

RHODE ISLAND MARINE FISHERIES COUNCIL
Minutes of Monthly Meeting
August 2, 2004
URI Narragansett Bay Campus
Corless Auditorium
South Ferry Road
Narragansett, RI

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

Chairperson: M. Gibson

RIDEM F&W Staff: B. Murphy, J. McNamee, N. Lazar, T. Angell

DEM Legal Counsel: G. Powers

Public: 1 person attended

Chairman M. Gibson called the meeting to order. He asked if there were any changes to the agenda. N. Lazar asked to have item 5b (Commercial Fishermen Committee report) moved into the advisory panel (AP) report section. J. McNamee asked to have an item added under the 4th agenda topic which would be to authorize the advisory panels necessary for the next public hearing. The Rhode Island Marine Fisheries Council (RIMFC or Council) had no objections to these changes. M. Gibson asked if there were any comments on the meeting minutes from the July 6th RIMFC meeting. The Council had no objections to accepting the minutes as written.

Advisory Panel Reports

Winter Flounder: G. Allen gave the report. The panel met to review the addendum to the Atlantic States Marine Fisheries Council (ASMFC) fishery management plan for winter flounder and develop comments to bring forward at the ASMFC public hearing on this addendum. The panel discussed the various proposed changes such as mesh size regulations, closure lines, seasonal closures, and possession limit changes. The consensus of the advisory panel was to not take any action or provide any proposals regarding the use of small mesh in Narragansett Bay until a more specific set of restrictions was handed down from ASMFC. G. Allen asked that the Division of Fish and Wildlife (DFW) look in to the small mesh bycatch issue with an emphasis on what can be done to continue fishing with this gear type yet exclude catching winter flounder. On the other topics, the advisory panel took the same position. They asked that no action be taken until the ASMFC comes forward with a specific set of restrictions or reductions.

G. Allen, stating that he was now making a personal statement outside of his position as winter flounder advisory panel chair, said that he thought the Council should act now and begin to look in to developing some proposals on things like small mesh regulations, closures, and possession limits. N. Lazar stated that he felt that the ASMFC was going to

come forward with required reductions from the August meeting and they would leave it up to the states to decide how to meet these reductions.

M. Gibson stated that it seemed as if there were two choices before the Council, one was whether to go with the advisory panel's suggestion of waiting for the ASMFC to come forward with something and the second choice was to move forward with examining reductions now.

K. Ketcham stated that there were two major unanswered questions regarding the comments made by G. Allen. One was whether there is a small mesh bycatch problem and two, whether winter flounder can grow to adult size in the bay regardless of fishing pressures. K. Ketcham went on to state that as far as further closures in the Bay, he felt that very few people actually fish in this area.

G. Allen stated that he wasn't proposing to impose regulations at this point, but rather he wanted to look at ways they could alleviate fishing pressure if and when the flounder make a comeback in the Bay.

M. Gibson stated that the DFW has intentions to put observers on commercial fishing vessels in the state as well as outfitting the new research vessel. Both of these things will help with gathering data on bycatch in Narragansett Bay.

K. Ketcham made a motion to go with the winter flounder advisory panel recommendation to wait for a directive from the ASMFC before proceeding with any reduction proposals. He went on to state that the advisory panel should meet in early fall to evaluate what came out of the August ASMFC meeting regarding winter flounder. S. Macinko seconded the motion. There was further discussion about the timing of the ASMFC process and how long it would be until a directive came out of that process specific to Narragansett Bay. M. Gibson stated that he thought a directive would come out of the August ASMFC meeting which would require reductions in state waters. This would then be passed to the states to develop their own management measures. These would then have to be approved by the winter flounder technical committee. **The Council voted 3 (K. Ketcham, S. Macinko, S. Parente) to approve and 2 (G. Allen, D. Preble) to oppose. The motion passed.**

Shellfish: J. King was not present therefore J. McNamee gave the report. The proposal brought forward by R. Vaughn to establish a spawner sanctuary in Point Judith Pond had been brought back to the shellfish AP for further development. During the meeting DEM Law Enforcement stated their disapproval of the proposal because the opening dates coincided with the openings of all the other management areas in Narragansett Bay. This was problematic because they would not be able to have a presence in all of these locations at the same time due to staff shortages. R. Vaughn withdrew his proposal and decided that he would reintroduce it with different dates at a later time, if at all.

Two other business items were a couple of ideas brought forward by M. McGiveney. One had to do with setting up a way to facilitate shellfish management area closures between

the Director of DEM and the shellfish industry. The second was a proposal to stock the Green's River/Potowomut shellfish management area with juvenile shellfish. The AP was awaiting formal proposals on both of these before any action was necessary.

Commercial Fishermen's Committee: B. Murphy gave the report. The members of the commercial fishermen's committee (CFC) were convened to help develop a more specific set of priority rankings for the issuance of new licenses. They decided to break this down further and develop specific plans for each fishery sector, namely finfish, lobster, and shellfish. They decided to meet again in late August to discuss their proposals.

M. Gibson asked about the timing of this in conjunction with the upcoming public hearing. J. McNamee stated that he could get the CFC's comments into the public hearing summary document but the Council would not get an opportunity to view the proposals until after the summary document had been issued. The Council, however, had ample time to comment on the proposals. Two Council meetings and the public hearing would be the opportunities for the Council to comment on all of the public hearing items.

K. Ketcham asked if exit entrance ratios were being developed by the CFC. S. Parente stated that they had discussed this and they would be addressing exit entrance ratios by fishery sector at the following meeting. N. Lazar echoed these statements. He went on to suggest that the panel will function as an advisory panel and therefore needs a chairman appointed to it. The CFC does not currently have a chairman.

New Business

Schedule for the next public hearing: J. McNamee had passed out a memo outlining the important dates leading up to the next public hearing. A second memo was passed out giving the Council the items to be presented at the public hearing. M. Gibson stated that he would like one addition to the public hearing item list which would be about the lobster trap transferability item which had been deferred from the previous public hearing. **G. Allen made a motion to approve the scheduling and items for the next public hearing. D. Preble seconded the motion. The Council voted unanimously to approve the motion.**

Authorization to convene advisory panels regarding the next public hearing: N. Lazar asked the Council to authorize convening the summer flounder, black sea bass, scup, lobster, tautog, and winter flounder advisory panels in order to begin discussions about alterations to the 2005 quota management programs for these species. **M. Gibson asked if there were any objections to convening these advisory panels. The Council members did not have any objections to this therefore they authorized convening the above list of AP meetings.**

Other Business

Proposed Floating Fish Trap regulations: G. Allen gave the report. A document had

been passed out to the Council outlining the various changes to the existing floating fish trap regulations which G. Allen reviewed for the Council. G. Allen explained that what they were presenting is what they would like sent to public hearing. B. Murphy presented a chart of the current trap locations and also some photographs of the floating fish trap locations. G. Allen brought up one point which did not come up during their discussions much. Some of the traps use floating line around there buoys to avoid fouling the lines on the anchors. G. Allen stated that this needs to be addressed because the floating line is a navigational hazard.

M. Gibson stated that the Council had already approved sending this to public hearing during the last agenda item.

G. Powers suggested deleting the last sentence from section 15.5 in the proposed regulations. The sentence suggests that the Coast Guard will not be changing their regulations and G. Powers suggested that this may not be the case, therefore to err on the side of caution, the last sentence of this section should be deleted. **M. Gibson asked if the Council had any objections to this suggestion. There were none, therefore the Council approved striking the last sentence in section 14.5. D. Preble made a motion to approve all of the proposed regulations with the modification as described above. S. Macinko seconded the motion. The Council voted unanimously to approve the motion.**

Old Business

Update on lobster stock assessment and escape vent issues: T. Angell gave the report. The assessment was started and will probably be completed by early 2005. The results will be available at that time. T. Angell went on to describe some of the issues they are having with time series data.

K. Ketcham suggested that the discrepancy between the two data sets is probably due to the dockside sale of lobsters, which are not recorded in the dealer reports. T. Angell agreed that this was most likely one of the major sources of error.

M. Gibson asked T. Angell to discuss the natural mortality rates as they pertain to things like shell disease and how the assessment will treat this. T. Angell stated that the lobster technical committee (TC) is in agreement that the natural mortality rate has increased. This problem is being worked on by some scientists in Connecticut; they are developing a model which will estimate natural mortality.

T. Angell spoke about escape vent issues. T. Angell has received reports from Massachusetts on their most recent study, he has received 2-3 reports from the state of Maine on some of their studies, and he is still waiting for research from T. Hall and Dr. Crawford on their studies. When the final study is given to the DFW, the DFW will do an in house review of all the studies and report the findings. The T. Hall/Dr. Crawford study will not be completed until late this year.

Groundfish relief fund update: N. Lazar stated that the DFW has completed processing the applications with the exception of a few technical problems with about 18 individuals. The DFW is awaiting the grant management office of the National Marine Fisheries Service to complete the transaction and transfer the funds to the state of Rhode Island. N. Lazar stated that the fishermen will be compensated between 2 and 33 days at sea (DAS) lost.

The chairman adjourned the meeting.

Jason E. McNamee, Recording Secretary