

RHODE ISLAND MARINE FISHERIES COUNCIL
Minutes of Shellfish Advisory Panel
August 29, 2006 4:30 PM
Ft. Wetherill Marine Laboratory
Jamestown, RI

SAP Members Present: J. King (Chair), D. Brayton, S. DePetrillo, J. Gardner, O. Kelly, P. Kennedy, Michael McGiveney (vice-chair), L. Ricciarelli, G. Schey, R. Vaughn

SAP Members Absent: R. Bercaw, J. Boland, W. Cote, J. Migliore, J. Mullen (alternate)

DEM F&W: D. Erkan, M. Burnette, N. Scarduzio

Public Present: J. Grant, Bill Silkes

1) Old Business

A. Nancy Scarduzio provided the SAP with copies of Gerry Schey's draft whelk (conch) regulations in the same format as other DEM Marine Fisheries Regulations. The draft proposal included: 1) a 200 pot limit, 2) use of "trap tags" for tracking pots, 3) 2 ½ inch diameter minimum size, 4) marking of buoys and use of non-floating line, 5) use of a degradable "ghost" panel (side of trap or section), 6) lobster escape vents, 7) clarification on license requirements. Discussion ensued relating to inappropriate baits and potential impacts, and license requirements for sale of whelk. It was noted that the proposal does not include DEM Marine Staff recommendations (under development). Michelle Burnett provided some background information on whelk biology and her observations of the fishery. The "boom and bust" cycle of the fishery was noted as well sexual maturity at 60 millimeters (2.4 inches diameter). The SAP members were also provided with a document entitled "DEM Summary Points for Whelk (Conch) Regulations" noting issues considered important by Marine Fisheries Section Staff as of the date of the SAP meeting. Schey was particularly opposed to a 2 ¾ inch diameter minimum size (as required by Massachusetts). Schey noted that dealers (New Bedford and New Jersey) prefer 4 ½ inch length (2 ½ in. dia.) Questions on impacts to quahaugs. Resistance by some SAP members to possession limits concept (prefer trap tags). ***A significant issue relating to licenses and the sale of whelk was identified. A PEL Non-Quahaug Shellfish Endorsement is required for the sale of whelk. A PEL Quahaug Endorsement allows ONLY the sale of quahaugs. No other species (including whelk) may be sold unless a PEL Non-Quahaug Shellfish Endorsement is used. All SAP Members were under the impression that a PEL Quahaug Endorsement allowed the sale of all the species included under PEL Non-Quahaug PLUS the sale of quahaugs. This issue needs to be addressed.*** All issues need to be placed on a future agenda.

B. *Michael McGiveney of the RI Shellfisherman's Association (RISA) continued discussion on the need to give the DEM Director to increased flexibility to manage Greenwich Bay Shellfish Management Area. A shellfish surplus has occurred at shellfish dealers when significant numbers of shellfishermen fish in the management area after an extended pollution-induced or ice-induced closure and the dealers do not have buyers for the available product. Under these conditions, some dealers did not buy the available stock and others bought at a low price. As it has been made clear to RISA, DEM cannot have an emergency closure on this basis and alternatives must be developed. The public notice period also inhibits immediate action. McGiveney offered proposals to manage Greenwich Bay based upon the duration of openings vs. closures of the area. Meetings with the DEM Director and Robert Ballou have taken place in the development process. McGiveney has potential language he will be pursuing an endorsement through the RI*

Shellfisherman's Association that will ultimately go before the SAP. he proposed for the next SAP meeting. Weather may be a means to provide alternatives. The SAP voted unanimously to bring the proposal before the MFC to request a SAP meeting. after modifications/suggestions of Mark Gibson are incorporated and the language is reviewed by DEM attorneys. (see attached draft). The final proposal developed would be referred back to the SAP.

C. The purge/replace process for SAP membership is on-going.

2) New Business

A. The procedures and time line for the review of CRMC Aquaculture Lease Applications was outlined for the SAP to facilitate the lease application review process and distribution of information to the members.

B. On Sept. 12, 2005, the MFC voted to open Eastern Greenwich Bay on a 1-year trial basis as follows: The waters east of a line between Sally Rock Point and the westernmost flagpole on Promenade Street, Old Buttonwoods, (*previously open daily from May 1 to Labor Day in September*) will to be open to harvesting from a boat between sunrise and sunset daily on a year round basis, with a 3 bushel per day limit. McGiveney asked that this be made permanent by the MFC. The question was raised asking if Marine Section Staff have sufficient information to determine the possible effects on stock levels either through SAFIS or surveys. The 2006 survey of Greenwich Bay is only partially complete. The issue will be brought to the attention of the MFC and Mark Gibson to make the determination on how to proceed.

Proposed SAP Agenda for MFC Approval

- 1) Eastern Greenwich Opening.
- 2) Western Greenwich DEM Director Flexibility.
- 3) Continued development of whelk regulations.

Adjourn: 7:50 PM.

Minutes prepared by D. Erkan