



Rhode Island Marine Fisheries Council

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MEETING SUMMARY

October 2, 2017

Chairperson: *B. Ballou*

RIMFC Members: *B. Mackintosh, M. Rice, C. Rein, D. Monti, T. Barao, A. Dangelo, M. Roderick*

DEM: *G. Powers, J. McNamee, J. Lake, P. Duhamel, Lt. Joe Poccia*

Public: Approximately 11-12 persons (*including approximately 8 students of M. Rice's class*)

1. **Approval of the Agenda:** The Chair offered a suggested addition to allow for a brief presentation by Dr. Anna Mercer Malek from the Commercial Fisheries Research Foundation. Items 8 and 9 were moved up as items 5 and 6 respectively after item 4, Public comment, with other items following in their original orders. The Chair the inquired as to an objections or other modifications; hearing none, the agenda was approved as revised.
2. **Approval of minutes from meeting on June 26, 2017:** The Chair inquired as to any proposed modifications or objections to approving the minutes. Hearing none, the minutes were approved by consent.
3. **Approval of minutes from meeting on February 28, 2017, as revised:** *P. Duhamel* explained that there were additional minutes regarding removal of SAP members that were not present in the approved minutes. **Motion made by *D. Monti* to amend the previously adopted minutes as presented in the Council ePacket; 2nd by *M. Rice*. The motion passed 7 - 0.**
4. **Public comments regarding other matters not on agenda:**
 - Mr. Jim Salisbury from Westerly explained that he was concerned about the number of draggers off the Westerly beaches, sometimes within ½ miles of the beach, and the effects on other forms of fishing. He requested that the Council consider recommending regulatory action to address.
 - Dr. Anna Mercer Malek from the Commercial Fisheries Research Foundation gave a brief introduction and showed a short film regarding an economic impact study she is involved with, and passed out flyers to solicit participation from commercial fishermen.
5. **Shellfish Advisory Panel (SAP) meeting summary:** *C. McManus* provided an overview of the meeting, which took place on July 26th; agenda, presentation, and draft minutes are provided in the Council ePacket. *D. Beutel* offered an overview of the Troiano aquaculture lease application. The applicant, Mr. Troiano, offered rationale for his site selection. *B. Ballou* offered that the following two agenda items, which were also SAP agenda items,

would be discussed before the Council would be asked to approve the meeting minutes. *M. McGiveney* offered reasoning regarding the SAP recommendation to object to the application and site. He offered that the survey conducted by CRMC as part of the review process is not an adequate criterion by which to assess suitability of aquaculture as areas change over time. *M. Monteforte*, a commercial fisherman in the audience, offered that he shellfishes in the location where the lease is being proposed. Upon conclusion of the discussion and votes for the lease application and the SAP motion regarding mapping of areas in Narr. Bay for aquaculture suitability (see below), *B. Ballou* inquired as to any objections to approving the SAP meeting minutes. Hearing none, **the minutes were approved by consent.**

6. **Aquaculture lease application review (Troiano):** The matter was discussed as part of the SAP meeting summary (see above). Details of the SAP recommendations are provided in the SAP meeting minutes. **Motion made by *D. Monti* to recommend that the application not be approved due to conflicts with wild harvest; 2nd by *B. Macintosh*.** *C. Rein* offered that he supported the application due to its small size and low shellfish density; that it was therefore not a conflict with wild harvest and should be supported as a desirable commercial activity to produce shellfish for consumption. **Substitute motion made by *M. Rice* to recommend not to object due to lack of conflict with wild harvest and consistency with historic uses (i.e., oyster harvest); 2nd by *C. Rein*; this motion failed 3 – 4 (*M. Roderick*, *D. Monti*, *A. Dangelo*, and *B. Macintosh* not in support of the motion).** *M. McGiveney* offered that while that area may currently have low shellfish densities, historically that area has been highly productive for quahaugs. *C. Rein* emphasized that both activities could coincide; that this aquaculture activity should not significantly impact wild harvest fisheries. Mr. Troiano offered that he agreed that there was very little area available for aquaculture in the area, in that most of the area is highly productive for quahaug harvest. Concern was expressed regarding a precedent set if this lease were to be approved. Vote then was taken on the original motion made by *D. Monti*: **The original motion passed 4 – 3 (*M. Rice*, *C. Rein*, and *T. Barao* not in support of the motion).**
7. **SAP motion regarding mapping of areas in Narr. Bay for aquaculture suitability:** *C. McManus* offered a summary of the discussion as occurred at the SAP meeting. *D. Beutel* offered that CRMC would like a map of fisheries uses which would be used to determine aquaculture suitability; and offered that maps specifically prohibiting aquaculture is not desired. He offered that such maps were promoted as part of the state-wide Shellfish Management Plan, but have not been produced. *C. Rein* inquired as to why aquaculture would not be specifically prohibited in some areas; to which *D. Beutel* replied that such is not the goal, but only to understand all uses so as to evaluate potential conflicts. He offered the last time such maps were developed was in 2000. *B. Macintosh* offered support for use maps and the need to efficiently evaluate competing uses. *M. McGiveney* offered that the exercise that took place in 2000 resulted in the Rome Point area being determined to be suitable for aquaculture. He offered that commercial quahaug fishing in the upper Bay needs protection from the threat of loss of fishable areas. He offered that the CRMC's proposed Narragansett Bay Special Area Management Plan (SAMP) should address this issue. **Motion made by *M. Rice* to request to the CRMC to undertake an update of their use mapping as part of the development of the Narragansett Bay SAMP, and to assure the inclusion of all fisheries uses; 2nd by *C. Rein*. The motion passed 7 – 0.**

8. **Industry Advisory Committee (IAC) meeting summary:** *J. Lake* provided an overview of the meeting, which took place on July 26th; agenda, presentation, and draft meeting minutes are provided in the Council ePacket. *J. McNamee* will provide a presentation of the commercial licensing program and proposed legislation that will be submitted this fall at the December Council meeting. *B. Ballou* inquired as to any objections to approving the IAC meeting minutes. Hearing none, the minutes were approved by consent.
9. **September 18 public hearing items (Part 2 - Licensing):**
- **Part 2 – Licensing: Exit/entry ratio Restricted Finfish Endorsement, Bay Quahaug Endorsement, and Soft-shell Clam Endorsement:** *P. Duhamel* offered that no proposals for modifications were received, that the IAC recommended status quo, and no public comments provided at the hearing. **Motion made by *D. Monti* to recommend status quo for all endorsements; 2nd by *M. Rice*. The motion passed 7 – 0.**
 - **Part 2 – Licensing: Proposed amendment to the Activity Standard involving the issuance of new licenses upon sale of vessel and/or gear:** *J. Lake* offered that the annotated language before the Council for review was modified since the public notice as better reflective of the intent of the proposal as offered by the IAC. He noted that provisions relating to the transfer of a fishing business to a family or crew member under hardship conditions was addressed and modified in 2016, and is therefore believed to be adequate in terms of intent of this most recent IAC proposal. Discussion ensued as to the requirement to hold the license for two full years prior to being eligible for a transfer, which remains unchanged and was determined to not be part of the IAC proposal. **Motion made by *C. Rein* to recommend adoption of new language as proposed as section 6.7.8(e); 2nd by *B. Macintosh*. The motion passed 7 – 0.** *J. McNamee* offered that the draft 2018 Sector Management Plans would be finalized to include the Council recommendations.
10. **Winter harvest schedules for Greenwich Bay, Bristol Harbor, and Bissel Cove/Fox Island Shellfish Management Areas:** *B. Ballou* offered a summary of the current default schedules and that a proposal was received to amend to the schedule for Greenwich Bay. *M. McGiveney* offered that as Christmas fell on a normally closed day (i.e., Monday), he was looking that the following Tuesday be opened. *P. Duhamel* offered that no requests for modifications to the schedules for Bristol Harbor or Bissel Cove/Fox Island was received. **Motion made by *D. Monti* to recommend that the schedule for the Greenwich Bay Shellfish Management Areas be modified to be open on Tuesday, December 26th, in addition to the already scheduled open days; 2nd by *M. Rice*. The motion passed 7 – 0.**
11. **IAC Membership:** *B. Ballou* offered that resignations were received for Mr. Carl Granquist and Mr. Eric Reid, and that an application for membership was received by Ms. Katie Almeida (Town Dock). **Motion made by *A. Dangelo* to accept resignations and approve new member as received; 2nd by *B. Macintosh*. The motion passed 7 – 0.** *D. Monti* offered that he and Council Member *T. Barao* would solicit membership for the currently vacant recreational slot.

12. **SAP Membership:** *B. Ballou* offered that two applications for membership were received from Mr. Ed Troiano and Mr. Manuel Sousa. **Motion made by *C. Rein* to approve both members; 2nd by *B. Macintosh*. The motion passed 7 – 0.**

13. **Other matters:** Regarding the public comments made by Mr. Jim Salisbury earlier in the meeting, *J. McNamee* offered that it was explained by the Division to Mr. Salisbury that the Division didn't have any incentive to move forward on a regulatory amendment regarding draggers in close proximity to the coastal shore, and that it was therefore offered to him to present the matter to the Council as a means to deliberate the matter. He offered that the Division would bring forward a regulatory proposal if recommended by the Council. *C. Rein* inquired to *J. McNamee* as to any scientific of fisheries management need for such a measure; to which *J. McNamee* replied that Mr. Salisbury did not offer any specificity to his request. *D. Monti*, in his capacity as a marine fisheries journalist, offered that he hears about this issue routinely from concerned recreational shore anglers. Upon conclusion of the discussion, **no motion was made to address the matter further at this time.**

Meeting adjourned at approximately 8:15; Prepared by *P. Duhamel*