

**RI Marine Fisheries Council  
Meeting Minutes of the  
Industry Advisory Committee  
July 29, 2008 - 6:00 PM  
Jamestown, RI**

There were 14 people present (\* IAC member)

Kenneth Ketcham, Chair	Frank Dyer
Jerry Tremblay*	Rob Wood
Stephen Parente	Ian Campbell
Ian Parente	Adam Eilkes
Mike McGiveney*	Bob Smith*
Ted Platz*	Steve Parente (gillnetter)
Rick Bellavance*	Bob Ballou, RIDEM
Robert Mattucci*	Nancy Scarduzio, RIDEM

***1. Discussion on commercial licensing for 2009:***

***Licensing Overview***

B. Ballou passed out and reviewed a summary of licenses and endorsements from 2003-2008. He explained the Department now has five years worth of licensing information, supplemented with SAFIS data for the last couple of years.

***Shellfish Sector - Quahog***

B. Ballou passed out and reviewed a licensing summary from 2003-2008 for the quahog fishery. The data available over the five-year period (2003-2008) indicates that the total number of eligible licensees -- multipurpose (MPL) and principal effort licenses (PEL) with quahog endorsements -- has declined by 22%, from 2,272 to 1,768 total licenses. Of the 504 licenses that dropped out, some transitioned into the over 65 shellfish category.

Between 2003-2008, there were a total of 518 new licenses issued:

- 121 Commercial fishing licenses (CFL) with a quahog endorsement
- 185 Student Shellfish
- 212 Over 65 Shellfish (although many likely transitional, rather than “new”)

During this five-year period a total of 13 new licenses, eligible to fish quahogs, had been issued to individuals who purchased businesses from previously active fisherman who retired: 10 MPLs and 3 PELs with quahog endorsements.

The data for 2008 indicates that of 34 multipurpose licenses “retired” or not renewed in 2008, only one was involved with the sale of quahogs in 2007, and of the 39 principal effort licenses “retired” or not renewed, six had active quahog sales in 2007. B. Ballou suggested that some of the “retired” licenses may have transitioned into the Over 65 category.

B. Ballou summarized that for 2009, based on past practice, applying a 3:1 exit/entry ratio to PELs with quahog endorsements who retired in 2008 would result in the issuance of 13 new CFLs with quahog endorsements for 2009.

There was discussion and review of the licensing information, and discussion on the impacts new licensees would have on the current quahog fishery.

**M. McGiveney made a motion to recommend to continue to apply a 3:1 exit/entry ratio to non-renewed principal effort licenses with quahog endorsements. T. Platz seconded the motion. All were in favor, the motion passed unanimously.**

### *Shellfish Sector – Soft-Shelled Clams*

B. Ballou handed out and reviewed licensing information on soft-shelled clams. To recap from last year, he explained that there was a huge surge in landings, which suggested that new licenses should be limited. In response, last year the IAC recommended creating a new soft-shelled clam endorsement and closing entry into that fishery. Because it is only the halfway point in 2008, the information on the activity of the new soft-shell clam endorsements is limited and incomplete. He suggested a few options; waiting until more information was available, leaving it at status quo, or possibly re-opening the fishery.

M. McGiveney indicated that the number of people fishing for soft-shelled clams seems to be down from last year. There was discussion about what took place last year within that fishery. McGiveney indicated that the soft-shelled clam fishery seems to have stabilized compared to last year.

**B. Mattiucci made a motion to maintain status quo for the licensing of soft-shelled clams. M. McGiveney seconded the motion. All were in favor, the motion passed unanimously.**

K. Ketcham asked B. Ballou what the status was on the whelk regulations that were put together last year. N. Scarduzio summarized the process and indicated that the Director had them in his possession. B. Ballou indicated he would follow up with the Director. M. McGiveney indicated that he had not heard any out cry to restrict that license from people. K. Ketcham suggested that fishery remain at status quo until the committee gets an update.

### *Restricted Finfish Fishery*

B. Ballou reviewed a summary of license types for the past five years, from 2003-2008, in the restricted finfish fishery. The total number of eligible licenses (MPLs and PELs w/ Restricted finfish (RFF)) has declined by 21 %, from 1,529 to 1,209. A total of 16 new licenses (CFL w/RFF) have been issued.

Also during this five-year period, a total of 11 new licenses, eligible to fish restricted finfish, had been issued to individuals who purchased businesses from previously active fisherman who retired: 10 MPLs and 1 PEL w/RFF.

The data for 2008 indicates that of 34 multipurpose licenses that retired in 2008, three were involved with the sale of restricted finfish in 2007, and of the 14 PELs w/RFF that retired in 2008, eight had active sales of restricted finfish in 2007.

B. Ballou summarized that for 2009, based on past practice, applying a 5:1 exit/entry ratio to active licenses (MPLs and PELs w/RFF) that retired would result in the issuance of 2 new CFLs w/RFF endorsements for 2009.

A number of individuals voiced concerns about giving out new licenses based on reductions in commercial quotas for many species, the price of fuel, etc. Individuals indicated that the 5:1 exit/entry ratio seemed to be appropriate.

K. Ketcham suggested taking a vote now. Then as more information becomes available; the committee can revisit the issue.

**T. Platz made a motion to recommend status quo – i.e., to continue to apply a 5:1 exit/entry ratio to “active” licenses (MPLs and PELs w/ Restricted finfish endorsements) that retired in 2009. R. Bellavance seconded the motion. All were in favor, the motion passed unanimously.**

K. Ketcham asked to see more information on days fished and landing activity. B. Ballou stated he could provide that information either at the Council meeting or at the next IAC meeting.

### ***Lobster Fishery***

B. Ballou stated that neither the IAC nor the Department has recommended or pursued any changes regarding licensing in the lobster fishery since the trap allocation program went into effect two years ago.

R. Bellavance asked what the status was with the lobster transferability issue. B. Ballou stated that the Department is waiting for the ASMFC to come up with a uniform program for Southern New England waters. He explained that it was the Department’s position to wait until the ASMFC comes up with a plan and then develop a state proposal that would be consistent with the ASMFC plan. A number of individuals expressed concern that the process was taking too long and noted that a number of people have been waiting for something to be done.

**B. Smith made a motion to recommend that the Council request the Director to ask our State’s ASMFC delegates to put pressure on the ASMFC to get to work on producing a transferability program. R. Bellavance seconded the motion. The motion passed; (4) in favor, (1) opposed, (1) abstained.**

### ***2. Discussion of policies regarding loss of a RI commercial fishing license due to a change of residence from RI to another state:***

B. Mattiucci stated that legislation was passed with the restructuring of the licenses and the Department promulgated regulation to support those changes. He explained that if you left the state of RI and changed your residence you lost your commercial fishing license. He also

explained that you would not be able to obtain a non-commercial fishing license. Mattiucci indicated this was also a loss of revenue for the state.

B. Ballou explained that when the new licensing program took effect the general assembly put a clause in that grandfathered everyone in who had been licensed to fish commercially as of 2002, including non-residents. Since then, no new non-resident licenses, allowing for the harvest of restricted finfish, have been issued, although everyone who was grandfathered in 2002 has been eligible to renew their license annually.

There was extensive discussion about the issue. B. Ballou handed out information pertaining to the commercial licensing statute, and noted that the statute includes numerous references to preferential status for RI residents. B. Ballou acknowledged that there is nothing in the statute that specifically addresses the issue of licensed RI residents who become non-residents. However, B. Ballou said that DEM feels that it has been acting consistent with legislative intent by not allowing licensed RI residents to be grandfathered when they become residents of another state, since doing so would make it more difficult for the many RI residents who are waiting in line to obtain new licenses.

**T. Platz made a motion to recommend to the Council that DEM provide more data on non-resident licenses and the scope of this issue for further discussion at the next IAC meeting. M. McGiveney seconded the motion. All were in favor, the motion passed unanimously.**

B. Mattiucci asked B. Ballou if he could provide information on the ratio of RI residents to non-resident licenses who are actively fishing on quota species.

It was decided that members wanted to have another IAC meeting to have B. Ballou return with information regarding this non-resident license issue and the other additional information pertaining to the fishery sectors that was requested. A meeting date for the next IAC meeting was tentatively set for Tuesday, August 19, 2008.

M. McGiveney reminded members that the IAC had voted in the past to support the consolidation of the three different shellfish endorsements so there would be just one PEL w/Shellfish license, covering quahogs, soft-shelled clams, and all other shellfish. He stated that he would like to make it part of the agenda for the 2009 legislative season. Additionally, he had thought it was going to be discussed at the Director's Round Table meetings. B. Ballou suggested that this issue could be discussed at the next Director Roundtable meeting. K. Ketcham noted that the IAC and the Council had already voted in favor of this recommendation. B. Ballou acknowledged that that was indeed the case.