

**RI Marine Fisheries Council
 Summer Flounder Advisory Panel
 Meeting Minutes
 September 28, 2011, 6:00 PM
 URI, GSO, Narragansett, RI**

R. Hittinger, Chairman	M. Bucko*
J. Carvalho	S. Parente
T. Jackson	C. Grandquist*
J. Tremblay*	K. Booth ^A
J. Macari	K. Court ^A
J. Gadyits	R. King
G. Cooper	E. Cook*
A. Conti*	J. Dougherty
C. Brown*	A. Gerwitz
J. Dorelius	J. Curzake
H. Loftes	C. Harvey
B. Harvey	J. Hovanesian
A. Dyer	A. Ponte
R. Mattiucci*	J. Jordan
L. Jordan*	J. McNamee, DFW staff

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

R. Hittinger, Chair, called the meeting to order. He stated that J. McNamee, from the Division of Fish and Wildlife (DFW), had a presentation (see attached) that would cover the first few agenda items including stock status, fishery performance in 2011, preliminary sector information, and DFW recommendations for 2012. J. McNamee reviewed current stock status for the group, the main point of which was that the stock is no longer overfished and overfishing was not occurring. According to the projections from the 2010 stock assessment update, the stock may be rebuilt. As a result of the improvement in stock status, the quota for summer flounder was increasing in 2012. He then moved on to RI commercial fishery performance in 2011. The commercial fishery had an underage in the winter 1 sub period. The winter 1 underage was relatively small (approximately 3% of the quota). The pounds from the underage was distributed to the remaining sub periods. The quota was on track to be completely utilized while remaining at or above the set starting possession limits for 2011. During the presentation there was a discussion about the logistics of the research-set-aside (RSA) program, no recommendations were produced from the discussion but there was significant interest in the program and attendees expressed an interest in getting more information.

The presentation then provided some information on the 2011 sector pilot program. J. McNamee reviewed the landings of the sector boats, all of which is available on the RIDEM DFW website. The sector had remained under its summer period TAC and had caught roughly 45% of its allocation to date. Discards remain low for the sector. The program was modified in 2011 to include allocation histories from the entire year and

resulted in the program running from February through December. There were also additional vessels in the program in 2011 relative to 2010.

Finally, the DFW proposed some starting possession limits for the sub periods. J. McNamee stated that he only represented status quo possession limits at this point as he had not had an opportunity to run the summer flounder possession model as of the evening of the meeting. However, he stated that the quota increase for 2012 was more modest than in recent years so he did not think the model would predict that they could be at possession limits that were dramatically higher than the current status quo amounts. As well, he indicated that if the panel decided to make other modification, i.e. open Fridays and Saturdays in the summer period, this would effect what the starting possession limit should be as well.

The DFW then brought up three additional proposals for discussion. J. McNamee noted that these were not necessarily supported by the DFW, but were proposals that had come up over the course of the year in various discussions. He stated that this was an opportunity for the advisory panel to weigh in on the different proposals specifically, thereby providing the RI Marine Fisheries Council (RIMFC) with specific advice on the alternate proposals. The first alternate proposal was to reopen Fridays and Saturdays in 2012 and the second alternative was to re-split the summer sub period in to two periods. There was also a third proposal, which was to provide flexibility on the current paper logbook requirement to allow for electronic reporting.

R. Hittinger opened discussion on the proposals. C. Brown stated that the DFW should consider opening the aggregate program up sooner in the winter. The reason for the delay in opening this program in the past was to offset from other states fluke fishery impacts, however this impact was not as apparent in recent years, and therefore opening the aggregate program up sooner would be a benefit to the early year fishery. D. Fox stated that he thought the aggregate program should remain the same but the daily limit should be increased instead. C. Grandquist stated that he agreed with D. Fox's statement, and increased daily limit in the early season would be a benefit to the fishery.

R. Mattiucci stated that he thought the ideas regarding winter 1 were both good ideas. He went on to comment on the alternate proposal of splitting the summer period back in to two periods. He stated that they had worked for 10 years to get the summer period consolidated in to one period and he thought that configuration had worked well over the past couple of years. He was completely opposed to the notion of re-splitting the summer sub period. K. Booth stated that he thought the idea of reopening Fridays and Saturdays was preferable to splitting the summer sub period. He felt the reopening of these days would solve some of the current issues of having to back load fish in to later in the sub period and conversely would allow the DFW to track quota in a more consistent manner thus avoiding the threat of long closures. A. Conti was opposed to a splitting of the seasons as well, though he stated that if the current three periods were reconfigured so that the winter 2 period started on September 15, he thought this might be a reasonable compromise. He thought the allocations could be prorated if they were altered.

J. Carvalho stated that the DFW should develop a program that was fair and did not promote entitlements. He thought they could take the existing program the way it is allocated and calculate a reasonable possession limit that would get them through each period. He went on to say that getting rid of the existing sub periods and calculating one single reasonable possession limit to last the entire year was an even better approach, still allowing for an aggregate program in the winter period.

D. Fox stated that he thought they should consider splitting the summer period up if they were going to re-open Friday and Saturday to protect against long closures. S. Parente stated that he fully supports re-opening Friday and Saturday but does not support splitting the summer sub period. He stated that he did not think splitting the summer was warranted even with the reopening of Fridays and Saturdays.

R. Hittinger thought that the discussion had been a good and informative one, but he thought it was time to begin taking some votes. There was a brief discussion about process between J. Carvalho and R. Hittinger. R. Hittinger felt that he would use his discretion as chair to proceed in the manner he thought would be the most productive, which was to take votes on the various proposals. **B. Mattiucci made a motion to increase the starting possession limit on January 1st. The motion was seconded.** J. McNamee asked for clarification on the amount of the increase. It was stated that it could be left to the discretion of the DFW, but they thought somewhere in the vicinity of 500 pounds per day was reasonable. **The panel voted 8 to support the motion with 1 abstention, therefore this was forwarded to the RIMFC as a consensus recommendation of the panel.**

After the vote some further discussion ensued. J. Macari asked about the economics of reopening Fridays and Saturdays. The discussion in general stated that they did not think this would impact prices to a great extent; it was mainly to provide greater flexibility and safety to summertime fishermen and they did not think that it would increase catch rates to a significant enough level to impact prices. S. Parente made the comment that he thought the aggregate should be equivalent to 5 days a week if the general fishery were opened back up to 7 days. M. Bucko suggested that the group ought to consider reopening one day rather than both in this first year. He suggested opening just Fridays for 2012.

C. Brown stated that there is now enough fish to sustain a 7 day fishery in the summer, reopening to 7 days will decrease discards, therefore the Friday and Saturday closure should be removed. He made this a motion. The motion was seconded. R. Mattiucci supported the opening even though he had opposed it previously, citing several of the arguments that had already been given. S. Parente also stated that he supported the opening despite being opposed previously because the situation had changed with the increased quota. E. Cook stated that the closure is important to recreational fishermen as it gives them some days to fish without impact from the commercial fleet. However, he supported a compromise position of starting off by opening 1 day rather than both for 2012. J. Carvalho stated that he could support that statement if the recreational fishermen were not allowed to fish the other days of the

week when the commercial fishery was opened. **The panel voted 8 to support the motion, 1 opposed, and 1 abstention, therefore this was forwarded to the RIMFC as a recommendation of the panel.**

R. Mattiucci made a motion stating that he was opposed to splitting the summer period back in to two sub periods. The motion was seconded. R. Hittinger stated that they had had ample discussion on this topic already so he took the panels vote. **The panel voted 9 to support the motion with 1 abstention, therefore this was forwarded to the RIMFC as a consensus recommendation of the panel.**

C. Brown made a motion to increase the summer aggregate program to 700 pounds per week, making it equal to the daily possession limit times seven days. This was made with the caveat that 700 pounds per week was contingent upon removing the Friday and Saturday closure. The motion was seconded. There had been previous discussion on this point so R. Hittinger went right to the vote. **The panel voted 8 to approve the motion with 2 abstentions.**

J. Hovanesian commented that not letting the winter aggregate boats participate in the summer aggregate period was discrimination and he felt this prohibition should be lifted. There was additional discussion on this from those who were in favor because it would allow a larger vessel more profitability in the summer period, and those against it who stated that it would increase effort in the summer to the point of severely impacting the allocation and possibly creating long closures.

One written proposal had been submitted by the Commercial Rod and Reel Anglers Association. R. Hittinger asked S. Parente and J. Tremblay to describe the proposal, but he felt they had already voted on all of the elements contained in the proposal so they would not vote on it specifically. S. Parente described the proposal (see attached).

One final comment was from J. Macari who stated that he supported allowing fishermen to avail themselves of the electronic logbook reporting requirement as long as it was voluntary.

R. Hittinger stated that there were two other business items that had been brought forward. He stated that he would allow some discussion on them but they would not be voted on as they were not specifically noticed on the agenda. J. Carvalho stated that he felt the summer flounder exemption certificate was not relevant anymore and he felt this permit should be abolished. He went on to give the caveat that if a nonresident had one, they would be grandfathered in and allowed to keep it, but they would not be allowed to transfer it so once they no longer needed it, it would terminate. He felt this program was illegitimate, created a property right, and created discord in the fishing community by making an entitled group of fishermen. B. Mattiucci stated that he supported getting rid of it but thought they should get rid of it for everyone including the existing non residents who have them. D. Fox stated that it was not done just to exclude non residents as stated by J. Carvalho, but to keep effort constrained as well, and therefore he felt they still had some relevance. H. Loftes stated that he paid a lot of money to recently buy a summer

flounder exemption certificate therefore it would be detrimental to him if the program were completely abolished. He thought an alternative would be to allow people to decouple them from their federal permit so that a person who wanted one would be able to get one. C. Harvey also did not agree with abolishing the program and offered raising the non exemption holder limit above 200 pounds as a way to solve at least some of the issues. The group brought up the fact that other states also have exemption programs analogous to the RI program, citing NC and CT as examples.

The final item was from T. Jackson. She asked a couple of questions about the proposed sector workshop to be held in January of 2012, which J. McNamee answered. She asked that any information that was to be given out at the meeting be made available ahead of time so people had a chance to review it. J. McNamee agreed that this was a good idea, though he noted that he did not have control over some of the information. He would certainly post the DFWs report online when it was completed and would try and make every effort to provide any of the analysis that he was involved with available prior to the meeting.

R. Hittinger adjourned the meeting.

Summary of Summer Flounder Stock Status, 2011 Rhode Island Commercial Fishery Performance, and DFW Recommendations for the 2012 Summer Flounder Fishery



Summer Flounder Stock Status

• Stock Status:

•The summer flounder stock is not overfished and overfishing is not occurring relative to the biological reference points established in the 2008 SAW 47 assessment.

•Further, based on the 2010 projection, summer flounder is considered rebuilt.

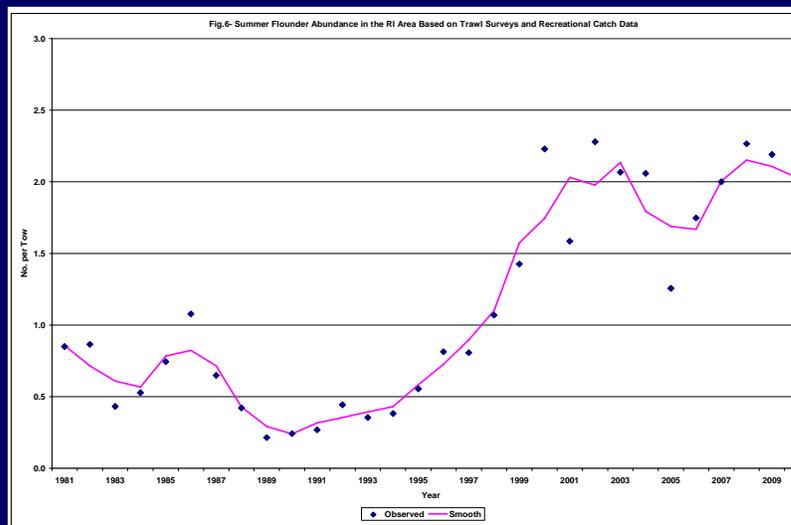
•Fishing mortality calculated from the average of the current fully recruited ages ranged between 1.0 and 2.0 during 1982-1996. F has declined to below 1.0 since 1997 and was estimated to be 0.196 in 2010, below the threshold F reference point = 0.310 and the F target = 0.255.

•Spawning stock biomass (SSB) decreased from about 55.1 m lbs in the early 1980s to about 15.45 m lbs in 1989, then increased to above 88.2 m lbs by 2002. SSB was estimated to be 163.4 m lbs in 2010, exceeding the SSB reference point = 132.4 m lbs and above the SSB threshold = 66.2 m lbs.

•The 2009 year class is currently estimated to be about 82 million fish, the largest in the assessment time series and twice the average. The 2010 update used a recruitment value drawn from the 1982 – 2009 distribution.



Summer Flounder Stock Status – Local Info



Summer Flounder Management Measure Recommendations 2012

MAFMC and ASMFC Board Approved TAL for 2012:

• A TAL of 31.58 m lbs (roughly 7% increase from 2011). This corresponds to a 50% probability of achieving the target F at that specific TAL, and considers scientific uncertainty. This was consistent with the SSC and MC recommendation regarding ABC.

• A commercial quota (based on 60% of the overall TAL) in the range of 18.95 m lbs, and allocated to the states based on 1980-89 adjusted landings data (RI gets 15.7% = 2.975 m lbs).

• A coastwide recreational harvest limit (based on 40% of the overall TAL) in the range of 12.63 m lbs.

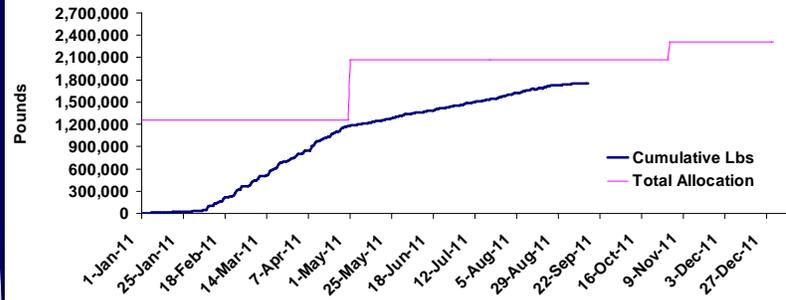
• No change in mesh requirements (5.5 inch diamond or 6 inch square minimum mesh), minimum commercial fish size requirements (14 inch-TL), nor other gear requirements.

• No change in the current small mesh exemption program (SMEP) or flynet exemptions.

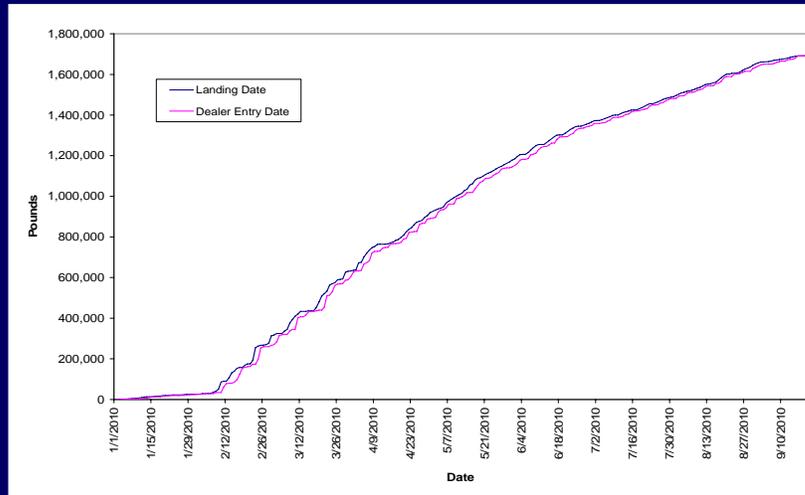


RI Fishery Performance - Commercial Landings

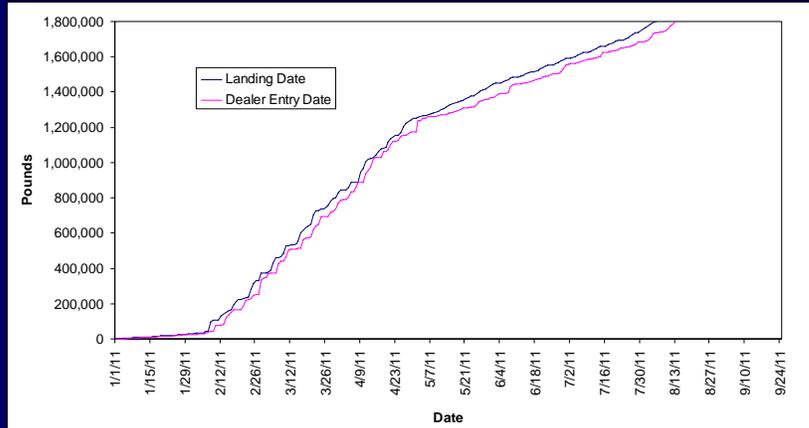
Summer Flounder



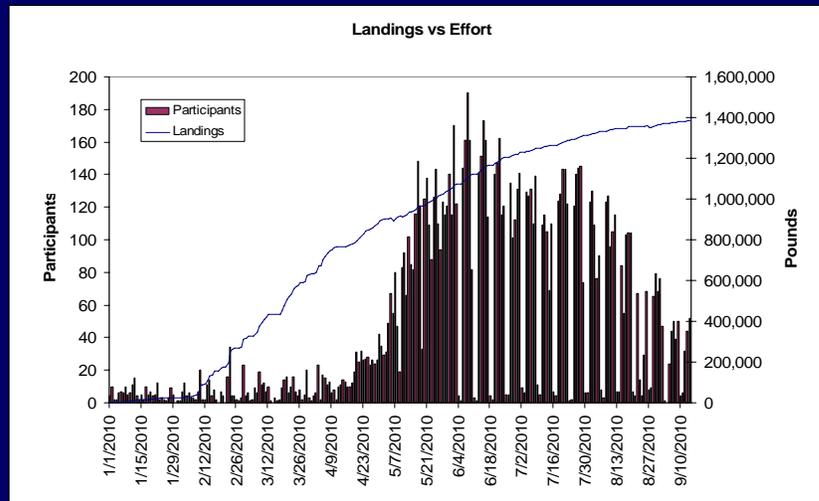
Commercial Landings – Monitoring Lag 2010



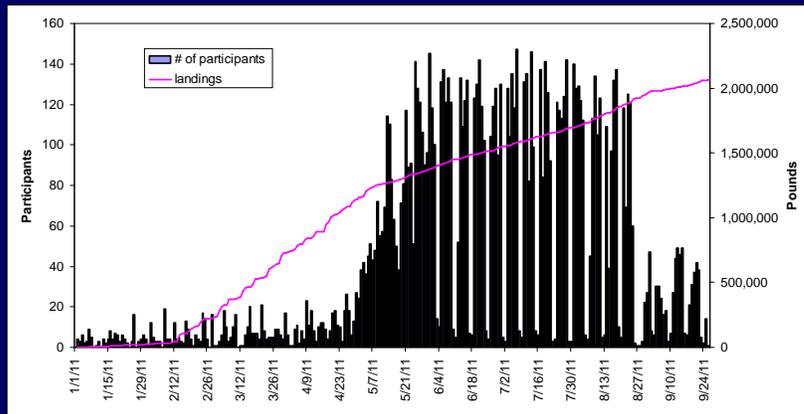
Commercial Landings – Monitoring Lag 2011



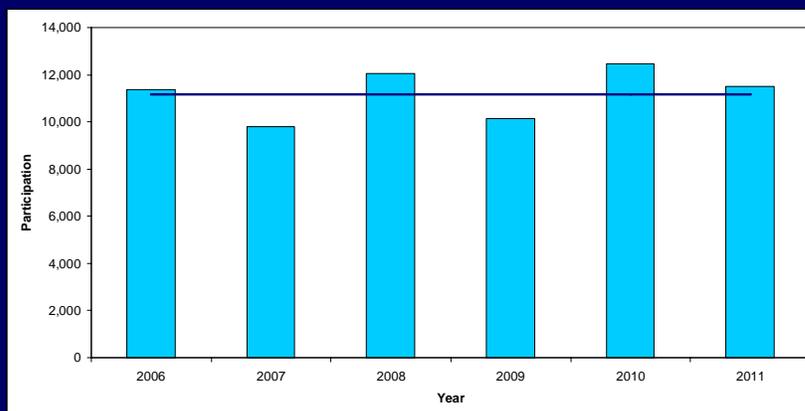
Commercial Landings – Change in Effort Within Season 2010



Commercial Landings – Change in Effort Within Season 2011



Commercial Landings – Change in Effort Between Years



•Data is only through September 26 in each year



RI Commercial Fishery Performance

- ◆ There was a 75,475 pound underage in first period (3.3% of quota)
- ◆ This underage was split between the two remaining sub periods per regulation, therefore each sub period gained 37,738 lbs
- ◆ The summer sub period is on track to be fully utilized without a closure
- ◆ The possession limit never dropped below 100 pounds to date in the summer sub period, and in fact was increased to 150 pounds on 7/24, 200 pounds on 9/4, and 250 pounds on 9/18
- ◆ Effort to date reached a maximum of 147 participants per day on July 7
- ◆ Effort in 2011 (to date) was slightly more than, but close to, the average of 2006 through 2010



Preliminary 2012 Commercial Allocations

- .RI 2012 Projected Commercial Quota (RSA included) = 2,975,000 lbs
- .RI 2012 Projected Commercial Quota (w/ estimated RSA removed) = 2,885,896 lbs
- .RI 2011 Commercial Quota = 2,725,368 lbs
- .2012 has an increase of 160,528 lbs (6% increase)
- .2012 Allocations based on RI Quota:
 - .Winter 1 54% = 1,558,384 lbs
 - .Summer 35% = 1,010,064 lbs
 - .Winter 2 11% = 317,448 lbs
- .For reference, 2011 adjusted allocations:
 - .Winter 1 54% = 1,256,560 lbs
 - .Summer 35% = 814,343 lbs
 - .Winter 2 11% = 236,212 lbs

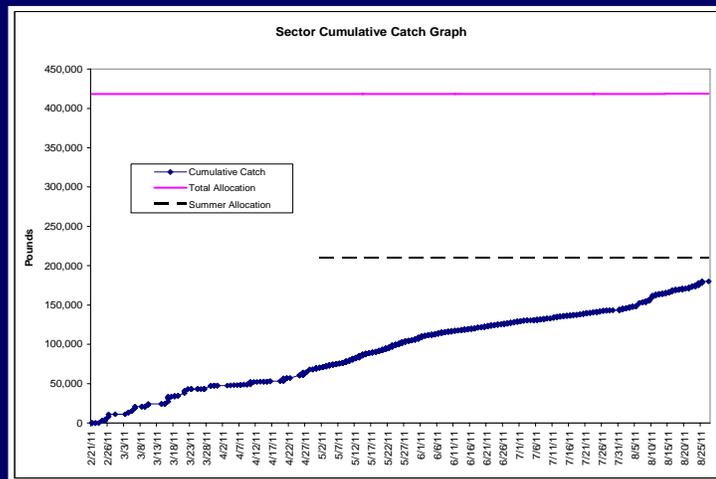


Sector Info – Background Info

- One group applied to become a summer flounder sector pilot program participant in 2011, the RI Fluke Conservation Cooperative
- The sector was approved and began operations on February 21, 2011.
- The sector is comprised of 13 vessels.
- The allocation given to the sector was approximately 15.7% of the state's total allocation, based on the historical landings of the 13 vessels during the historical period of January – December 31; 2004 – 2008.
- In pounds the adjusted allocation = 418,253 lbs



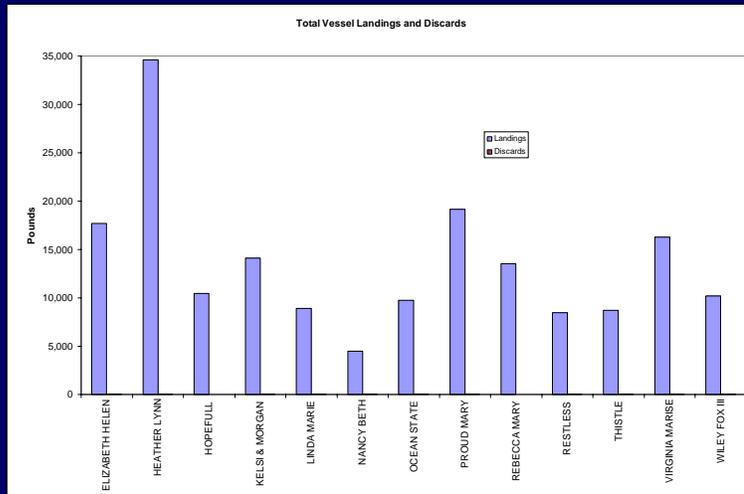
Preliminary Sector Info – Cumulative Landings



- 187,084 lbs have been caught by the sector (including 391 discard pounds)
- This is approximately 45% of the total allocation
- Through September 3rd, 769 trips have been taken by the sector, 145 have been observed, or 19%



Preliminary Sector Info – Total Vessel Landings and Discards



DEM/Marine Fisheries Proposed Changes

- The Division recommends the following starting possession limits for 2012:
 - Winter 1 = 300/day; Aggregate Period 3,000/week or 500/day
 - Summer = 100/day; Aggregate Period 350/week or 100/day
 - Winter 2 = 600/day
- Further the Division welcomes discussion on alternate proposals, e.g.:
 - Reopen Fridays and Saturdays during the summer sub period
 - Break the single summer sub period back into 2 sub periods and provide the appropriate allocations into these, i.e. equally split, split per the historical allocation. Example:
 - Winter 1 (1/1 – 4/30; 54%) = 300/day; Aggregate Period 3,000/week or 500/day
 - Summer 1 (5/1 – 7/31; 17.5%) = 100/day; Aggregate Period 500/week or 100/day
 - Summer 2 (8/1 – 10/31; 17.5%) = 150/day; Aggregate Period 750/week or 150/day
 - Winter 2 (11/1 – 12/31; 11%) = 600/day
- Modification of the logbook requirement to allow for electronic reporting



DEM/Marine Fisheries Proposed Changes

.The Division has recommended terminating the sector pilot program for 2012.

.The Division recommends that a full scale data analysis and integrated workshop be developed for early 2012 so that fishermen and the Director of DEM have an opportunity to view the data in its entirety including biological, economic, and social analysis.

- Studies of each of these components have taken place (some are ongoing)
- These components can all be used to make informed decisions as to the future of catch share programs in the state
- Other information may be integrated in to the workshop including the legal aspects of catch share programs
- The workshop will be administered by RI Sea Grant and is currently scheduled to take place in January of 2012

