

**RHODE ISLAND MARINE FISHERIES COUNCIL
ENFORCEMENT ADVISORY PANEL
Minutes of Meeting
September 18, 2006
Stedman Government Center
Tower Hill Rd
Wakefield, RI 02879**

Chairperson: S. Medeiros

Panel Attendees: S. Segerson, B. Getchell, J. Rainone, B. Mattiucci,
Public Attendees: J. Low^{alt}, S. Parente^{Council}, M. Neto^{alt}, P. Brodeur, K.
Ketcham^{Council}, A. Anderson, P. Osimo, D. Pesante, J.
Gadyck, F. Blount, W. Mackintosh

RIDEM Law Enforcement: S. Hall, K. Blanchard

RIDEM F&W Staff: J. McNamee, N. Scarduzio

S. Medeiros began the meeting. Deputy Chief of the Department of Environmental Management Division of Law Enforcement (Enforcement) K. Blanchard handed out a document with draft fillet law language containing different options. He began by stating that this document was a draft document and was only to be used to launch a discussion. An audience member asked if all other states on the east coast have fillet laws. Most do; however, MA and CT do not currently have them in place. K. Blanchard voiced support for what was referred to as Choice 1 on his document (see attached). This was a prohibition on filleting on the water and was the cleanest of all the options and therefore the easiest to enforce.

J. Rainone stated that the group should not support imposing another law when Enforcement has difficulty enforcing the laws already in existence. K. Blanchard and S. Hall (Chief of Enforcement) stated that this would be a good tool that would help them enforce the existing laws.

F. Blount stated that he would not be able to clean a fish at all with Choice 1. Some of his crew members make the majority of their money from cleaning and filleting the fish. He stated that he could support a fillet law if there was an exemption for party boats, noting that this is not a surprising statement from him as an owner of a party boat business.

B. Mattiucci stated that he did not think exempting party boats would be a problem for most fishermen. He went on to state that he supports a fillet law. He also commented that he felt the public process was flawed the way it currently operates because a useful proposal, such as a fillet law, can be completely taken off the table due to the unique situation of one or two people. The group should be able to work through a compromise rather than simply take a proposal out of consideration.

A. Anderson commented that he sees a lot of disregard for the resource, namely in his line of work as a charter captain, and would support a fillet law if there were exemptions made for charter boats as well as party boats. S. Hall asked if keeping the racks on board would be a problem, A. Anderson stated that he did not think that it would be.

F. Blount stated that once the boat is at the dock they should be able to fillet fish because by that point enforcement has had the opportunity to check.

K. Ketcham asked about an allowance for a certain poundage of fillets per person as this is a common practice amongst trawler operators who take some fish home from their catch. The group discussed this and also discussed that this creates a problem with some of this fish being sold to restaurants. The group went on to further discuss this practice, most commenting that it was illegal.

J. Rainone stated that he could support Choice 2 with option 2 and went on to ask about penalties. K. Blanchard stated that the penalty clause would be consistent with other regulations and would be a \$500 fine or 30 days in jail.

F. Blount suggested starting off with only the three main species of fluke, striped bass, and black sea bass. This way they could see how the fillet law works for these species and would not create a hardship for charter and party boats that fish on species like cod. Creating a fillet law for cod would create great difficulty for his business. K. Blanchard stated that he wanted to have a fillet law that governed all species as this made it easier for fishermen to understand and buy in to.

B. Mackintosh stated that this was a problem unique to the recreational fishery and he felt that initiating a fillet law would help with some of the recreational overages that are occurring. He thought they should be allowed to fillet but should keep the racks on board.

J. Low stated that the RI Commercial Rod and Reel Anglers Association (RICRRAA) supports a fillet law and it should be for all species.

M. Neto asked about implementing a minimum fillet size. S. Hall stated that this had been discussed before but was found to be unacceptable for a number of reasons.

S. Segerson asked about the extent of the problem, was this something that occurred frequently enough to warrant developing a new law. S. Hall and K. Blanchard both stated that they could not put a number to the problem but they felt as law enforcement agents that it would be a worthwhile law.

A. Anderson stated that marina operators and the Marine Trades Association were concerned about this issue because it may require having to pay for facilities to handle the fish waste created by filleting back in shore or at the dock.

A proposed statement from the enforcement AP was to continue discussions on this topic at a future enforcement AP meeting (2 voted for the statement, 2 voted to not

continue discussions, Chair did not vote). K. Blanchard asked that the attendees distribute the draft language outside of the enforcement AP group to get more diverse opinions on the subject. He told them to make sure people understood that this was draft language.

K. Blanchard also had a document addressing the commercial vs. recreational vessel discussion but the group decided this would have to come back to a future agenda.

The next agenda item was a discussion about illegal fishing around Block Island. A. Anderson commented that there was a lack of enforcement in this area, stating that he understood Enforcement's problems of understaffing and the distance of Block Island. Due to the lack of enforcement there were many undersized fish being kept illegally. He had made an effort to video some of this activity but then found that this was inadmissible in court. A. Anderson stated that he supports a fillet law to help with catching these violators. He feels that the violators in the charter industry are a definite problem and that they were ruining the industry. He finished by stating that we need stiffer penalties for violators and he felt that enforcement would be better off if they targeted specific boats during specific times of the year.

S. Hall commented that Enforcement does not get to Block Island enough for the reasons mentioned by A. Anderson. He went on to say that specific complaints do help and that all complaints remain anonymous.

B. Mattiucci stated that this was one of the biggest problems in fishing, the mentality of not reporting violations that is prevalent within the fishing community.

F. Blount commented that he can attest that Enforcement definitely responds to complaints.

S. Medeiros decided that it was appropriate to bring the third agenda item in to the discussion, which was a discussion about cheating during the summer fluke fishery. S. Parente brought forward several concerns about issues he saw during the summer fluke fishery, namely when the possession limit went to 50 pounds. He saw a lot of people bringing fish in to the dealers that were not coming off a boat, leading him to believe they most likely took over a legal possession limit off a vessel and were selling this illegally. The discussion following S. Parente's comments were about reporting specific violations to Enforcement as a way to crack down on cheating.

B. Mattiucci stated that a way to help enforcement would be for people setting gillnets to give enforcement their gear position. F. Blount commented that violators won't report to Enforcement therefore this would not help.

K. Ketcham asked about more than one individual contributing to one possession limit. K. Blanchard stated that he thinks in a lot of cases this would be considered a transfer of license and is illegal. The panel discussed this concept further.

B. Mattiucci asked Enforcement what fishermen could do to help them keep better track of gillnets. K. Blanchard and S. Hall again stated that calling in with specific information is a great help to Enforcement.

B. Mackintosh stated that the people who B. Mattiucci is concerned about are not gillnetters, they are currently gillnetting out of necessity due to problems in their primary fisheries. He stated that he agreed that many of these individuals were fishing their gillnets illegally. He went on to comment that calling in the location of there gillnets was not possible. He finished by stating that he, as a gillnetter, was not opposed to discussing this issue and making an effort to resolve some of the conflicts that are occurring.

J. Low brought his associations (RI Commercial Rod and Reel Anglers Association or RICRRAA) gillnet proposal forward, this proposal had already been brought before the Industry Advisory Committee (IAC). He went on to describe his proposal to the panel. He concluded by stating all Enforcement had to do was take a ride from Pt Judith to Scarborough Beach and they would see numerous gillnet violations.

D. Pesante stated that a number of the proposed changes in the RICRRAA proposal were outrageous, namely the requirement to remove gillnets at night. The rest of the changes were already in regulation. He felt that the marking requirements already in regulation were adequate. The panel had a discussion about being able to work together on this subject; they felt that they would be able to. The panel discussed the existing gillnet regulations including tending and proximity requirements. The panel finished off with a discussion about fluke management and talked specifically about control dates. No specific recommendations came from these discussions.

The panel recommended sending the gillnet issue back to the IAC. K. Ketcham stated that he wanted a very specific agenda topic on this to avoid the back and forth that had been occurring with this issue. S. Medeiros wanted to forward a specific proposal to the IAC.

The consensus statement from the panel was that they would like an agenda item to go forward to the IAC that would discuss and vote on both the RICRRAA gillnet proposal and any other gillnet proposals brought to the meeting in writing.

The chairman adjourned the meeting.