

**RHODE ISLAND MARINE FISHERIES COUNCIL**  
**Minutes of Shellfish Advisory Panel**  
**February 16, 2011 5:00 pm**  
**Corless Auditorium, Narragansett, RI**

**MFC Members Present:** R. Hittinger (acting Chair)

**SAP Members Present:** W. Blank, P. Kennedy, O. Kelly, J. Gardner, J. Grant, G. Schey, S. DiPetrillo, M. McGiveney

**SAP Members Absent:** R. Bercaw, D. Brayton, W. Cote, D. Goebel, J. Migliore, J. Mullen

**DEM Marine Fisheries:** D. Erkan, M. Gibson, N. Lazar

1) Hittinger opened the meeting asking for the presentations by Fish and Wildlife staff.

Gibson outlined the DEM Fish and Wildlife (DFW) monitoring protocols for soft-shell clam stock assessment, including landings information from SAFIS, field surveys (both suction sampling and side-scan sonar), and dealer surveys. Life history was discussed. It was noted that historic 1 ½" minimum size was below reproductive maturity as demonstrated by the growth curve in the presentation. Significant predation mortality of displaced clams was observed. Depletion of the stock was observed in the Conimicut area. Over 90% of the landings for soft-shell clams in RI are harvested in the area. RIGL – 20-2.1(2)(iv)(A) <http://www.rilin.state.ri.us/Statutes/TITLE20/20-2.1/20-2.1-9.HTM>, requires the prevention of overfishing, while achieving, on a continuing basis, the optimum yield. Landings increased dramatically in 2000-2003, and peaked in 2007. Participation peaks during the summer. Length frequency measurements at dealers found 10% under the 2" length. The average price dropped significantly. Per SAFIS, 90% of the shellfishermen landed less than 12 bushels per trip averaging (3 bushels). The range of landings makes management difficult. The need for a logbook was suggested. McGiveney suggested providing vessel registrations to the dealer.

DFW recommends:

- a) Creation of Conimicut Shellfish Management Area
- b) Maintain a 2-inch minimum size statewide for soft-shell clams
- c) Establish a 3 bushel per day possession limit.
- d) Consider additional measures as necessary.

Gibson then outlined the procedures and components used in development of a stock-assessment model. Stocks were found to have been rapidly depleted from a high of 2 million pounds in 2006 to a grossly-overfished level, even including the newly opened Conimicut triangle area (over 50% biomass removal in one month). Gibson and Lazar noted that juvenile recruitment and subsequent growth was insufficient to replace the stock, given the observed fishing effort. Total biomass was related to stock levels in

unfished areas. The recommendation was to keep removal at 1/3 or less to meet sustainability responsibilities in RI General Laws.

Hittinger opened discussion to the SAP and audience. Audience called for better enforcement on harvest methods (illegal mechanical methods), and possession limits. Schey asked for clarification on prior SAP recommendations (1 3/4" minimum size and 9 bushels-per-day possession limit had been recommended, opposed management area). Gibson stated that a catch target for the area is necessary. Develop estimates of a total weight that could be removed annually. Industry could provide advice about days, timing, seasons, and harvest methods. Grant advocated for a "buffer" under the 2" minimum size - believes 1 3/4" size accomplishes this.

SAP vote: 1 3/4" minimum size statewide (6 supported, 2 opposed – **motion passed**)

SAP vote: 6 bushels Conimicut Management Area possession limit (4 supported, 3 opposed, 1 abstained – **motion passed**)

SAP vote: Conimicut Management Area with 6 bushel soft-shell clam possession limit with free and common fishery possession limits for all other species (3 supported, 4 opposed, 1 abstained – **motion failed**)

SAP vote: Conimicut Management Area with 6 bushel soft-shell clam possession limit, with free and common fishery possession limits for all other species, *and a 5-year "sunset clause"* (6 supported, 1 opposed, 1 abstained – **motion passed**)

Any additional measures proposed would come before SAP at a future time.

2) Erkan described DFW position on commercial shore digging outside the winter harvest period in Bristol Harbor Shellfish Transplant Area, Potowomut, Eastern Greenwich Bay, Mill Gut, Bissel Cove, and High Banks Shellfish Management Areas - continued until the next SAP meeting.

Adjourn approx. 7:00 PM  
prepared by: D. Erkan