RI Marine Fisheries Council
Menhaden Advisory Panel
Meeting Minutes
February 15, 2012, 6:00 PM
URI Bay Campus, Coastal Institute

D. Monti, Chairman	B. Sosnicki
R. Jobin*	T. Hoxsie*
G. Allen	E. Cook*
M. Bucko*	B. Ferioli*
J. Barker	J. Kaelin
J. Tremblay	S. Medeiros
J. Macari	N. Travisono, DFW staff
	J. McNamee, DFW staff

D. Monti 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 (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 the stock was not overfished, but overfishing was occurring. He noted that 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 had been completed and an addendum to the fishery management plan had recently been approved. The final piece moving forward would be an amendment which would go out for public comment during the early part of 2012.

The presentation then covered the 2011 RI menhaden fishery. The fishery had a similar year to 2010 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, and in fact had only made one set during 2011. The fishery closed on August 14, then reopened on October 14 followed by a second closing on October 28.

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 seeking clarification on two items in the existing regulations. The first was regarding a set of reporting requirements, which at this point was understood to apply to all commercial fishing in the Narragansett Bay Management Area, and the second was regarding who can fish in the permanently closed areas, which currently was specific to only prohibiting commercial purse seines.

D. Monti turned the meeting back to the panel for comments and proposals. R. Jobin began with a comment on the permanent closed areas. He stated that the intent was for the closed areas to be for all commercial fishing. S. Medeiros stated that he supported R. Jobin's interpretation.

The group discussed how the new menhaden fishery management plan amendment would affect the RI program. J. Macari asked about the regulations in other states. J. McNamee stated that RI has a fairly comprehensive and complex set of regulations, and the only state that has anything similar is the cap that exists in the Chesapeake Bay. This is the only regulation that exists in the Chesapeake, the rest of the program isn't nearly as complex as the RI program. Other states have regulations that govern things like gear restrictions or closure zones, but nothing like what RI has. J. Barker asked whether there was going to have to be one single program for all the states. He felt there was a lot of precedent to allow states to meet a fishery management plans requirements with independent plans. His main point was that he felt the RI plan was a good one and didn't necessarily need to get changed. J. McNamee agreed about the state by state precedent, but he stated that he wouldn't have a good idea of the affects on the RI program until the new fishery management plan amendment specifications were set.

M. Bucko wondered if there was a way to do a regional assessment as is done for tautog so that RI can manage its own fishery relative to its own biomass. J. McNamee stated that the current plan with the depletion model is as close to a localized assessment as could be performed. The reason was the migratory nature of the species. Tautog stay close to home so a regional assessment was appropriate.

The group began to discuss fishing in the closed areas again. M. Bucko felt they could continue to allow some small scale commercial fishing to occur in the closed areas. The fishing that occurred in 2011 allowed a lot of fresh menhaden to be available in bait shops over the summer, which was a benefit to bait shops and recreational anglers. R. Jobin stated that he didn't know how enforcement could enforce a complete commercial closure when they wouldn't be able to tell who was commercial and who was not. M. Bucko thought the most effective way was to set a limit rather than enforcing it by commercial or not. S. Medeiros stated his belief on the intent of the regulation from the previous year and concluded that there should not be more than 200 fish allowed for anyone in the closed areas. G. Allen supported this comment. There was further discussion on how to enforce the closed area provisions. R. Jobin made a motion: **In the permanent closed areas, no fishermen (commercial or otherwise) fishing with a method other than purse seine could have more than 200 fish in possession. This should be a daily vessel limit in the closed areas. The panel voted unanimously to approve the motion.**

The group then discussed the reporting provisions. S. Medeiros thought it was important to get the information from all of the harvest sources so thought the reporting provision should be in effect for everyone. J. McNamee stated that the group did not need to do anything, the regulation currently read this way, but now getting the clarification allowed him to move forward with a notification to fishermen so it was clear.

M. Bucko thought it would be important to let the DFW and the Director know they were happy with the rest of the program. He made a motion:
To approve the status quo program with the exception of the needed modifications of the earlier motion. The panel voted unanimously to approve.

D. Monti asked if there were any further proposals or comments. J. Barker stated that he felt the endorsement for the purse seine fishery was much too low. He felt the resource was much more valuable than the endorsement signified. The group had some discussion on this, most were in agreement.

The group finished with some discussion on the panel make up. D. Monti asked if the group thought there should be an additional recreational representative. The panel thought the membership list was constituted adequately.

D. Monti adjourned the meeting at this point.

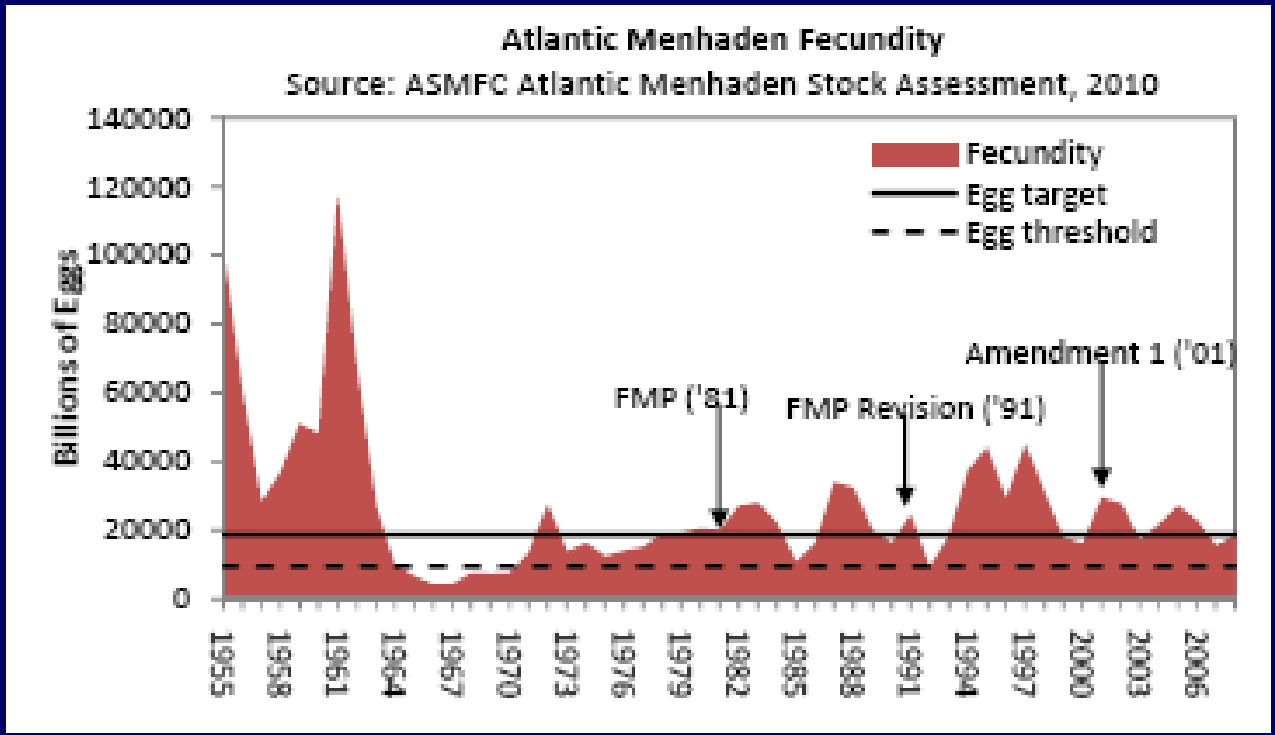
Summary of Rhode Island Menhaden Fishery with Stock Status Updates 2011

2011 Menhaden Coastwide Stock Status

- The most recent peer reviewed assessment for menhaden occurred in 2009.
- 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 original finding after peer review was: the menhaden stock is not overfished and overfishing is not occurring.

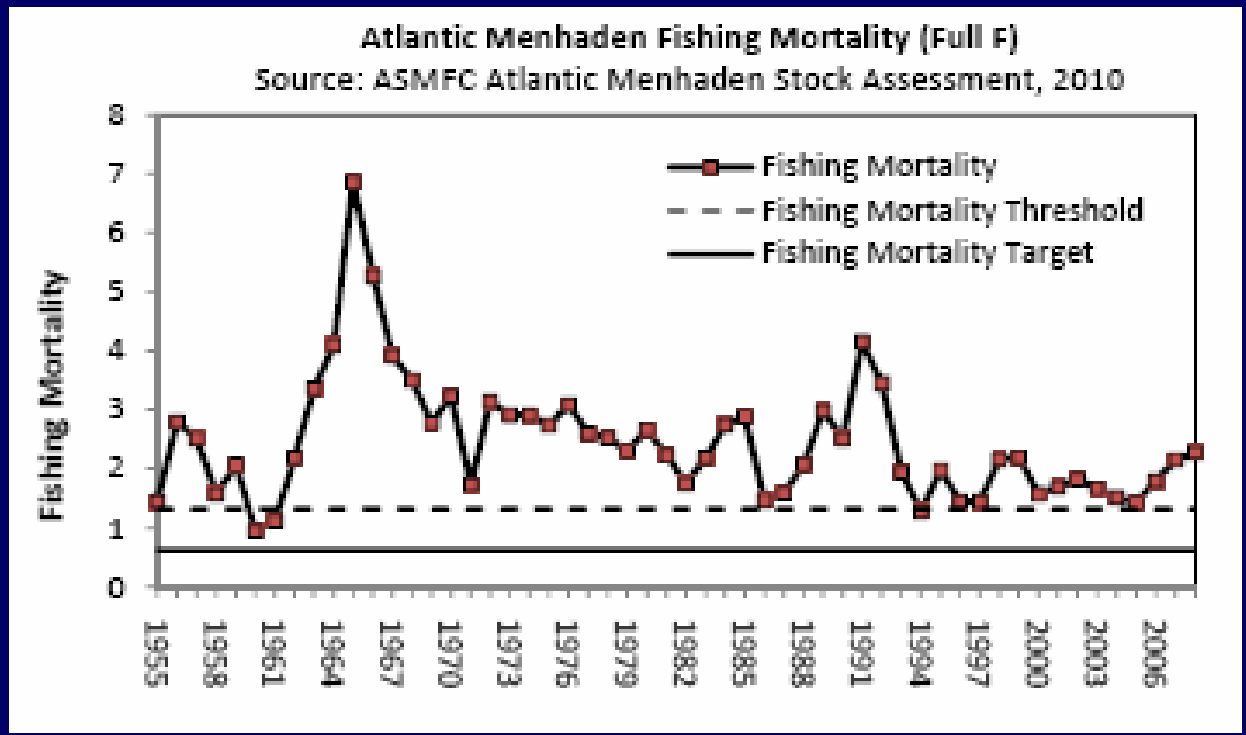
2011 Menhaden Coastwide Stock Status

- After peer review and Board approval, a coding error was found in the model
- Model was corrected and rerun
- The error did not significantly impact the earlier conclusions of the assessment with regard to overfished status



2011 Menhaden Coastwide Stock Status

- It did place the menhaden stock over the overfishing threshold and in the realm of statistical possibility of being overfished in 2008
- $F_{threshold} = 1.18$; $F_{2008} = 1.26$
- These were revised in Addendum V; $F_{threshold} = 1.32$; $F_{2008} = 2.28$



Menhaden ASMFC Addendum 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

2011 RI Fishery

- Only one operation fulfilled requirements for fishing in Narr Bay in 2011
- After biomass levels were estimated and confirmed, fishing was allowed to commence on May 25, 2011
- Only one set was undertaken in 2011, and fishing operation left Narr Bay
- Biomass level remained in Narr Bay (monitored by helicopter flights using school counts) until August 14, when fishery was closed

2011 RI Fishery

- A second pulse of fish entered Narr Bay in Fall 2011
- After spotter flights and confirmation, fishery reopened on Oct. 14, 2011
- Biomass remained for couple weeks, then decreased; fishery re-closed on Oct 28, 2011
- No commercial fishing undertaken during the fall period
- One research set was done during the fall near Greenwich Bay by Dr James Sulikowski of UNE (report available)

Review of RIDFW Menhaden Monitoring Program

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 (i.e. one full purse seine poss lim>all other harvest combined)
- May be an issue with pseudo-commercial harvest occuring 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 recently worked to find a funding source for the monitoring so may have more leverage for spotter flights in the future
- 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 not achieved for 2011, but so little activity, model not run

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
  - 2011 – new closed areas; Prov River above Conimicut and Western GB

Analysis of 2011 Monitoring Program

- Due to lack of activity, model not run after initiation
- A new observation program was begun in 2009, independent flights in the state helicopter, which continued in 2010 and 2011
- 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

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
- 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 2012

Division of Fish and Wildlife Proposed Changes

- DFW does not propose any substantial changes but will seek comment on the following:

- 16.2.4 – clarify intent is for all commercial fishers to report intent to fish and harvest info to DFW and DEL

- 16.2.6 – seek guidance as to whether permanent closed areas are applied to all commercial fishers and not just purse seines

RI Monitoring Program vs. ASMFC Plan

- One final note: as of this time, it is unclear how RI's program will work with Addendum V and Amendment 2 to ASMFC FMP:
  - Until we know what measures are going to be required, it is hard to say if RI program will be adequate
  - DFW will certainly work to get existing program approved when the time comes
  - Changing from an existing program is easier than working from nothing, so impacts to the RI fishery may be minimal