



# Rhode Island Marine Fisheries Council

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## MEETING SUMMARY

February 28, 2017

Chairperson: *B. Ballou*

RIMFC Members: *J. Grant, B. Mackintosh, M. Rice, C. Rein, D. Monti, T. Barao, A. Dangelo (M. Roderick absent)*

DEM: *G. Powers, J. McNamee, S. Olszewski, N. Lengyel, N. Ares, J. Livermore, W. Helt, C. Parkins P. Duhamel*

DEM Enforcement: *Lt. J. Poccia*

Public: Approximately 30 persons

1. **Approval of the Agenda:** The Chair inquired as to modifications to the agenda or objections to approving the agenda. The Chair requested that item #4, SAP/IAC membership, be re-located and be addressed after conclusion of the public hearing items. The modified agenda was then approved by consent.
2. **Approval of RIMFC meeting minutes from October 3, 2016:** The Chair inquired as to any proposed modifications or objections to approving the minutes. Hearing none, the minutes were approved by consent.
3. **Public comments regarding other matters not on agenda:** *F. Blount* requested that the regulations for groundfish species be reviewed for consistency and corrected as necessary. *J. McNamee* provided that the matter would be placed in the Division's regulatory queue for review and subsequent amendment/public hearing as needed.
4. **February 13 public hearing items:**
  - **Recreational Summer Flounder:** Motion made by *A. Dangelo* to recommend adoption of option 5 as presented (19" min. size; 5/19 – 12/31 season; 6 fish bag); 2<sup>nd</sup> by *D. Monti*. **The motion passed 7 – 0.**
  - **Recreational Tautog:** Motion made by *D. Monti* to recommend adoption of option 2 as presented – amend the 3<sup>rd</sup> sub-period closing/4<sup>th</sup> sub-period opening to October 14<sup>th</sup>/15<sup>th</sup> respectively, in place of the current flexible date; 2<sup>nd</sup> by *M. Rice*. **The motion passed 7 – 0.**
  - **Commercial Tautog:** Motion made by *B. Macintosh* to recommend adoption of option 3 as presented; to amend the three sub-period allocations from 1/3 each to 40%

(4/15-5/31), 20% (8/1-9/15) and 40% (10/15-12/31) respectively; 2<sup>nd</sup> by *J. Grant*. **The motion passed 7 – 0.**

- **Commercial Bluefish:** Motion made by *J. Grant* to recommend adoption of option 3 as presented (12” min. size; amend 2<sup>nd</sup> sub-period closing from 11/15 to 11/11; and increase possession limit from 4,000 to 6,000 lbs/vsl/day for the summer sub-period; 2<sup>nd</sup> by *C. Rein*. **The motion passed 7 – 0.**
- **Recreational Scup:** Motion made by *D. Monti* to recommend maintaining status quo; 2<sup>nd</sup> by *M. Rice*. **The motion passed 7 – 0.**
- **Recreational Black Sea Bass:** Discussion ensued regarding the federal closure period. *D. Monti* expressed support for option 4 as a way to provide for early shore access and to reduce discards. Motion made by *D. Monti* to recommend adoption of option 4 as presented (15” min. size; 5/25-8/31 @ 3 fish; 9/1-9/21 @ 7 fish; 10/22-12/31 @ 7 fish; 2<sup>nd</sup> by *T. Barao*. **The motion passed 7 – 0.**
- **Recreational Striped Bass:** Motion made by *M. Rice* to recommend maintaining status quo; 2<sup>nd</sup> by *D. Monti*. **The motion passed 7 – 0.**
- **Commercial Striped Bass general category:** *J. McNamee* offered that the Division could not support option 3 and the proposed 20% allocation for the 2<sup>nd</sup> sub-period, as such a low quota is difficult to track and would potentially result in the majority of harvest occurring in the 1<sup>st</sup> sub-period. Support for status quo was expressed by *D. Monti* and *B. Macintosh*. Motion made by *A. Dangelo* to recommend adoption of option 4; 2<sup>nd</sup> by *C. Rein*. No action was taken on the motion. A substitute motion was made by *M. Rice* in support of maintaining status quo, with a change in the opening date of the 1<sup>st</sup> sub-period from 5/29 to 5/28 so as to coincide with a Sunday opening; 2<sup>nd</sup> by *T. Barao*. **The motion passed 5- 1** (*A. Dangelo* against; *J. Grant* recusal).
- **Commercial Striped Bass floating fish trap:** *J. McNamee* offered that option 2 as presented was manageable for the Division. Discussion ensued as to the Division’s ability to manage for both over and under-harvest under the proposal. *J. McNamee* offered that the Division’s authority to shift allocation between traps and general category greatly aids in managing the fishery. Motion made by *M. Rice* to recommend adoption of option 2 as presented; 2<sup>nd</sup> by *A. Dangelo*. **The motion passed 6- 0** (*J. Grant* recusal).
- **Commercial Menhaden:**
  - **Proposal 1 - Change bycatch limit as defined in ASMFC Addendum I to Amendment 2:** Motion made by *B. Macintosh* to recommend adoption of the proposal as presented; 2<sup>nd</sup> by *D. Monti*. **The motion passed 7 – 0.**
  - **Proposal 2 - Modify location of Fall opening for purse seining in the Menhaden Management Area (MMA):** *J. McNamee* offered that the proposal does not

include opening of the areas currently closed in the MMA (i.e., Providence River and Greenwich Bay), but that by opening as proposed may minimize the effectiveness of the management within the MMA. He offered that the Division neither supports nor rejects the proposal at this time. *D. Monti* expressed lack of support for the proposal due to potential impacts on the striped bass fishery. *J. Grant* inquired if monitoring flights were still occurring at this time of year; to which *J. McNamee* replied that normally there would be flights remaining for this time of year. Motion made by *J. Grant* to recommend adoption of the proposal as presented; no 2<sup>nd</sup> was provided and the motion failed. A motion was made by *D. Monti* to recommend that the option not be adopted (maintain status quo); 2<sup>nd</sup> by *M. Rice*. *J. Grant* offered that the potential harvest would be minimal, and that striped bass are not feeding heavily at this time, so that impact to the striped bass fishery would be minimal. **The motion passed 6 – 1 (*J. Grant* against).**

5. **SAP meetings - 1/11/2017 & 2/22/2017:** *J. Grant* provided a summary of the meetings, the summaries included in the meeting materials, which included aquaculture application review and recommendations of the proposed shellfish management areas that were subject of the February public hearing. Upon conclusion of the discussion and recommendation by the Council for each of the proposed shellfish management areas, the minutes were approved by consent.
6. **Proposed Shellfish Management Areas:**
  - **Providence/Seekonk Rivers:** *J. McNamee* provided rationale for the proposal, which is also reflected in presentations made to the SAP on their meetings on 1/11/17 and 2/22/17. *J. Grant* offered that the SAP supported the proposal. *B. Macintosh* inquired as to the quahaug biomass known in the area. *J. McNamee* offered that studies have shown that this area provides much of the quahaug larval dispersal into the bay. *M. Rice* offered that management is necessary to protect this spawning biomass. Motion made by *M. Rice* to recommend adoption as proposed; 2<sup>nd</sup> by *C. Rein*. **The motion passed 7 – 0.**
  - **Warren River:** *J. Grant* offered that the SAP supported option 2 as proposed; to include only those waters currently closed to shellfishing. Motion made by *D. Monti* to recommend adoption of option 2; 2<sup>nd</sup> by *B. Macintosh*. **The motion passed 7 – 0.**
  - **Town Pond:** Motion made by *C. Rein* to recommend adoption as proposed; 2<sup>nd</sup> by *T. Barao*. **The motion passed 7 – 0.**
  - **Narrow River:** Motion made by *D. Monti* to recommend adoption as proposed; 2<sup>nd</sup> by *A. Dangelo*. **The motion passed 7 – 0.**
  - **Greenhill Pond:** Motion made by *T. Barao* to recommend adoption as proposed; 2<sup>nd</sup> by *C. Rein*. **The motion passed 7 – 0.**
  - **Little Narragansett Bay/Pawcatuck River:** Motion made by *D. Monti* to recommend adoption, however to include only those waters currently closed to shellfishing; 2<sup>nd</sup> by *M.*

*Rice. J. Grant* offered that the SAP recommendation was to include only the closed areas due to concern regarding reduced SMA possession limit. **The motion passed 6 – 0** (*B. Macintosh* absent).

7. **Proposed modification to the Bristol Harbor SMA boundary:** *J. McNamee* offered that the rationale for the change was to move the corner of the SMA off of the end of the dock to a fixed location on land. *J. Grant* offered that the SAP was in support of status quo due to the line of sight using the end of the dock. The Division of Law Enforcement offered no preference for either option, that both options were enforceable. Motion made by *B. Macintosh* to recommend status quo; 2<sup>nd</sup> by *A. Dangelo*. The motion failed 3-3-1 (*C. Rein, M. Rice, D. Monti* opposed; *J. Grant* abstained). *C. Rein* offered support for the proposed change, and offered motion to adopt as proposed; 2<sup>nd</sup> by *M. Rice. J. Grant* offered that the proposed change was impractical in that a shellfisherman in a boat out on the water would not be able to ascertain the new corner as a point where the high tide meets the dock (as proposed), and that the end of the dock was a much better landmark to use for the line of sight. **The motion passed 4-2-1** (*A. Dangelo, B. Macintosh* against; *J. Grant* abstained).
8. **Council Annual Report to the General Assembly:** *D. Monti* offered that the report could be used to highlight Council accomplishments and generate publicity to the Council's work and decisions. *J. Grant* offered that Council decisions were often controversial and not fully supported by each of the Council members or the public, so it would therefore be difficult to properly describe as Council accomplishments. *B. Macintosh* offered that the report could be used to show the economic benefit of Rhode Island marine fisheries. *M. Rice* offered that the report should be submitted as is for this year and continue to discuss and look to improve for subsequent year's submissions. He suggested that CRMC's annual report on Aquaculture was a good example of a report to the GA and that this report could be referenced for style. Motion made by *A. Dangelo*; 2<sup>nd</sup> by *M. Rice* to recommend approval and submittal of annual report as drafted.
9. **Skate Aggregate Performance metrics:** *J. McNamee* provided an update of skate wing and bait fisheries management in RI. He offered that this agenda item was only to update the Council that the fisheries are being monitored closely, and that additional updates and data were to be presented later in the year for potential regulatory action.
10. **RI Saltwater Recreational Fishing License Program Report:** *J. Lake* provided a summary of the report; the full draft report having been provided in the meeting materials. Upon conclusion of the presentation and discussion, it was determined that the program is meeting its intended purpose per RIGL 20-2.2-10 and the report was approved by consent.

Meeting adjourned at approximately 8:30; prepared by *P. Duhamel*