. Raso aquaculture lease application indicated that the comments from the SAP should stand. Additionally, King has softened his position and indicated what he would like to see occur. Gibson asked for comments from Council members on King's position.

D. Preble stated that he was still uncomfortable and needed a hard timeline. He asked King to state his position again.

King stated that when CRMC was able to give the Council a hard timeline, with an outline for the plan, and a firm date of implementation, that is when this Council can start processing aquaculture lease applications again. D. Preble stated that he thought that was good reasoning.

M. Gibson stated that the next aquaculture working group was scheduled for June 21st.

K. Ketcham stated that he would not be able to attend that working group meeting and had asked S. Parente to attend on his behalf. Ketcham asked the Chair, M. Gibson, if it was okay for S. Parente to attended on his behalf, and represent him as a member of the Council. M. Gibson stated that it was fine with him.

M. Gibson stated that J. King has a motion that is a resolution, which effectively states that King was declining to entertain other aquaculture applications pending the development of this plan. Gibson asked King how he wanted to proceed.

S. Parente wanted to know what the status was for each of the applications that recently came before this Council. M. Gibson summarized the status of each application. He stated that the

Council was in opposition to the Gardner and Krause applications, and specifically this Council has not dealt with the P. Raso application yet. The SAP has only reviewed P. Raso's application at this stage.

D. Preble asked what the SAP had decided about the Raso application. J. King stated that the SAP did not approve the application because there was no aquaculture plan in place by CRMC. They took the same position as the Council.

M. Gibson stated that the SAP did not give any specific advice, they only repeated the same position that the Council had taken. Gibson stated that at the last Council meeting he had suggested that the Raso application go back to the SAP with specific instructions that they evaluate these applications on the merits and not just repeat the Council's policy. This can be taken up when we discuss the SAP meeting agenda item. Gibson stated that Mr. Raso warrants some action by this Council.

M. Gibson asked P. Raso if he would like to speak at this time.

P. Raso stated that at the SAP meeting there were no specific user group issues that were discussed.

M. Gibson stated that Mr. Raso's application should be routed back to the SAP with specific instructions to the SAP members that they not try to anticipate what the Council's policies are, but tell the Council about the specific site and what they think about interactions with wild harvest fisheries and so on. Gibson suggested taking this up when the draft SAP agenda item comes up.

M Gibson asked Council members how they wanted to proceed with respect to the actual generic policy. He stated that there have been a number of requests for clarity on this Council's position from both industry and CRMC. The policy right now is that this Council is declining to endorse or consider any applications at this time. The Council now has the basis to modify the policy with some conditional items.

K. Ketcham stated that one of the items that he would like to see come out of the working group would be a size limit and an overall maximum acreage limit put into affect, especially in the salt ponds. He also wanted to make sure that when CRMC considers use of the bottom, they only consider a percentage of acreage that is usable pond bottom. Any bottom that is closed due to pollution, or for any other reason, should not be included in the overall acreage of that particular pond. This would be up to the working group to figure out that acreage. Otherwise, he does not think it is fair, since no one would be able to use that bottom it should not be included.

G. Allen tried to combine J. King's sentiments to include K. Ketcham's concerns by stating that: the Council would not do anything further in providing any recommendations until such time when the working group comes up with an outline of the aquaculture plan, a time date of implementation, and a hard date for completion of the plan. G. Allen also wanted to include what K. Ketcham has added; that there be a specific recommendation on the amount of usable acreage in any one of the ponds that the working group brings forward to this Council. If the working group comes forward with those criteria, this Council would be in consensus to the following conditions: an outline of the aquaculture plan, a time date of implementation, and a hard finish date of completion, and the percent of useable bottom as an interim criteria. If these conditions

are met, the Council would go forward with making recommendations to CRMC with the applications that are currently pending and any new applications.

K. Ketcham stated that he thought this would be a good faith effort.

G. Allen stated this allows the working group to step up.

M. Gibson asked for clarification from K. Ketcham, if K. Ketcham was trying to direct what percentage would be used, or only that when the percentages arrive they are computed based on usable bottom. Ketcham stated that the percent of bottom should be calculated using only usable bottom. M. Gibson stated he understood, he did not want to box in the working group too much.

M. Gibson asked if someone could formulate a specific motion.

J. King made a motion that the SAP continue to review aquaculture applications and provide advice to the Council. Additionally, that the Council not consider any more aquaculture plans until the working group and CRMC come up with an outline of the aquaculture plan, a time date of implementation, and a hard date for completion of the plan, and that the percent of bottom be calculated using only usable bottom.

As clarified by G. Allen: These would be interim criteria or conditions that need to be met for this Council to go forward with making recommendations to CRMC with the applications that are currently pending and any new applications. If these conditions were met, the Council would go forward with making recommendations to CRMC.

M. Gibson restated the motion for clarification. The motion is to advise CRMC and the working group that before this Council will entertain applications for consideration the Council wants to see the following: an outline of the aquaculture plan, a time date of implementation, a hard date for completion of the plan, that the percent of bottom be calculated using only usable bottom, and the SAP continue to review applications. **G. Allen seconded the motion.**

M. Gibson consulted with G. Powers, Legal Council on procedural matters. Gibson stated that this Council has already taken a position, therefore how does this motion modify a past action. Gibson believed it was determined at the last meeting that a past action cannot bind a future action, this is now a future action. If they pass this motion will this override the past action or is there anything procedural that would need to be done.

G. Powers stated that it appears from what he was hearing that the motion made by Council member King and that other members have fine tuned would permit this Council to go forward. M Gibson stated that his specific question is if there is a need procedurally to get a vote on the record to reconsider there past action. The Council wants to modify there past action so it seems the new motion would clarify and override the past position with some additional stipulations. Gibson just wanted to make sure this was a correct action before moving forward with a vote. G. Powers stated that would be an advisable route. M. Gibson asked if the Council understood the motion and asked if there were any other Council comments before going to the audience. Hearing none, he asked for comments from the public.

J. Gardner stated that the SAP approved his application, the RIMFC declined to approve his application. They did not deny his application, unless he is mistaken. He stated with regard to the size limit of the salt ponds there are the following: shellfish closure areas, and shellfish spawner

sanctuary, which accounts for a large portion of the pond where his site is located. He thought the spawner sanctuary should be taken off the table when discussing percentages of bottom used. He stated that he did not attend the first working group but stated that the Council has not been attending those meetings. He stated he would like to make an informal request that at least two of the Council members attend the working group meetings.

R. Rheault stated that he agreed with the Chair, M. Gibson that the Council should not be trying to micromanage the working group. The Council has representation on the working group where all issues are being considered. He thought the last clause in the motion might not be appropriate.

M. Gibson asked if there was any further discussion from the Council. Hearing none he asked Council members to take a vote on the motion. **The motion passed unanimously.** Gibson stated this will be written up and widely distributed.

N. Lazar asked the Chairman for clarification of the motion. He asked if it was the intent of the Council to have the working group report go to the Council with a plan and a timeframe of implementation.

M. Gibson explained that the working group will need to show the Council the following: an outline of the aquaculture plan, a time date of implementation with benchmarks, a hard date for completion of the plan, and imbedded with that plan some limitations on the amount of habitat that can be used, also that the SAP members continue to review applications.

D. Preble stated that he spoke to D. Alves about this issue and it was his understanding that most of the elements for this plan are already available. He stated that he did not see a two year timeframe being reasonable for a plan unless it is going to be something like amendment 13. That is not what anyone is looking for. Preble was thinking of an 18-month timeframe, certainly not more than two years. He thought something like this should easily be completed in 18 months if they stay focused. Most of the information is already available it just needs to be put together.

M. Gibson stated that the message from the Council is that you are looking for a reasonable timeline and if an outline comes back with what this Council thinks is an unreasonable timeline then it is probably not going to hit the mark in terms of what you are looking for that fits into the process. This would be additional advice.

D. Erkan respectively requested that the Council provide to the SAP specific advice as far as what they would like the members to do when considering an aquaculture application. M. Gibson stated that would be the next item discussed on the agenda, when they address the SAP draft agenda.

Shellfish Advisory Panel draft agenda for approval:

M. Gibson stated that there were three aquaculture applications on the SAP agenda for consideration. Mr. Raso's application will go back to the SAP for a second review, and Rheault and Roebuck will be reviewed. The other item to be added to the agenda will be a discussion for shellfish openings for the High Banks and Greenwich Bay areas for 2007 & 2008. **Gibson asked if there was any objection from the Council adding these items to the SAP agenda. There were no objections from the Council, therefore the agenda was approved as modified.**

M. Gibson asked for members to provide some direction to the SAP for evaluation of aquaculture applications. He suggested that the staff participation including site visits continue to go on and that the SAP advise this Council on the specific merits of each application. He stated that when an application gets to this body, it will depend on whether the Council has what it needs from the working group on how to proceed.

M. Gibson stated that when applications come to the Council they will remain in a holding pattern as J. Gardner's application and Krause until information is received from the working group, but that the SAP will continue to give advice to this Council on each application. The instructions are that the SAP evaluates applications on their specific merits and or deficiencies and then report to the Council. If they end up in a holding pattern, that is fine. It will be conditioned upon what comes back from the working group. **Gibson asked if anyone disagreed with the advice that the Council is sending back to the SAP. Hearing none, these are the marching orders and the approved agenda.**

J. Gardner stated that he was a member of the SAP and he did not think any aquaculture application was going to have a prayer of getting discussed by the panel. The SAP members are going to look at what the Council has said and since the Council is above the AP, they are not going to act. He stated he hoped he was wrong.

M. Gibson stated that the message is clear from the Council that they should do their best to evaluate these applications. Gibson asked if there were any other comments on aquaculture. Hearing none he moved on to the last agenda item.

FYI

Letter to ASMFC regarding fluke: M. Gibson stated that he did not have a response from ASMFC yet. This item will be added to next months agenda.

G. Allen stated that there was going to be a tautog workshop scheduled for this Wednesday evening, and that the Division staff had put a considerable amount of work into it. G. Allen stated that he would like to encourage all the Council members to attend. There will be discussion about the life history and a lot of other aspects that we need to know about educationally. The entire tautog panel and the bait shops have been informed of it, and he would like as many to attend as possible.

M. Gibson asked if there was any other business to come before the Council.

P. Brodeur stated that he was at an LCMT meeting where new regulations for lobsters were recommended and suggested, but he has not heard if the lobster panel will be called to discuss these same regulations. He stated he would like to request that the Lobster Advisory Panel have the opportunity to discuss the new regulations before we go too far with them.

M. Gibson stated he would consult with J. King and ASMFC and if appropriate, will bring forward a draft agenda for Council consideration at the next meeting.

J. Low asked if there was a public hearing scheduled at this time. M. Gibson stated that there were no public hearings scheduled at this time. He stated that the Division is collecting a list of items that need to be presented at a public hearing but no hearing was scheduled yet. Gibson asked J. McNamee to comment on the list of items for the next public hearing. J. McNamee stated that the gillnet issue, and the possibility of the whelk regulations, were on the list of items

but he was not sure which ones would be going to the hearing or not. McNamee stated that he was looking at the end of July for scheduling a public hearing.

J. Low stated that he wanted to have the gillnet regulations implemented before the season was over. M. Gibson stated that he did not expect to have the gillnet marking regulations in effect this year. They would be incorporated in the next public hearing. Gibson stated that he would go through the potential public hearing items and have a list available for the next Council meeting.

M Gibson asked if there was any other business to come before the Council. He asked for a motion to adjourn. Motion to adjourn was made by all Council members.

The Chairman adjourned the meeting.

Nancy E. Scarduzio, Recording Secretary