RHODE ISLAND MARINE FISHERIES COUNCIL
ENFORCEMENT ADVISORY PANEL
Minutes of Meeting
March 23, 2006
Stedman Government Center
Tower Hill Rd
Wakefield, RI 02879

Chairperson:	S. Medeiros
Panel Attendees:	J. Low, M. Neto, S. Segerson, B. Getchell, J. Redmond, E. Kearney,
Public Attendees:	E. Baker, E. Cook
RIDEM Law Enforcement:	S. Hall, K. Blanchard
RIDEM F&W Staff:	J. McNamee

S. Medeiros opened the meeting and gave a brief description of the agenda topics. S. Hall, Chief of DEM Division of Law Enforcement (Enforcement), began the first agenda item, which was a discussion on a proposal to implement a filet law in RI. He stated that this panel had briefly discussed this topic in the past and Enforcement was now considering bringing a proposal forward in the near future. K. Blanchard, Deputy Chief of DEM Division of Law Enforcement, stated that RI is the only state on the east coast that does not have some sort of a filet law in place. He went on to state that it is hard to enforce minimum size limits when there is no filet law in place. Two options were brought up that included keeping the rack on board (1 rack per 2 filets) and the possibility of developing a minimum filet size. K. Blanchard stated that it would be difficult to enforce a minimum filet size that was different from the minimum fish size because people had different filleting abilities.

S. Medeiros asked if enforcement thought this was a major problem in RI, in other words were many people filleting fish that were undersized? K. Blanchard indicated that he felt it was a problem. S. Medeiros went on to ask when it would be all right to filet the fish, stating that filleting the fish at sea gets rid of the problem of disposal of the rack. S. Hall stated that the proposed regulatory language would allow it when the boat was back at the dock. K. Blanchard added that if the filleting takes place back at the dock, this helps enforcement because there are other people around watching so people would be less likely to filet an undersized fish with an audience. He went on to state that Enforcement would do research on other state's laws in the process of developing a filet law for RI.

S. Medeiros suggested going around the room to get input from the attendees on this topic. J. Low stated that he felt this would be a good law to look in to and have in place. The panel discussed different scenarios where a filet law would come in to play. J. Redmond stated that he did not think filleting of undersized fish was a big problem. He

went on to ask about being found out of compliance with the Atlantic States Marine Fisheries Commission (ASMFC). K. Blanchard stated that while we currently haven't been found to be out of compliance, it has been discussed and could happen in the future. B. Getchell stated that he would be against this proposal. S. Segerson stated that whatever Enforcement comes up with, the law should be easy to follow and understand. If this is what was brought forward, he would support it. E. Kearney stated that he would support it if it were indicated that it would help the fish stocks. E. Cook supported E. Kearney's statement. M. Neto stated that this would create a time problem for the charter and party boats. He would support something along the lines of keeping the rack only if the filet were much smaller than the minimum size or added in a minimum filet size. He stated that the real problem would lie with species such as black sea bass and scup where the bag limits were high. M. Neto finished by stating that Massachusetts's regulations have an endorsement that allows charter boats to be exempt from their filet law. This may be an option. E. Baker stated that he agrees that a filet law would be problematic for the charter boat industry.

The panel recommended continuing discussion on a proposed filet law and request that the Council authorize a meeting of the Enforcement Advisory Panel to discuss proposed language and research on other states filet laws, which would be brought forward by Enforcement. The vote was 4 to support this recommendation and 1 against this recommendation.

The next item on the agenda was a discussion on commercial versus noncommercial vessel designations. S. Hall stated that the problem occurs when a vessel mixes a recreational and a commercial catch on the same fishing trip. J. Low stated that the New York rule was that when an enforcement officer boards a vessel, the vessel captain needs to declare one or the other and cannot be both. His point was that RI's neighboring states have rules in place to prevent this and he supports this for RI. He went on to say that the rule would have to be by trip, not by day. K. Blanchard stated that he agreed that the rule would have to be by trip. The panel discussed transfer of license.

The panel recommended continuing discussion on a proposed law to designate a boat commercial or noncommercial and requests that the Council authorize a meeting of the Enforcement Advisory Panel to discuss proposed language that would be brought forward by Enforcement. The vote was unanimous to support this recommendation.

The next item was about RI regulatory penalty provisions. K. Blanchard stated that Enforcement would like to tighten up the penalty provisions for the RI marine fisheries regulations to make them more consistent, citing there were numerous different penalties and this makes them difficult to prosecute. The panel members stated that the penalties for most marine fisheries violations were too low. K. Blanchard stated that some of the penalties were all right while others should be increased. K. Blanchard also mentioned some pending legislation where some marine fisheries violations would be changed to a pay by mail system, much like a parking ticket. This would allow Enforcement to prosecute more of these violations without having to devote enormous amounts of time

and manpower to going to court every time there was a fishing violation.

The final agenda item was for Enforcement to take questions from the panel members. S. Medeiros asked about river herring. The main problems at this point seem to be identification problems. DEM is working on getting educational information out including posters with the different species on it; there was also some discussion about holding an identification workshop. Another question that came up was whether the groups that move river herring over obstructions (i.e. Omega Pond) would be in violation. S. Hall stated that technically they would be but DEM was looking in to how to remedy this situation, as they recognize these individuals are helping to restore the species.

J. Low asked about jurisdictional lines and where an individual needs to be licensed in order to commercially fish in certain areas, citing the issues around Block Island in the summer. K. Blanchard responded that if an individual is fishing in RI state waters, they need to be licensed in RI and follow RI regulations.

S. Medeiros adjourned the meeting.