

**RI Marine Fisheries Council
Menhaden Advisory Panel
Meeting Minutes
February 11, 2013, 6:00 PM URI
Bay Campus, Coastal Institute**

D. Monti, Chairman	J. Macari ^A
R. Jobin*	R. Tellier
G. Allen	E. Cook*
M. Bucko*	L. Lachance*
R. Souza	T. Kutcher
D. Fewster	R. Ballou, DEM staff
N. Lengyel, DFW staff	J. McNamee, DFW staff

(*primary advisory panel member; ^A alternate member)

D. Monti began the meeting. He gave a brief outline of the agenda and then noted that he had not received any written proposals prior to the meeting. Two attendees noted that they did have some proposals to vet through the committee. One was on the Narragansett Bay menhaden monitoring program and the other was on the recreational possession limit. D. Monti stated they would address these after the informational presentation. He then passed the meeting to J. McNamee of the Division of Fish and Wildlife (DFW). J. McNamee stated that he had a presentation (see attached) that covered the first four agenda items. He began with an update on the coastwide menhaden stock assessment. The coastwide assessment indicated that overfishing was occurring. As of the last ASMFC menhaden management board meeting, the overfished metric had been changed so now, there were 5 assessment sensitivity runs (including the base run) that indicated that the stock was overfished, and one that indicated that it was not overfished.

J. McNamee then went on to indicate that the Atlantic States Marine Fisheries Commission Menhaden Board had approved Amendment 2. This amendment would put some significant restrictions on the fishery. It appeared as if the RI monitoring program would work fine with the amendment requirements. The other parts of the amendment were the states allocation (quota) and the reporting requirements. As far as the current fisheries in RI waters, Ark Bait fished in RI waters but landed in MA, so these fish would not impact RI's quota. The main harvester landing in RI was the floating fish traps. These gears were considered non-directed so these landings should not be constrained either as long as they didn't land more than 6,000 pounds per day, which was reasonable. Non-directed fisheries did not count against the quota. What this did mean however was that there was not any room for a RI based purse seine fishery as RI's quota was extremely small, it was not even as big as one days possession limit for one vessel.

The presentation then covered the 2012 RI menhaden fishery. There was an influx of menhaden in the spring and the season opened about mid May. There were a number of openings and closings through the season. The purse seine fishery achieved its full cap, and in fact went over by about one days possession limit. The fishery closed for the season on June 20.

J. McNamee then went on to describe the regulatory structure for the menhaden monitoring program in Narragansett Bay. He concluded with the fact that the DFW was not proposing any changes for 2013.

D. Monti turned the meeting back to the panel for comments and proposals. The discussion began with a conversation about how the quota worked. Basically all of the fish that Ark Bait caught in RI were landed in MA, so would not count against RI's quota. Despite this, the RI quota was so low that there was no room for any new operation to come in to the RI fishery.

R. Souza made the first proposal. **He suggested that the group support keeping the 1.5 million pound threshold, the need to have 2 million pounds present in the Bay prior to fishing, but the rest of the program, namely the cap, should be removed to simplify the program. R. Jobin made this proposal in to a motion. L. Lachance seconded the motion.** D. Monti wanted to allow discussion on the motion. M. Bucko stated that he disagreed with the motion, he thought the cap was still important because while the threshold and fishing limit had its basis in the role menhaden play as forage, it did not account for all of the other roles that menhaden play in the Bay such as filter feeding. R. Souza countered that even though the cap didn't exist didn't mean that they still wouldn't leave most of the biomass that was there in the water. He stated that they are not able to catch every last fish despite what people may believe. G. Allen stated that he would like the DFW to weigh in on the proposal as he agreed with the comments made by M. Bucko, but wanted to know if this was accurate. J. McNamee stated that he could ask M. Gibson for a more formal position from the DFW to be given at the RIMFC meeting where this would be addressed, but he could give his opinion, and he agreed with M. Bucko, adding that the original calculations of the threshold were specifically accounting for predation due to striped bass and bluefish, but the cap was meant to catch all other ecological services, including its use as bait by recreational fishermen. L. Lachance stated that because of the amendment 2 quota, they would be locked in at a specific number of fish anyways, so having stability and simplicity in the regulations would be beneficial. D. Monti asked for a vote. **The panel voted 2 to approve and 3 opposed to the motion. The motion did not pass.**

D. Monti asked if there were any further proposals or comments. J. Macari stated that he had talked to some fishermen who wanted to raise the recreational limit above 200 fish. There was discussion on how this might work and how you could tell between a commercial and non-commercial fisherman. J. McNamee noted that the main issue was that menhaden were in an open category, so anyone could get a license to harvest them commercially. Having heard this, J. Macari decided to drop the proposal, as he thought the open status of menhaden made his proposal unworkable.

D. Monti adjourned the meeting.

Summary of the Rhode Island Menhaden Fishery with Stock Status and ASMFC Amendment 2 Updates



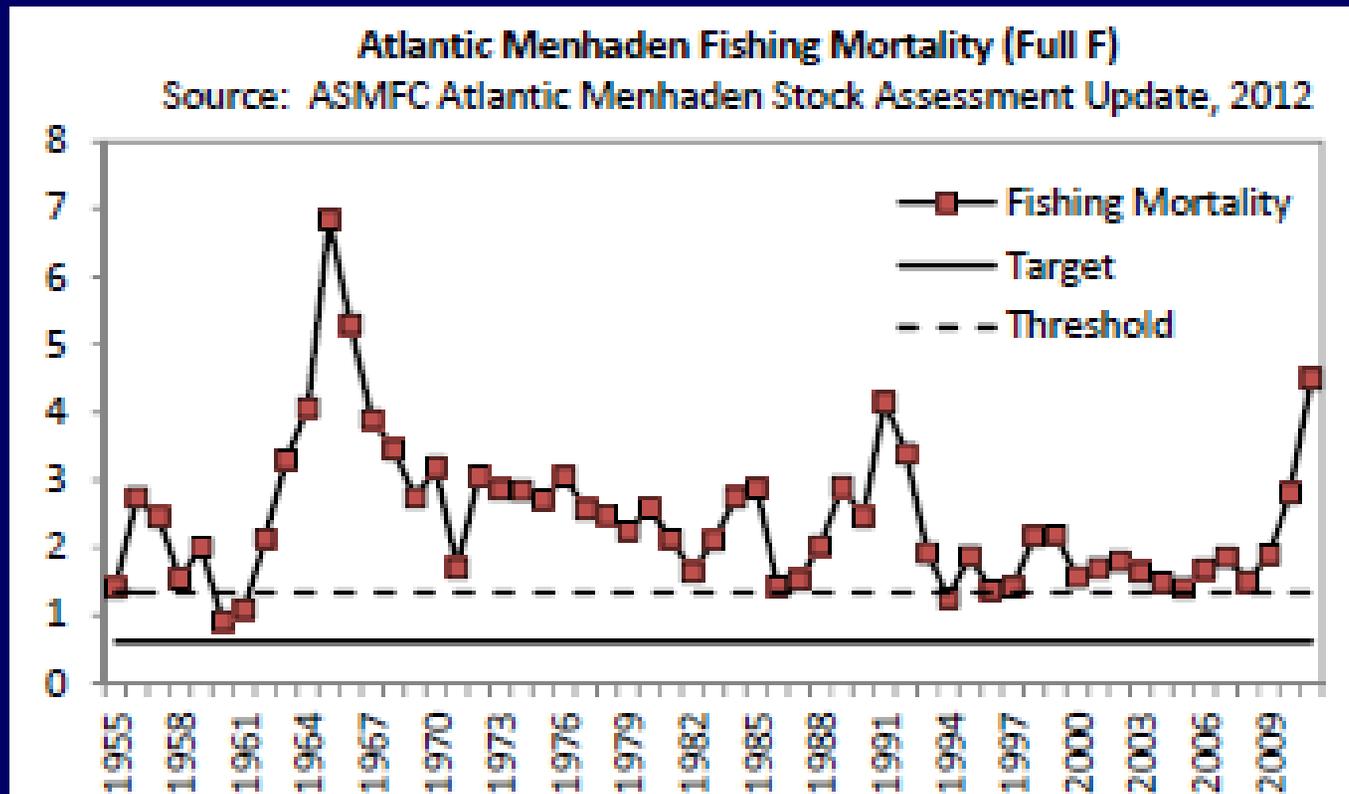
2012 Menhaden Coastwide Stock Status

- ♦ The most recent stock assessment update for menhaden occurred in 2012.
- ♦ Fishing mortality and stock biomass estimates generated with a statistical catch at age model developed by Beaufort, NC marine fishery lab
- ♦ Forward projecting age structured model
- ♦ The stock status finding was: the menhaden stock may be overfished and overfishing is occurring.



2012 Menhaden Coastwide Stock Status

- There were multiple issues found with the model and its output such as:
 - Retrospective pattern
 - Disagreement between survey indices and model
- Because it was an update, the stock assessment sub committee could not explore the causes of these issues



2012 Menhaden Coastwide Stock Status

- Given the uncertainties in the stock assessment update, the menhaden technical committee (TC) decided they could not determine stock status with certainty
- The TC did note that it did have some level of comfort stating that the stock status was that overfishing was occurring (i.e. F was over the threshold), but that they could not determine the magnitude of overfishing
- In addition, given the new fecundity target and threshold, and the various outcomes of some of the different model runs, the overfished status was difficult to determine
 - 6 of the 7 sensitivity runs indicated overfished, but one indicated not overfished



2012 Menhaden Coastwide Stock Status

- With the stock assessment uncertainty, but the TC indication that some level of overfishing was potentially occurring, the menhaden management board initiated Amendment 2 to the menhaden fishery management plan



Menhaden ASMFC Management Process

- **Amendment 1, June 2001 established new biological reference points; changed the frequency of assessments to every 3 years**
- **Addendum II, August 2005 initiated a research program to assess the status of menhaden in Chesapeake Bay**
- **Addendum III, October 2006 set a harvest cap in Chesapeake Bay**
- **Addendum IV extends the provisions of Addendum III through 2013**
- **Addendum V, November 2011, established new fishing mortality reference points based on maximum spawning potential (MSP)**
- **The Board initiated development of Amendment 2 to establish management measures for all fishing sectors to implement the new ref points**



Menhaden ASMFC Amendment 2

- ♦ Amendment 2 was approved during December of 2012
- ♦ Establishes a 170,800 MT TAC beginning 2013 and continuing until completion of, and Board action on, the next benchmark stock assessment (2014)
- ♦ TAC represents a 20% reduction from average of landings 2009-2011
 - ♦ approximately 25% reduction from 2011 levels
 - ♦ TAC was developed ad hoc, could not quantify quota due to stock assessment uncertainty
- ♦ Board also adopted new biological reference points for biomass based on maximum spawning potential (MSP)
- ♦ Goal is to increase abundance, spawning stock biomass, availability as forage
- ♦ Allocates TAC on a state-by-state basis based on landings history from 2009-2011 (revisited in 3 years)



Menhaden ASMFC Amendment 2

- ♦ Reduces the Ches Bay reduction harvest cap by 20%
- ♦ States required to close their fisheries when state-specific portion of the TAC has been reached
- ♦ Overages must be paid back the following year
- ♦ Provisions for the transfer of quota between states
- ♦ Includes bycatch allowance of 6,000 lbs for non-directed fisheries operating after state TAC reached
- ♦ Also establishes requirements for reporting and improved bio monitoring



Menhaden ASMFC Amendment 2 and RI Management

- RI received a very small allocation due to the years chosen for average catch
- Majority of purse seine landings occur in MA, not RI, even though fishing occurs here
- Because of this, the DFW believes the menhaden monitoring program continues to serve an important role for management in state waters
- In addition, the Amendment 2 management has a coastwide perspective and does not account for Narr Bay considerations
- Final note, the FFT sector, who account for the majority of the RI landings are exempted in Amendment 2 as a non-directed fishery



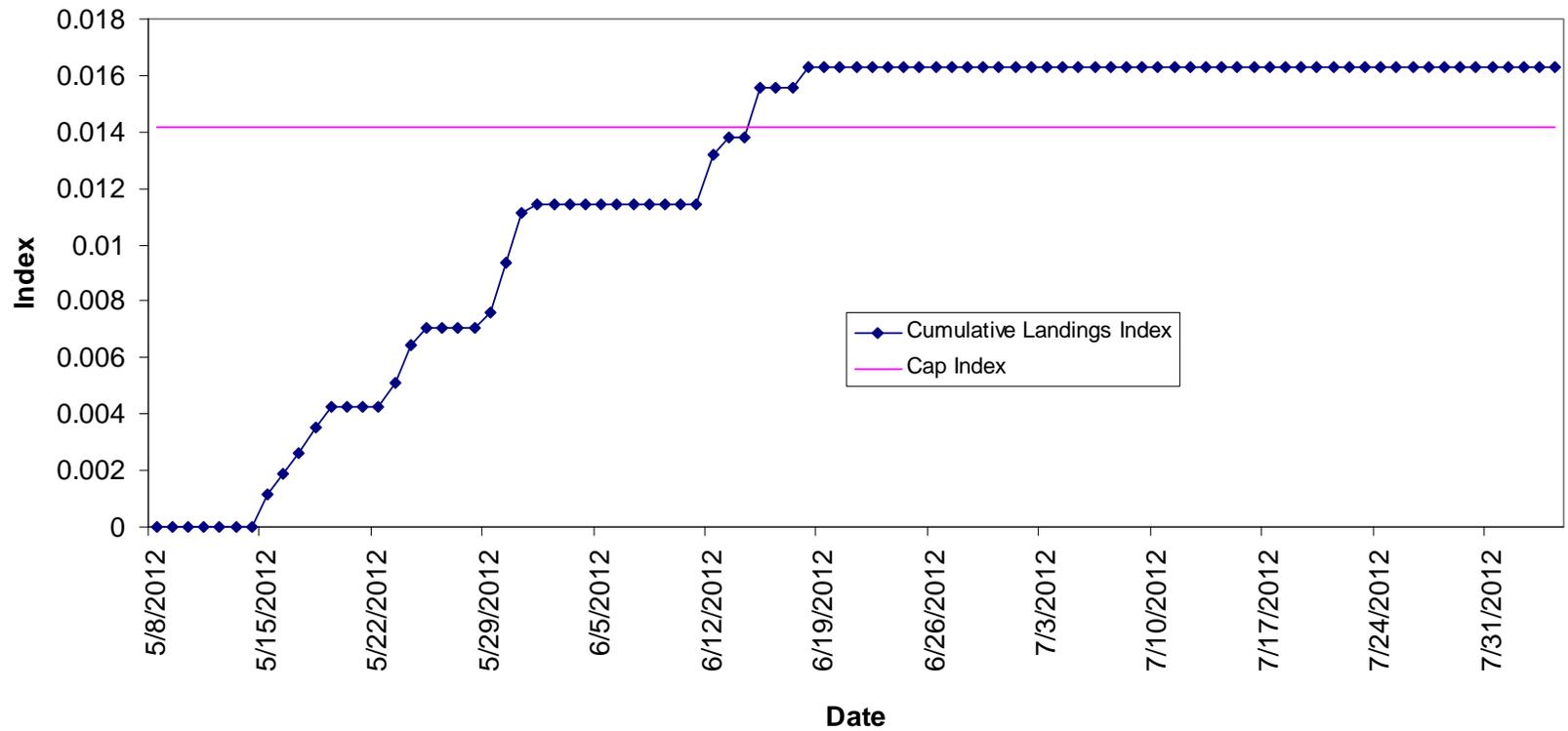
2012 RI Fishery

- ♦ Only one operation fulfilled requirements for fishing in Narr Bay in 2012
- ♦ After biomass levels were estimated and confirmed, fishing was allowed to commence on May 15, 2012
- ♦ The commercial bait fishery closed on June 6, 2012, as it was determined that the biomass dropped below the threshold 1.5 million lbs
- ♦ The fishery reopened on June 12, 2013 due to the influx of biomass in to the Bay
- ♦ The commercial bait fishery closed again on June 20, 2012 for the season



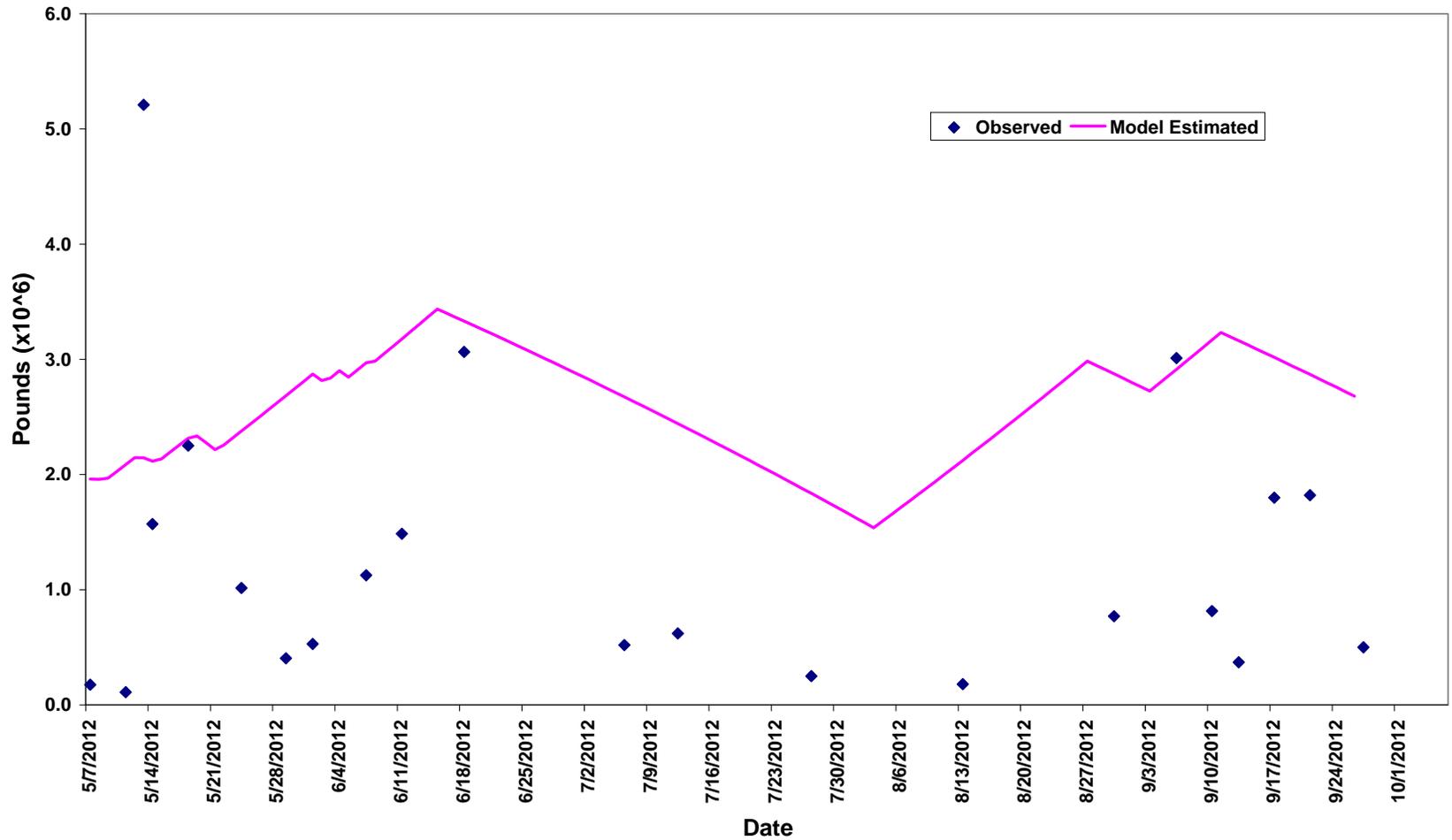
2012 RI Fishery

Landings vs Cap 2012



2012 RI Fishery

Observed and Model Estimated Spotter Index of Menhaden in Narragansett Bay in 2012



Methodology for Monitoring Menhaden Abundance

- ♦ RIDFW, created a depletion model for open populations to monitor menhaden abundance in close to real time
- ♦ Model uses several data sources:
 - ♦ Floating fish trap data for movement of fish in Narr Bay
 - ♦ Purse seine vessel landings data for fishery removal
 - ♦ Spotter plane data as index of absolute abundance in Bay
 - ♦ Historical dataset of spotter plane data
 - ♦ Helicopter overflights



Methodology for Monitoring Menhaden Abundance

- Due to a number of individuals purchasing purse seine endorsements in 2008 and renewing them in subsequent years, SAFIS landings were monitored for menhaden landings
- Little to no commercial landings by non purse seine entities
- May be an issue with pseudo-commercial harvest occurring to supply bait shops, but some are doing this legally



Methodology for Monitoring Menhaden Abundance

- Monitoring depends on industry cooperation and is labor intensive
- DFW developed a grant to provide a funding source for the spotter flight monitoring and DFW staff time
- The DFW contracted the spotter pilot who used to work for Ark Bait, but who was now an independent contractor (no longer employed by Ark Bait)
- Depletion model estimates abundance in the Bay and is used to track landings relative to a 50% cap on Bay harvest



Regulatory Structure for Monitoring Menhaden Abundance

- The estimate of abundance compared to an abundance cap
- The cap is set at 50% of the estimated total abundance in the Bay minus a 1.5 mlbs threshold
- Biomass in Bay must be over the threshold (>2 mlbs) to provide a level of exploitable biomass
- The cap was exceeded for 2012 by less than 1 full possession limit, closures were triggered by biomass dropping below the 1.5 mlbs threshold



Regulatory Structure for Monitoring Menhaden Abundance

- Other parts of the current regulation are:
- Daily possession limit of 120 k
- Equipment restrictions
- Nets =<600 ft length x 90 ft depth; certified before fishing
- Hold capacity checked and DLE and DFW notified
- Observer coverage requirements
- Reporting requirements
- 2012 – closed areas; Prov River above Conimicut and Western GB



Analysis of 2012 Monitoring Program

- ♦ Helicopter observations for school counts were begun in 2009, which continued in 2010, 2011, and 2012
- ♦ DFW sampling and monitoring has become consistent and more coordinated with the addition of a second staff person to take over field operations
- ♦ The model will continue to be analyzed and improved as the dataset gets larger and sources improve
- ♦ It is evident that in years where biomass in Bay is low and/or fishing activity is low, modeling approach is weak
- ♦ An additional difficulty was encountered in 2012
 - ♦ There was a conflict in estimates between contracted spotter and new spotter hired by Ark Bait
 - ♦ DFW chose to use both estimates



Division of Fish and Wildlife Proposed Changes

- ♦ DFW will continue to adjust and improve the model over time
- ♦ DFW brought on additional staff to help with program
- ♦ DFW will work with spotter pilots to better standardize spotter information
- ♦ Points of clarification:
 - ♦ Biomass threshold is a static number year to year
 - ♦ Fishing cap is dynamic and changes year to year depending on magnitude of fish
 - ♦ Vessel hold capacity cert. will only be required of new entrants and/or new vessels
 - ♦ All other gear requirements will be in place in 2013

