

**RI Marine Fisheries Council
Menhaden Advisory Panel
Meeting Minutes
January 11, 2010, 6:00 PM
URI Bay Campus, Coastal Institute**

S. Medeiros, Chairman	M. Bucko*
C. Lachapelle	P. Bettencourt
D. Insana	P. Karcz ^A
G. Allen	D. Maicea
R. Jobin*	P. Tameo
D. Beutel*	D. Pesante
L. Lachance*	E. Patriarca
J. Souza ^A	F. Tavarozz
F. Tameo	J. White
R. Patriarca	S. Hall, DEM Enforcement
J. Macari	R. Ballou, DFW staff
E. Cook*	J. McNamee, DFW staff

There was 1 attendee whose name I could not read from the sign in sheet
(*primary advisory panel member; ^A alternate member)

S. Medeiros began the meeting. He stated that J. McNamee of the RI Division of Fish and Wildlife (DFW) had a presentation which covered the first 3 agenda topics. He went on to state that after the presentation the panel would move on to discuss any proposals they may have for menhaden management in 2010.

J. McNamee began with a discussion about stock status. The status of the menhaden stock was in good shape at the coastwide level; it is not overfished and overfishing is not occurring. He then went in to fishery performance in 2009. The fishery in 2009 was very difficult due to a number of reasons including poor weather and few fish entering the Bay. Per the approved methodology the fishery had gone over its cap by 119,000 pounds, or one vessels possession limit. He went on to state that no spotter flights were observed in 2009, however, a new program of independent flights in the state helicopter had been undertaken. This new element would hopefully improve the menhaden program in the future. J. McNamee concluded the presentation by indicating the improvements the DFW would like to propose for 2010 in an effort to improve monitoring of the menhaden resource in Narragansett Bay. These proposals included a minimum threshold of biomass, or “floor” that must be in the Bay prior to the start of commercial fishing, independent flights in the state helicopter were proposed to be undertaken again, adding a fishery independent aspect in to the program, and the knowledge that the DFW had had the occasion to hire new employees in 2009, therefore observations of the menhaden fishery in 2010 would hopefully improve.

S. Medeiros began by taking comments from the attendees. The first commenter brought up that he felt the amount of fish as indicated by the model was set inaccurately. He felt

that when the cap was reached and the fishery was closed, the fish had either all been harvested, or had left. Several other attendees supported these comments.

Another attendee brought up the fact that a minimum number of observations needed to be made prior to beginning fishing, or even setting the so called floor, because if fishing were to commence with too few observations, the commercial fishery could harvest all of the fish before anyone realized it.

The attendees discussed several ideas on how to better prosecute the fishery in Narragansett Bay including limiting the number of boats participating, closing the Providence River (including homeland security reasons for doing this as well as fishing reasons), limiting boat size and capacity, and a discussion on how to enforce the net size restriction.

G. Allen wanted the group to discuss and be aware of the possibility that pressure from the severely restricted herring fishery could affect the menhaden fishery by increasing effort. He felt they needed to be out in front of this issue because it could lead to disaster in 2010.

Prior to trying to get a consensus proposal from the panel, S. Medeiros wanted to discuss the two proposals that had been brought forward by meeting participants. He started with a proposal from the Federated Rhode Island Sportsmen's Clubs (FRISC, see attached). C. Lachapelle stated that their proposal was to close the area north of a line drawn from Warwick Light to Rumstick Point from May 15 through July 15, and to remove all restrictions from the areas south of this line. They felt that this was the easiest and fairest proposal, and would have the best impact on the menhaden fishery in 2010 and beyond. **The panel members did not support this proposal.**

The next proposal that had come forward was from D. Pesante, a RI fisherman who was trying to get in to the menhaden fishery due to severe restrictions in almost every other fishery (see attached). His proposal was to simply drop the possession limit to a point that would keep the fishery going at a residual level all summer rather than simply allowing the fishery to close when the cap was reached. **The panel did not support this proposal, stating that they thought it may lead to more confusion and greater complexity in the program.**

S. Medeiros went on to get a consensus proposal from the panel if possible. **The panel supported setting a floor to the fishery so that commercial purse seining could not begin prior to the floor being reached. They also supported setting a maximum boat size of 85 feet and a maximum capacity of 120,000 pounds, though one panel member recommended looking in to this before implementation. The panel supported marking the purse seine nets at 50 foot intervals with a different colored buoy to allow for enforcement of the net size restriction. They added that they would like all nets to be certified by DEM Enforcement prior to the start of fishing. The panel members also discussed the need for aggressive enforcement of the menhaden provisions and wanted to make this known to the Director. These were all consensus statements from the panel, except as noted for the vessel restrictions.**

The panel had further discussions on how to limit participation by use of the control date in the licensing regulations. R. Ballou, Acting Chief of the DFW, stated that this was certainly an option that could be exercised by the Director, however there had to be a basis to do so. He gave the example of a large influx of large vessels all operating in the Providence River leading to boating hazards as a hypothetical basis for exercising the control date.

M. Bucko asked that the panel meet again immediately after the season ended in August or September to discuss what had happened while it is still fresh in their minds. There was support for this idea.

Finally, an attendee wanted it noted that the issue was with one operator who created the majority of the problems in the Bay in 2009. He stated that they should have some way of keeping the offending operator out of the Bay, because it was not fair to Ark Bait to be restricted because of the bad actions of another company.

S. Medeiros adjourned the meeting.