

RI Marine Fisheries Council
Summary of Meeting Minutes of the
Industry Advisory Committee
August 9, 2011 - 6:00 PM

URI/GSO Campus, Coastal Institute Building, Large conference room
South Ferry Road, Narragansett, RI

There were 11 people present (* IAC member)

Rick Bellavance, Chair	Carl Grandquist*	Jerry Carvalho
Mike McGiveney*	Robert Mattiucci*	Nancy Scarduzio, RIDEM
Eric Reid*	Stephen Parente	Daniel Costa, RIDEM
Stephen Arnold*	Bob Rheault	
Lanny Dellinger*	Rich Fuka	

IAC Members Absent: Ted Platz, Chris Brown, Robert Smith, and Jerry Tremblay. Let the record reflect that Jerry Tremblay had a family medical emergency and was unable to attend last minute.

1. Discussion on new commercial license opportunities for 2012:

Licensing Overview

N. Scarduzio handed out and reviewed a summary of license and endorsement data from 2003-2011. She explained this was back-up information that summarized the changes in licensing and the Department now had eight years worth of licensing information, supplemented with SAFIS data for the last few years.

Shellfish Sector – Quahaug exit/entry ratio

N. Scarduzio reviewed a hand-out on licensing summary from 2003-2011 for the quahaug fishery. The data available over the eight-year period (2003-2011) indicated that the total number of eligible licensees -- multipurpose (MPL), principal effort licenses (PEL) with quahaug endorsements, over 65 Shellfish, and Student Shellfish -- had declined by 31%, from 2,272 to 1,561 total licenses.

The data for 2011 indicated that of 24 multipurpose licenses “retired” or not renewed in 2011, 2 had fished for quahaugs at least one day during 2010. There were 29 principal effort licenses with quahaug “retired” or not renewed, 3 had fished at least one day during 2010.

N. Scarduzio summarized that for 2011, based on the current regulatory standard, applying a 2:1 exit/entry ratio to all eligible licenses (MPL’s + PELs with a quahaug endorsement that retired in 2011 would result in the issuance of 27 new CFLs with a quahaug endorsement for 2012.

There was discussion about the quahaug fishery. J. Carvalho, representing the RI Fishermen’s Alliance, stated that we should open up licenses and make them available to anyone who wanted one. He was not in support of having an exit/entry ratio which limited the number of licenses for any fishery. R. Fuka agreed. B. Rheault stated from a biological stand point there was not much justification for an exit/entry ratio because there was poor correlation between effort and catch, and effort and biomass. The model that was being used for the quahaug fishery was very weak.

M. McGiveney made a motion to recommend status quo to the Council, to continue to apply the same regulatory standard as last year, which would apply a 2:1 exit/entry ratio to all eligible licenses (MPL’s + PELs w/quahaug endorsement) that retired, to make 27 new CFLs w/quahaug endorsement available for 2012. R. Mattiucci seconded the motion. The

committee vote was (4) in support (M. McGiveney, R. Mattiucci, S. Arnold, and C. Grandquist); (1) opposed (E. Reid); and (1) abstention (L. Dellinger); (4/1) the motion passed.

Shellfish Sector – Soft-Shell Clam exit/entry ratio

N. Scarduzio reviewed licensing information for soft-shell clams. The data for 2011 indicated that of 24 multipurpose licenses “retired” in 2010, none of the 24 had any activity. There were 21 principal effort licenses w/SS Clam endorsement “retired”, 1 had fished at least one day during 2010. There were 17 CFLs w/SS Clam endorsements “retired”, 2 had fished at least one day during 2010. In summary, a total of 62 licenses eligible to fish for soft-shell clams retired; and 3 of those had been active in the fishery.

There was discussion and review of the soft-shell clam licensing information. M. McGiveney noted that compromises had been made in this fishery with an increased size limit to 2-inches and a decreased bushel limit from a 12-bushel limit to a 3-bushel limit in Conimicut Point. He felt due to the new restrictions in this fishery it could take more activity and recommended moving from the 5:1 exit/entry ratio to a 3:1 ratio for soft-shell clams.

M. McGiveney made a motion to recommend that the Council change the regulatory standard and apply a 3:1 exit/entry ratio to all retired licenses, to make 21 new CFLs w/SS Clam endorsement available for 2012. R. Mattiucci seconded the motion. The committee vote was (5) in support (M. McGiveney, R. Mattiucci, E. Reid, S. Arnold, and C. Grandquist); and (1) abstention (L. Dellinger); the motion passed.

Shellfish Sector – Create a Whelk endorsement

D. Costa referred to a power point presentation outlining some concerns pertaining to the lack of catch and effort data for the whelk fishery. He asked the group to consider creating a whelk endorsement which would identify participants in the whelk fishery so they would be required to fill out a catch and effort logbook. He also indicated he was open to other suggestions for collecting this data if there was no interest in creating a new endorsement such as trap tags for whelk pots.

J. Carvalho stated there was a need for a requirement for all fixed gear to be tagged. Effort should not be directed toward creating additional endorsements but directed toward the tagging of all fixed gear. That should be required along with a logbook requirement.

M. McGiveney indicated that the RIMFC Shellfish Advisory Panel (SAP) was in support of trap tags for whelk pots. There was a discussion as to whether to move forward with creating a whelk endorsement now or to wait an unknown period of time for a fixed gear trap tag requirement to come down the pipeline. B. Rheault suggested moving forward for now with the new whelk endorsement and logbooks and not wait for whenever the trap tag requirement comes to fruition. He stated he was in support of creating the new whelk endorsement along with logbooks.

M. McGiveney made a motion to recommend that the Council support creating a whelk endorsement with a logbook requirement. E. Reid seconded the motion. The committee vote was (4) in support (M. McGiveney, E. Reid, S. Arnold, and C. Grandquist); and (2) opposed (R. Mattiucci, L. Dellinger); (4/2) the motion passed.

Shellfish Sector – 1 Ticket Shellfish Reporting System

D. Costa explained he was also interested in implementing a 1 ticket system for the rest of the shellfish fishery, except for whelk, to capture catch and effort date. He suggested having dealers enter the hours fished in the SAFIS system at the time of sale. D. Costa indicated that he would not need to issue logbooks to roughly 2,000 Shellfishermen if the dealers could enter this information when they entered the SAFIS information. This would be only a slight impact on the dealer, but much less burdensome for Shellfishermen, and a huge financial savings on printing of logbooks, postage for mailings, and staff time to process logbooks. To summarize, he wanted to implement a 1 ticket system for the shellfish fishery, and a 2 ticket system using logbooks for the whelk fishery.

M. McGiveney pointed out that the current shellfish slips had a space to record time so he thought people could easily put in the number of hours they fished in parenthesis next to the time. He felt this would be much easier than having Shellfishermen complete logbooks. He stated he would support a simple addition to SAFIS in the form of hours fished. B. Rheault stated that what he spoke about earlier of the weakness in the quahaug management plan and model was because of the weakness in the effort part of the data. Unless you have effort in your model your model is basically flawed. Therefore, the effort number was what DEM was trying to capture to make an accurate model and this would allow them to do that. This would allow DEM to manage the species with some sort of real information.

M. McGiveney made a motion to recommend that the Council support capturing hours fished via the SAFIS system to complete a 1 ticket system for all shellfish, except whelk. (Dealers would be required to add hours fished into each SAFIS transaction pertaining to shellfish.) This would be acceptable instead of requiring the entire shellfish industry to fill out logbooks. R. Mattiucci seconded the motion. The vote was unanimous in support; (M. McGiveney, R. Mattiucci, E. Reid, S. Arnold, C. Grandquist, L. Dellinger); (6/0) the motion passed.

Finfish Sector – Restricted Finfish Fishery exit/entry ratio

N. Scarduzio reviewed a summary of license types for the past eight years, from 2003-2011, in the restricted finfish fishery. She indicated there was an overall decline in licenses. The total number of eligible licenses (MPLs and PELs w/ Restricted finfish (RFF)) had declined by 26 %, from 1,529 to 1,125. A total of 25 new licenses had been issued during this eight year time period (22 CFL w/RFF and 3 PEL w/RFF).

The data for 2010 indicated that of the 1,158 total licenses that were eligible to fish for restricted finfish 666 or 58% were active in that they fished to some degree for restricted finfish in 2010.

N. Scarduzio summarized that for 2011, there were 24 multipurpose licenses (MPL) and 8 principal effort licenses with restricted finfish (PELs w/RFF) that retired. Of the 24 MPLs, three (3) had some activity. Three (3) out of the eight (8) retired PELs w/RFF had fished at least one day during 2010.

N. Scarduzio explained based on the current regulatory standard of applying a 5:1 exit/entry ratio to active licenses (MPLs and PELs w/RFF) that retired in 2011, with activity being any level in the fishery over the past year, there would be a total of six (6) retired licenses divided by the 5:1 exit/entry ratio to yield one (1) new PEL w/RFF endorsements to be made available for 2012.

N. Scarduzio reminded members that per current regulation, if the application of the exit/entry ratio yielded one or two endorsements, three endorsements would be made available in order to evenly distribute endorsements throughout the three categories.

A motion was made by S. Arnold to recommend that the Council remain at status quo and apply the current 5:1 exit/entry ratio to the restricted finfish fishery, and to make 3 the minimum number of new restricted finfish endorsements available for 2012 at the PEL w/RFF endorsement (full harvest level). M. McGiveney seconded the motion. The committee vote was (4) in support (E. Reid, S. Arnold, C. Grandquist, M. McGiveney); (1) opposed (R. Mattiucci); and (1) abstained (L. Dellinger); (4/1) the motion passed.

Crustacean Sector – Lobster Fishery exit/entry ratio

N. Scarduzio indicated there were no relevant changes to lobster licensing at this time.

L. Dellinger made a motion to recommend to the Council to remain at status quo (no new lobster endorsements). R. Mattiucci seconded the motion. All were in favor, the motion passed unanimously; (6 to 0).

Crustacean Sector – Create a horseshoe crab endorsement

D. Costa then addressed creating a fee based horseshoe crab endorsement for monitoring the horseshoe crab bait fishery quota. He indicated that approximately 75 people currently have a no-fee horseshoe crab permit which was issued by DFW Marine Fisheries staff. He explained that the issuing of these permits was a burden on our office staff and felt this should be part of the DEM Licensing office as a separate endorsement so these people could be clearly identified and pay a fee through the licensing office. This would also create a more responsible mechanism for horseshoe crab quota monitoring. There were people who were harvesting horseshoe crab but not obtaining the permit through our office. He felt having all permits, or endorsements centralized with the Licensing Office would be more beneficial and easier to administer. He noted that the reporting of catch and monitoring quota would still be conducted by DFW Marine Fisheries staff.

There was discussion about the current permit process and moving it to the DEM Licensing office in Providence.

R. Mattiucci made a motion to recommend that the Council keep the current horseshoe crab permit process status quo that the permitting process remain with the DFW Marine Fisheries staff. L. Dellinger seconded the motion for discussion. The committee vote was (1) in support (R. Mattiucci); and (5) opposed (L. Dellinger, E. Reid, S. Arnold, C. Grandquist, M. McGiveney); (1/5) the motion failed.

M. McGiveney made a motion to recommend that the Council support moving the horseshoe crab “permit” process to the DEM Licensing Office in Providence but remain a no-fee “permit”. L. Dellinger seconded the motion. The committee vote was (5) in support (L. Dellinger, E. Reid, S. Arnold, C. Grandquist, M. McGiveney); and (1) opposed (R. Mattiucci); (5/1) the motion passed.

J. Carvalho noted for the record that M. McGrath was not present and may have voiced concerns about moving this permit process to her licensing office.

2. Add a mandatory renewal date or penalty for late renewals of dealer licenses.

D. Costa explained that he was going to make some recommendations and it was up to the IAC members to determine how they wished to proceed with the recommendations. He stated that some dealers renew their dealer license late or do not renew in a timely manner but continue to do business. J. Carvalho stated that it was an enforcement problem, the dealer would be in violation of the law and that should be addressed by enforcement.

D. Costa stated his recommendation was to implement a mandatory renewal date. The group discusses the issue and decided it was an enforcement issue and should be addressed through enforcement.

3. Upon upgrading to PEL – all endorsements upgraded to PEL, so there are no more dual licenses.

D. Costa explained that DEM currently had a licensing system that allows a license holder to possess two or three different types of licenses. It becomes very confusion for dealers to know which license they should report on and also confusing as fishery managers when tabulating data. He stated that some people can hold three types of licenses at the same time such as a CFL, PEL, and over 65 shellfish license. He commented that it has become increasingly difficult to analyze data when you have one person with multiple licenses.

At this point M. McGiveney asked the group to reconfirm their past support of collapsing all PEL licensees to make them fully endorsed for 2012. This would make the PEL like a multipurpose license so you would not have to buy each individual endorsement. He also suggested that the group get together with D. Costa and work on this issue with him since this would have to be a legislative change. The group encouraged McGiveney to make a motion.

M. McGiveney made a motion to recommend that the Council support making “all” three PEL licenses (shellfish, finfish, and lobster) fully endorsed. L. Dellinger seconded the motion. The vote was unanimous in support; (M. McGiveney, R. Mattiucci, E. Reid, S. Arnold, C. Grandquist, L. Dellinger); (6/0) the motion passed.

He also emphasis this should be revenue neutral. Make the PEL one set fee so fishermen do not have to buy all the extra endorsements.

4. Consolidate landing licenses – in-state and out-of-state

D. Costa explained that currently there were 7 different types of landing licenses. A landing license does not provide fishing in RI state waters it simply allows transiting RI state waters by federally permitted fishermen, to come to RI and land. Costa explained there is confusion among dealers as to which license to use for which species. There were violations where out-of-state people were landing restrictive finfish in RI that were not technically licenses to do so. He proposed to consolidate all seven types of landing licenses into two types of landing licenses; multipurpose “in-state” landing license and an “out-of-state” landing license.

J. Carvalho stated this was a legislative issue and this should be simplified. He agreed that we needed to differentiate between a resident and non-resident landing license, and differentiate those that land restrictive finfish. Carvalho noted those were the two important distinctions to make.

R. Mattiucci made a motion to recommend that the Council support the consolidation of landing licenses as proposed by the DFW. E. Reid seconded the motion. The vote was unanimous in support; (M. McGiveney, R. Mattiucci, E. Reid, S. Arnold, C. Grandquist, L. Dellinger); (6/0) the motion passed.

5. Address the Research Set Aside (RSA) program and discuss a fee for the program so it does not remain unfunded.

D. Costa stated there were approximately 20 to 30 participants every year in the federal RSA program for fluke, black sea bass and scup. He noted there was approximately 200 to 250 staff hours used to track and manage landing of RSA taken out of quota species. Currently there was no funding source that comes to the DFW Marine Fisheries for this work.

There was discussion by the group on who should pay for the administration of the RSA program. The group agreed that the participants of the RSA program should be paying for this program.

R. Mattiucci made a motion to recommend that the Council consider establishing a fee to off set the cost for staff to administer the RSA program. C. Grandquist seconded the motion. The vote was unanimous in support; (M. McGiveney, R. Mattiucci, E. Reid, S. Arnold, C. Grandquist, L. Dellinger); (6/0) the motion passed.

6. Other licensing related issues

N. Scarduzio stated that M. McGrath, from DEM Licensing, had brought forward clarifying language as a technical clarification to the “Commercial Fishing Licensing Regulation” which would lessen the confusion regarding the issuance of new licenses upon the sale of vessel and gear (section 6.7-8) for the IAC to consider. The group reviewed the suggested changes and made a motion to support the request.

R. Mattiucci made a motion to recommend that the Council support the technical clarifications, as proposed, in the “Commercial Fishing Licensing Regulation” (section 6.7-8) regarding the issuance of new licenses upon the sale of vessel and gear. M. McGiveney seconded the motion. The committee vote was (5) in support (L. Dellinger, R. Mattiucci S. Arnold, C. Grandquist, M. McGiveney); and (1) abstained (E. Reid); the motion passed.

The meeting was adjourned.

**Industry Advisory
Committee
(IAC)
July 19,2011**



1. Discussion on new commercial license opportunities for 2012

Creation of whelk endorsement to identify participants in the whelk fishery for catch and effort logbooks

1. Part of the completion of complete catch and effort reporting
2. Essential for whelk management in Rhode Island (effort analysis)

Creation of a HSC endorsement

1. Will lessen the burden on Marine Fisheries in issuing HSC permits
2. Create a responsible and more reliable mechanism for monitoring HSC bait quota



A Mandatory renewal date or penalty for late renewals of dealers licenses

- ♦ **In 2011 109 dealer license renewals**
 - ♦ **60 renewed before start of 2011**
 - ♦ **28 in January / 6 in February / 3 March / 8 April / 4 May**

Issues

- ♦ **Compliance tracking in SAFIS**
- ♦ **Constant changing of status in database**
- ♦ **The purchasing of product before renewal**

Possible Solution

- ♦ **Obtain IAC and Council support to institute a mandatory renewal date and penalty for late dealers license renewals**
- ♦ **DEM staff to outline issue in detailed Memo to Director on the issue for submission to the General Assembly for 2012 legislative session**



Dual Licenses

- Currently one individual can hold multiple commercial licenses (PEL, CFL SFO65, STUDSF)

Issues

- Difficult for dealers to enter correct license in SAFIS
- Increased difficulty and confusion on determining total number of license holders
- Increased paperwork and accounting for licensing
- Loss of revenue for licensing

Solution

- Discussion within IAC on best possible course of action
- Consolidate all dual licenses to higher level license
 - Obtain IAC and Council support to institute discussed solution
 - DEM staff to outline issue in detailed Memo to Director on the issue for submission to the General Assembly for 2012 legislative session



Consolidate Landing Licenses

- Currently there are 7 types of landing licenses (MPLAND, SFLAND, FFLAND, FLANDN, FLANDR, MISLAND)

Issues

- Confusion for dealers on which license is for what species
- Violations on out of state MPLAND licenses
- Violations on landing species with improper permit

Proposed Solution

- Consolidate all landing licenses to MPLAND for state residents and a “NON-RESIDENT LANDING PERMIT” which will provide for landing all species except for restricted finfish
- “grandfather in” the 8 existing non-resident FLANDR as MPLAND
 - Obtain IAC and Council support to institute discussed solution
 - DEM staff to outline issue in detailed Memo to Director on the issue for submission to the General Assembly for 2012 legislative session



RSA Program

- 20-30 participant vessels every year
- 282,086 lbs. Fluke / 51,893 lbs. BSB / 182,189 lbs Scup in 2010
- 200-250 man hours needed to track and manage landings for quota managed species by DEM staff
- No funding source to account for time spent on managing RSA program by DEM

Proposed Solution

- Discuss the imposition of a substantial fee to offset DEM staff costs for the RSA program

