

RHODE ISLAND MARINE FISHERIES COUNCIL
SUMMER FLOUNDER ADVISORY PANEL
Minutes of Meeting
October 3, 2006
Stedman Government Center
Tower Hill Rd
Wakefield, RI 02879

Chairperson: D. Preble

Panel Attendees: J. Low, C. Grandquist, D. Pesante, T. Hoxsie, A. Conti, F. Blount, C. Brown, E. Cook, D. Fox, R. Mattiucci

Public Attendees: S. Parente^{Council}, K. Ketcham^{Council}, B. Bannick, K. Court^{alt}, R. Wood, F. Dyer, E. Baker, J. Gadys, J. Shelly, R. Hittinger, T. Platz

RIDEM F&W Staff: J. McNamee

D. Preble called the meeting to order at 6:00 pm. Proposals were solicited from panel members first, followed by any from the audience.

C. Brown of the RI Commercial Fishermen's Association (RICFA) presented the first proposal. He stated that this proposal was loosely based on a potential 50% reduction in RI's fluke allocation, and could be adapted or modified to allow for changes. The proposal was described as follows:

1. During the period from January 1 through April 30 there would be possession limit of 100 pounds per day, with an aggregate landing program allowing 1,000 pounds once per week for eligible boats with no state or federal fisheries violations in the past year.
2. During the period from May 1 through October 31 there would be a possession limit of 60 pounds per day, with an aggregate landing program allowing 300 pounds once per week, limited to eligible vessels that had not participated in the winter aggregate period. Also, Friday and Saturday would be designated closed days with no possession, landing, or sale of summer flounder allowed by commercial vessels.
3. During the period from November 1 through December 31 the Division of Fish and Wildlife (DFW) would determine an appropriate possession limit based upon any remaining quota.

Under this plan, each period would retain the historic quota allocation that is currently in place. The presentation was followed by several questoins and much discussion.

The next proposal was put forward by R. Mattiucci and A. Conti of the RI Marine Trades Association (RIMTA) (see attached handout). They stated that allocations should be equally distributed throughout the year, so their proposal redistributes the allocation, giving each month 1/12 of the quota, but keeps the current seasons. They stated that the goal of their plan was to have no closures in the fishery throughout the year. D. Fox commented that the summer fishermen see no cutback under this plan, especially with the

100 pound possession limit in the summer, and that the offshore draggers and winter fishermen bear the brunt of the impending decrease in quota. S. Parente stated that the cutback for the summer fishermen would come from the 100 pound possession limit being decreased based on the outcome of the quota decrease. He went on to state that he thought the 100 pound possession limit was meant as a starting point, not a definitive poundage. B. Mattiucci and A. Conti both stated that this was the intent. The 100 pounds should be prorated down based on the decrease in quota. K. Ketcham stated that the historical allocations were based on the activity of the winter fishermen, in other words RI would have no allocation if it weren't for the fishermen who fish in the winter. C. Brown stated that the fluke exemption program was specifically implemented to allow the historical fishing boats greater access to fluke, since they were the ones whose contributions established the RI allocation of fluke. Both B. Bannick and D. Fox made further arguments in support of historical landing allocations. J. Shelly stated that the majority of commercial rod and reel anglers were only supplementing their incomes with fishing, the rest of the fishermen were full time fishermen. B. Mattiucci commented that if historical landings are used then these landings should count against the gillnetters too, as they were an even smaller percentage than the rod and reel anglers during the historical period.

The next proposal was brought forward by J. Low and the RI Rod and Reel Anglers Association (RICRRAA) (see attached handout). This proposal also redistributes the historical allocation in to a 1/12 allocation to each month, but it also changes the seasons by adding the month of May to the winter period and combining summer 1 and summer 2 into one period. K. Ketcham stated that number 2 in the justification section is blatantly false. J. Low stated that they would remove the second page from the proposal as it had no bearing on the proposal, it was simply a justification. K. Ketcham went on to state that the month of May is important to the inshore dragger fleet, this was the reason it was originally added to the summer months. Moving May to the winter period shuts them out of the fluke fishery. R. Mattiucci stated that he is opposed to this proposal because it does not benefit fluke fishermen as a whole. He thinks this proposal would create closures in the fishery. D. Fox also voiced his opposition to the proposal. C. Brown stated that it is important to have fish available during the periods in which they migrate. If these time periods are shut down, this creates large discard problems. R. Hittinger stated that he thinks a compromise solution can be made by taking pieces of the various proposals and rearranging them. D. Preble suggested that R. Hittinger attempt to do this and submit it, stating he thought it was a good idea.

The next proposal came forward from J. Shelly. He first stated that they should qualify fishermen to be able to participate in the fluke fishery, namely that you could not commercially fish for fluke if you had less than 51% of your income from fishing or could not document over 1,500 pounds of fish landed over 2 years. He went on to propose that all gillnet fishermen should be required to have a hydraulic hauler on their vessels. He stated that this would guard against smaller skiff gillnetters leaving their nets out longer than they should or discarding them altogether. He also stated that this would get rid of about 95% of the new gillnet effort that was currently being prosecuted in RI. D. Preble stated that this was probably a legislative change. R. Mattiucci stated that he

supported this proposal, referring to the gillnet portion of the proposal. There was discussion of the need for minimum gear restrictions in the gillnet fishery. T. Platz stated that he is a gillnetter and he thinks J. Shelly's proposal is an overreaction. He also stated that many gillnetters that haul by hand are good fishermen and that he started out in the fishery hauling by hand and worked his way up to a larger vessel. He went on to state that the proliferation of gillnetters is mainly due to hard times in other fisheries and he didn't think it would be good to punish them for this. The panel had a discussion on overcapacity in the fishery but felt this was an issue better suited for the Industry Advisory Committee (IAC).

The next proposal was put forward by E. Baker (see attached handout). This proposal combines summer 1 and summer 2, and starts at 100 pounds of possession in the summer. The historical allocations remain the same. D. Fox stated that he supported this proposal with the caveat that the 100 pound possession limit is not a guaranteed amount. S. Parente and J. Low also stated that they supported this proposal. K. Ketcham stated that he thought that there needed to be a closure, whether its days of the week or a period of time. There was other panel support for periods of closure.

The panel then began discussing minimum possession limits. They decided that for the proposals submitted by B. Mattiucci/A. Conti, J. Low, and E. Baker, rather than setting the possession limit at 100 pounds they would prefer to place a minimum possession limit at 50 pounds, or, in other words, if the quota were decreased they would want the 100 pounds decreased appropriately, but not below 50 pounds.

The panel then voted on each proposal, with the following results:

The RICFA proposal by Chris Brown received 6 votes to approve and 4 to oppose.

The RIMTA proposal by B. Mattiucci/A. Conti received 4 votes to approve and 7 to oppose.

The RICRRAA proposal by J. Low received 2 votes to approve and 7 to oppose.

The J. Shelly proposal to set minimum gear restrictions for gillnetters received 10 to approve and 0 to oppose.

The E. Baker proposal received 11 to approve and 0 to oppose.

This sends the C. Brown RICFA, the J. Shelly gillnet, and the E. Baker proposals forward to the Council as Advisory Panel approved proposals.

The next order of business was a proposal from the DFW to amend the summer flounder exemption program. J. McNamee explained all the DFW was trying to do was to make the state fluke exemption program as flexible as the federal permit program as to where the permits can be transferred. The suggested change would not expand the current program, it would simply allow a vessel to transfer the permits in the same way that they can transfer their federal permits. **The panel voted 8 to approve and 1 to oppose the suggested regulatory change.**

The chairman adjourned the meeting.