

RHODE ISLAND MARINE FISHERIES COUNCIL
Summary of Meeting Minutes
March 4, 2013 – 6:00PM
URI Narragansett Bay Campus
Corless Auditorium
South Ferry Road, Narragansett, RI

RIMFC Members Present: R. Bellavance, K. Booth, R. Hittinger J. Grant, D. Monti,
and W. Mackintosh, III

RIMFC Members Absent: None

Chairperson: B. Ballou

RIDEM DFW Staff: N. Scarduzio, T. Angell, J. McNamee, J. Lake, N. Lengyel,
J. Mercer, and M. Gibson

RIDEM Staff: L. Mouradjian and G. Powers

RIDEM Law Enforcement: E. Cabral

Public: Approximately nine (9) people attended the meeting.

B. Ballou called the meeting to order. He asked if there were any modifications to the agenda. He then asked if there were any objections to approving the agenda as proposed. **Hearing no objections, the March 4, 2013 Council agenda was approved as written.**

The next agenda item was the approval of the Rhode Island Marine Fisheries Council (Council or RIMFC) meeting minutes from December 3, 2012. B. Ballou asked if there were any objections to approving the December 3, 2012, minutes as written. **D. Monti made a motion to approve the minutes as written, and R. Hittinger seconded the motion. The Council voted unanimously to approve the December 3, 2012, minutes as written.**

Public Comments

No comments were made.

Advisory Panel Reports:

Ad hoc Whelk Committee meeting (01/15/2013) – J. Grant:

J. Grant summarized the minutes and noted that most of the items they reviewed were gear requirements, tagging, and buoying of pots. They reviewed proposed language for clarity. He advised people to review the minutes for specific details of the meeting. He noted there would be another Whelk Ad Hoc committee meeting to review the data and research that T. Angell completed during the 2012 season.

Striped Bass AP meeting (01/18/2013) – K. Booth:

K. Booth summarized the minutes indicating that AP members supported status quo for the recreational striped bass fishery, and status quo for the striped bass fish trap fishery. For the general commercial fishery, the AP members supported modifying the season allocations by changing the allocation to a 70% / 30% split (from the current 75% / 25% split) and moving the September start date to Sept. 8th (from the current Sept. 11th start date). They also had discussions on banning yo-yo rigging, and on ingestions of lead. The group voted to have DEM look into enforcement issues and mortality issues, and address these issues holistically.

B. Ballou asked Council members if they would like to take up the yo-yo rigging issue, and lead

ingestion discussion from the AP meeting. K. Booth encouraged the Division to review research on all gear types that affect the mortality of striped bass. There was discussion from Division staff indicating that they could not find any research that had been done in this area. The Council decided to wait for the benchmark assessment to be completed by ASMFC first and use that report as a foundation for further exploration on the issue of striped bass mortality.

Groundfish meeting (01/10/2013) – K. Booth:

K. Booth noted that only a couple of people attended the meeting and summarized the minutes indicating they discussed the commercial spiny dogfish and coastal shark fisheries. Both possession limits were proposed to increase; spiny dogfish would increase to 4,000 pounds (from 3,000 pounds), and the Non-Sandbar Large Coastal Sharks (LCS) species group would increase to 36 sharks per vessel per day (from 33 sharks). K. Booth noted the Council needed to figure out a way to get people to attend the Groundfish AP. He suggested that this committee might be able to be combined with another committee in order to get a quorum.

B. Ballou asked for a motion from the Council to accept the minutes from the three AP's just reviewed. **A motion was made by R. Hittinger to accept the minutes from the three AP's, and W. Mackintosh III seconded the motion. B. Ballou asked for any objections to the motion. Hearing no objections, all three AP minutes were approved.**

New Business

Council recommendations on February 19, 2013 Public hearing items:

1) Recreational striped bass management plan for 2013:

Proposal #1 – Status Quo:

B. Ballou asked for the Division recommendation. M. Gibson representing the Division of Fish and Wildlife (DFW) stated that the Division supported status quo for 2013.

R. Hittinger made a motion to recommend that the Director remain with status quo for the 2013 recreational striped bass management plan. R. Bellavance seconded the motion.

There was no discussion on the motion by the Council, and no comments from the audience.

B. Ballou asked for the vote. The Council voted unanimously in favor to recommend that the Director remain with status quo for the 2013 recreational striped bass management plan. The vote was six in favor: (K. Booth, J. Grant, D. Monti, R. Bellavance, W. Mackintosh III, and R. Hittinger). The motion passed 6/0.

2) Commercial General Category Striped Bass management plan for 2013:

Proposal #1 – Modify the allocation percentages distributed to each season, and modify the starting date of the fall season:

B. Ballou asked for the Division recommendation. M. Gibson stated the DFW supported industry's modifications. He noted that the opening dates for the commercial general category did not have any biological significance it was more a user group issue and a business efficiency issue so the Division deferred to industry and RIMFC.

D. Monti made a motion to recommend that the Director adopt the modifications for the 2013 general category commercial striped bass management plan: start date of June 6 – August 31 at a 5 fish limit, move the Sept 11th fall start date to Sept 8 – December 31 at a 5 fish limit, closed Fridays and Saturdays throughout both sub-periods, and change the

quota allocation split from the current 75% - 25% split to a 70% - 30% split. R. Bellavance seconded the motion.

There was no discussion on the motion by the Council.

B. Ballou asked for the vote. The Council voted unanimously in favor to recommend that the Director adopt the amendments to the 2013 commercial general category striped bass management plan: a start date of June 6 – August 31 at a 5 fish limit, move the Sept 11 fall start date to Sept 8 – December 31 at a 5 fish limit, closed Fridays and Saturdays throughout both sub-periods, and change the quota allocation split from the current 75% - 25% split to a 70% - 30% split. The vote was six in favor: (K. Booth, J. Grant, D. Monti, R. Bellavance, W. Mackintosh III, and R. Hittinger). The motion passed 6/0.

3) Commercial Floating Fish Trap Striped Bass management plan for 2013:

Proposal #1 – Status Quo:

B. Ballou asked for the Division recommendation. M. Gibson stated the DFW supported status quo.

K. Booth made a motion to recommend that the Director remain with status quo for the 2013 commercial floating fish trap striped bass management plan. W. Mackintosh III seconded the motion.

B. Ballou asked for the vote. The Council voted unanimously in favor to recommend that the Director remain with status quo for the 2013 commercial floating fish trap striped bass management plan. The vote was six in favor: (K. Booth, J. Grant, D. Monti, R. Bellavance, W. Mackintosh, III, and R. Hittinger). The motion passed 6/0.

4) Spiny Dogfish management plan for 2013:

Proposal #1 – Increase starting commercial possession limit to 4,000 pounds per vessel per calendar day:

B. Ballou asked for the Division recommendation. M. Gibson stated this was a compliance issue and the Division was in support of the increased possession limit. He also noted the Division had received comments from industry to improve upon the Northern area management both to add additional sub period structure and to work with our counterparts collectively.

J. Grant made a motion to recommend that the Director adopt the increased commercial spiny dogfish possession limit of 4,000 pounds. D. Monti seconded the motion.

B. Ballou asked for the vote. The Council voted unanimously in favor to recommend that the Director adopt the increased starting commercial spiny dogfish possession limit of 4,000 pounds per vessel per calendar day. The vote was six in favor: (K. Booth, J. Grant, D. Monti, R. Bellavance, W. Mackintosh III, and R. Hittinger). The motion passed 6/0.

5) Coastal Sharks management plan for 2013:

Proposal #1 – Adoption of ASMFC amendments to increase the commercial possession limit to the Coastal Sharks, Non-Sandbar Large Coastal Sharks (LCS) species group to 36 sharks per vessel per calendar day:

B. Ballou asked for the Division recommendation. M. Gibson stated this was another compliance issue and the Division was in support of the increased possession limit.

J. Grant made a motion to recommend that the Director increase the commercial possession limit to the Coastal Sharks, Non-Sandbar Large Coastal Sharks (LCS) species group to 36 sharks per vessel per calendar day to come into compliance with ASMFC requirements. K. Booth seconded the motion.

B. Ballou asked for the vote. The Council voted unanimously to recommend that the Director recommend that the Director increase the commercial possession limit to the Coastal Sharks, Non-Sandbar Large Coastal Sharks (LCS) species group to 36 sharks per vessel per calendar day to come in to compliance with ASMFC requirements. The vote was six in favor: (R. Bellavance, K. Booth, J. Grant, D. Monti, W. Mackintosh III, and R. Hittinger). The motion passed 6/0.

6) Amendments to the Lobster management plan for mandatory V-notching of certain female lobsters in LCMA 4 with a season closure from Feb 1 through March 31 annually, in order to come into compliance with federal requirements: B. Ballou asked for the Division recommendation. M. Gibson stated this was a compliance issue and the Division was in support of the amendments.

D. Monti made a motion to recommend that the Director adopt amendments to the Lobster management plan for mandatory V-notching of certain female lobsters in LCMA 4 with a season closure from Feb 1 through March 31 annually, in order to come into compliance with federal requirements. W. Mackintosh III seconded the motion.

B. Ballou asked for the vote. The Council voted unanimously in favor to recommend that the Director adopt amendments to the Lobster management plan for mandatory V-notching of certain female lobsters in LCMA 4 with a season closure from Feb 1 through March 31 annually, in order to come in to compliance with federal requirements. The vote was six in favor: (K. Booth, J. Grant, D. Monti, R. Bellavance, W. Mackintosh, III, and R. Hittinger). The motion passed 6/0.

7) Amendments to the Lobster management plan for mandatory V-notching of certain female lobsters in LCMA 5 with a season closure from Feb 1 through March 31 annually, in order to come into compliance with federal requirements:

B. Ballou asked for the Division recommendation. M. Gibson stated this was also a compliance issue and the Division was in support of the amendments.

D. Monti made a motion to recommend that the Director adopt amendments to the Lobster management plan for mandatory V-notching of certain female lobsters in LCMA 5 with a season closure from Feb 1 through March 31 annually, in order to come into compliance with federal requirements. W. Mackintosh III seconded the motion.

B. Ballou asked for the vote. The Council voted unanimously in favor to recommend that the Director adopt amendments to the Lobster management plan for mandatory V-notching of certain female lobsters in LCMA 5 with a season closure from Feb 1 through March 31 annually, in order to come in to compliance with federal requirements. The vote was six in favor: (K. Booth, J. Grant, D. Monti, R. Bellavance, W. Mackintosh, III, and R. Hittinger). The motion passed 6/0.

Summary on Atlantic herring fishery – J. Lake:

J. Lake, DFW, gave an update on the 2013 Atlantic herring fishery stating that for 2013, a new permit was required to possess over 2,000 pounds of Atlantic herring, and captains had to participate in the SMAST/MADMF river herring avoidance network. He stated he held a captains meetings with all permitted vessels where over 30 people were in attendance. J. Lake reviewed fishing activity and landings for Atlantic herring, and river herring bycatch avoidance information. He noted that herring scattered from our area due to the blizzard so it was hard to determine if the program was working or if the river herring was concentrated or both. J. Lake commented that we have not seen the same issues that we had seen last year. He reported there had been no complaints of gear conflicts.

Appointment of new member(s) to Advisory Panels – N. Scarduzio:

N. Scarduzio stated that N. Lazar submitted an application and was interested in filling the vacancies on the summer flounder AP, tautog AP, and scup/black sea bass AP as scientific advisor. R. Hittinger stated he was the chair for both the summer flounder AP and tautog AP and he would be glad to have N. Lazar as the scientific advisor. **R. Hittinger made a motion to appointment N. Lazar as scientific advisor for the summer flounder, tautog, and scup/black sea bass AP's. K. Booth seconded the motion. The vote was unanimously in favor to appoint N. Lazar to these positions: (K. Booth, J. Grant, D. Monti, R. Bellavance, W. Mackintosh, III, and R. Hittinger). The motion passed 6/0.**

Approval of an Ad Hoc Whelk committee agenda – J. Grant:

J. Grant indicated this would be the meeting where the DFW, T. Angell, would review his data and findings from 2012. **B. Ballou asked Council members if there were any objections to approving the agenda as proposed. Hearing not objections, the agenda was approved.**

Old Business:

Discussion on modifying the harvesting schedule for High Banks & Potowomut Shellfish Management Areas – J. Grant/M. Gibson: J. Grant reminded people that the Shellfish AP members recommended opening High Banks and Potowomut Shellfish Management Areas several months ago to a full-time harvesting schedule with a three-bushel limit. At that time, DFW was not comfortable with the proposal until some stock assessment studies had been completed.

M. Gibson indicated that the Division had a problem assigning landings to the High Banks area but what the Division could identify looked like current effort in High Banks during the winter fishery was relatively low so that opening additional days on May 1st was not likely to decrease abundance in the area to levels that would negatively impact the population.

J. Mercer, DFW, explained he completed an analysis based on SAFIS data and found that initial larval dispersal modeling indicated that larvae spawning in the High Banks area were not likely retained and that recruits in to High Banks were likely coming from outside of the management area.

M. Gibson noted he did not provide any information about Potowomut Shellfish Management Area because he did not realize this area was also under consideration. J. Mercer suggested there was not that much data available for this area anyway. Gibson therefore stated he did not have any advise for the Council for the Potowomut Shellfish Management Area. Gibson later indicated that the Division does not have any basis to oppose the opening.

Comments were made from the audience that there was not a lot of product in the High Banks

area. There were many boats out there but not many people were harvesting many quahaugs.

B. Ballou asked for a motion.

J. Grant made a motion to recommend that the Director adopt the SAP proposal to modify the harvesting schedules for the High Banks and Potowomut Shellfish Management Areas by opening on May 1st from sunrise to sunset, seven (7) days per week, with a three (3) bushel possession limit, and no transplanting of quahaugs in these areas for 2013. R. Hittinger seconded the motion.

A comment from the audience asked if these Shellfish Management Areas could be changed back to open or wild fisheries. B. Ballou indicated it would be an AP and Council matter to discuss changing the status of a shellfish management area.

B. Ballou asked for the vote. The Council voted unanimously in favor to recommend that the Director adopt the SAP proposal to modify the harvesting schedules for the High Banks and Potowomut Shellfish Management Areas by opening on May 1st from sunrise to sunset, seven (7) days per week, with a three (3) bushel possession limit, and no transplanting of quahaugs in these areas for 2013. The vote was six in favor: (K. Booth, J. Grant, D. Monti, R. Bellavance, W. Mackintosh, III, and R. Hittinger). The motion passed 6/0.

Update on search to fill two RIMFC vacancies – B. Ballou/R. Hittinger:

B. Ballou reported that two candidates have been identified and would be interviewed by the Director shortly. He noted it was likely that the candidates would then be moved along to the Governor's office and then on to the Senate for appointment.

Update on Coast Guard Safety Inspections – B. Ballou/R. Bellavance:

B. Ballou noted that the Council members had been given a letter from the U.S. Coast Guard indicating that commercial vessels had until October 15, 2015 to comply. The letter had been provided by R. Bellavance. R. Bellavance stated that in January the USCG issued a notice that extended the timeframe from when they would enact the commercial vessel inspections, which would change from October 15, 2013 to now October 15, 2015.

ASMFC- NEFMC:

B. Ballou advised Council members they could find the ASMFC winter meeting summary in their packets.

B. Ballou asked if there was any other business to come before the Council. R. Hittinger had an announcement, that the RI Saltwater Angles Foundation, Coastal Institute, and the New England Ocean Council were sponsoring a recreational fishing symposium on April 2, 2013. He noted that if anyone needed more information they could contact either S. Medeiros or him.

Ballou asked if there were any objections from Council members to adjourn the meeting. Hearing none, the meeting was adjourned.

Meeting adjourned at approximately 7:30 PM.

Nancy E. Scarduzio, Recording Secretary