

**RHODE ISLAND MARINE FISHERIES COUNCIL**  
**Minutes of Shellfish Advisory Panel**  
**November 14, 2006 4:30 PM**  
**Ft. Wetherill Marine Laboratory**  
**Jamestown, RI**

SAP Members Present: J. King (Chair), R. Bercaw, D. Brayton, S. DePetrillo, J. Gardner, J. Grant, O. Kelly, M. McGiveney (vice-chair), L. Ricciarelli, G. Schey

SAP Members Absent: J. Boland (3+ absences), W. Cote, P. Kennedy (3+ absences), J. Migliore, J. Mullen (alternate), R. Vaughn

DEM Marine Fisheries: D. Erkan

CRMC: D. Alves

Public Present: F. Audette, J. Armaras, D. Brown, J. Dunne, D. Eagan, R. Flynn, S. Flynn, W. Jansen, R. Jordan, A. Paquette, R. Rheault, K. Thompson, A. Turnbull, G. Viau

1) Old Business

- A. Discussion and development of whelk regulations continued. A number of whelk fishermen from industry were present at the meeting. Industry and DEM Marine Fisheries staff agreed to hold meetings to attempt to develop regulations agreeable to all rather than two conflicting sets of regulations. On this basis, the SAP unanimously voted to continue the issue. After the vote, a variety of whelk harvest issues were discussed between Industry, the SAP and DEM F&W Marine as a preliminary to future regulatory development. Regular meetings will be scheduled by DEM F&W Marine outside of the SAP to continue this process.
- B. Identification of SAP Members. It was noted that Ricciarelli is now a Diver Member of the SAP rather than Bullraker. Gardner noted that he wanted R. Rheault to be his alternate (an application must be submitted).

2) New Business

- A. Jody King noted the need to continue the presentation by 2 commercial shellfishermen (Don Gobel and Mike Bradshaw) to a future meeting because of a scheduling error. Before continuing to the next SAP, discussion relating to the soft-shell clam proposals ensued. Submitted changes as described by J. King include: 2 inch minimum size, new bushel or weight possession limits, license caps, harvester must be the seller of harvested shellfish, harvester education, and limiting number of shellfishermen per boat. While some of the proposals are new, other aspects such as "harvester must be seller", "direct sales by harvester", and exceeding existing possession limits are enforcement issues. Because Gobel and Bradshaw were absent, the SAP agreed to continue to ask the MFC to place this on the next SAP Agenda.

B. The SAP reviewed CRMC aquaculture application no. 2006-10-013 by Roebuck for a Shellfish Hatchery adjacent to Point Judith Pond. The applicant was not present and was represented by Robert Rheault. David Alves was present from the CRMC and described the project. Rheault represented that only broodstock from RI waters will be used in the hatchery. Alves noted that a disease certification is likely unnecessary if shellfish produced in the hatchery are placed in Pt. Judith Pond but is likely for other RI waters. Erkan brought up the DEM F&W Marine Section recommendation to treat the hatchery effluent with a U.V. filter to prevent the spread of disease. Rheault was opposed to this because of the expense and because the diseases are endemic to RI waters. AP member Gardner noted that money is available for disease testing and it's unlikely that non-certified shellfish produced in a Pt. Judith Pond hatchery would be permitted in his Winnipaug Pond lease unless a disease-free certification was obtained. Rheault represented that a maximum of 2000 gallons per day would be used by the hatchery. The SAP voted not to oppose the hatchery a proposed (five votes to approve, one to oppose, and two abstentions).

Adjourn: 7:25 PM.

Minutes prepared by D. Erkan

**Additional Notes to SAP Members:** Procedurally, the Chair or Vice Chair of the SAP will be required to contact Mark Gibson when the SAP members vote on an issue requiring RI Marine Fisheries Council (MFC) approval. The particular “action item” must be listed in the MFC agenda to be properly noticed. This should be done as soon as possible after a SAP meeting. Simply having the item listed in the SAP minutes does not suffice because the general public would not receive the minutes and would not then be aware that the issue was going to be heard by the MFC.

**Additional Questions:** A question was raised relating to the number of shellfishermen per vessel permissible in Greenwich Bay Management Area and all Shellfish Management Areas. The requirement applies to all management areas and is found in **Part IV Shellfish**.

**4.8 Shellfish Management Areas** - Catch Limits for Quahaugs, Soft-shelled Clams, Sea Clams, Mussels, and Oysters. - **Bristol Harbor Shellfish Transplant Area, Potter Pond, Pt. Judith Pond, Ninigret (Charlestown) Pond, Quonochontaug Pond, Winnapaug (Brightman) Pond, Potowomut, Greenwich Bay, Mill Gut, Kickemuit River, Bissel Cove, High Banks, Sakonnet River, and Jenny’s Creek have been declared special Shellfish Management Areas.** No person may possess more than the maximum shellfish management area daily catch limit while in a management area. The following daily catch limits have been established for the Management Areas listed above:

Quahaugs, Soft-shelled Clams, Sea Clams, Mussels, and Oysters\*

Maximum Daily Take by:

**BOAT HARVEST**

R.I. Resident (no sale)	1 peck each/day/person
Commercial	3 bu each/day/license holder maximum of 6 bushels each/boat/day; and <b><i>maximum of two licensed shellfishers per boat</i></b>
Licensed Non-Resident (no sale)	½ peck each/day/license holder
* Oyster season is open from September 15 to May 15 annually	