

RI Marine Fisheries Council  
 Summer Flounder Advisory  
 Panel Meeting Minutes  
 October 15, 2013, 5:00  
 PM  
 URI Bay Campus, Coastal  
 Institute

R. Hittinger, Chairman	M Bucko*
C. Brown*	L. Jordan*
B. Mattiucci*	K. Booth
D. Fox*	E. Cook*
J. Carvalho	A. Gewirtz*
B. Mackintosh	
R. Ballou - RIDEM	J. McNamee, DFW staff

(\*primary advisory panel member; <sup>A</sup> alternate member)

R. Hittinger began the meeting. He stated that J. McNamee of the RI Division of Fish and Wildlife (DFW or Division) had a presentation which covered the first 3 agenda topics. R. Hittinger stated that after the presentation the panel would discuss any proposals they may have for commercial management for summer flounder in 2014.

J. McNamee began with a discussion about stock status for summer flounder. The stock was rebuilt and overfishing was not occurring, though the stock has now dropped back below the biomass target. The summer flounder stock went through a benchmark assessment in 2013, and the benchmark passed peer review. He then went over the fishery performance in RI in 2013. The fishery had not closed to date in 2013, but a decrease was needed in each sub period to avoid overages and it appeared that a short closure may be needed prior to the end of the summer sub period. Decreases in quota were expected over the coming couple of years due to a retrospective pattern in the estimated recruitment from the stock assessment. J. McNamee offered 3 different options from the DFW for discussion. The first was simply a modification to the starting possession limits to accommodate the decreasing quota. The next two options were variations on modifications to the summer sub period. One option ended the summer sub period on September 15 but kept the sub period allocation the same as it currently was, and the second one ended the summer sub period on September 15 but prorated the allocation based on average landings for the previous two years during the period of September 16 through October 31 (equating to 7% of the sub period landings). The final option had to do with the summer flounder exemption certificate program. The idea was to quantify the existing exemption certificates which were latent and then allow those certificates to be reissued to RI residents. There was one final discussion topic, but the group decided to discuss the options for 2014 before moving to the final discussion topic.

R. Hittinger went to the panel for discussion. J. Carvalho began with a discussion on the summer flounder exemption certificates. He stated that the state should do away with the certificates because they created an inequity amongst RI fishermen. He felt this could be done by keeping the current system in place, but to stop the transferring of the certificates, so when someone sold their boat, the certificate would go away. He concluded by noting that the certificates should be issued to

people not vessels, and he noted the whole program was a mistake because DEM did not have the right to create property. C. Brown noted that he was opposed to changing the current program. He felt removing the program would allow effort to increase and the fishery could not currently accommodate any increase in effort. B. Mackintosh stated that he felt gillnetters should be allowed in to the aggregate program even without an exemption certificate as it would help with discard issues in that fishery, but he was opposed to changing the current exemption certificate program. B. Mattiucci stated that he also was opposed to changing the current program. He felt the program protects the winter fishery so the system should be kept as is.

D. Fox wanted more information including the number of how many of the existing permits were believed to be latent and how many were inactive. There was further discussion on the definitions of latency and inactivity. D. Fox concluded that if changes were to be made, there should be rules put in place to make sure the new vessels being offered the permits were not much larger in length or horsepower than the vessel issued the original permit. He would be for this change but needed more info before he could make a final decision.

C. Brown noted that vessels could be allowed in the aggregate even without an exemption certificate but they simply could not exceed 200 pounds in any one day.

The group moved on from the exemption certificate discussion to the other management options. A. Gewirtz stated that he favored the first option (keeping the allocation the same but shortening the summer sub period). His only hesitation was that this would create a discard problem in winter 2 because the possession limits would have to be decreased. K. Booth stated that he didn't think this would be too big of a problem as it could be managed by possession limit adjustments. B. Mattiucci had previously noted his opposition to option 2 as presented (shortened summer sub period with prorated pounds).

R. Hittinger asked to finish up the final topic of discussion and turned back to J. McNamee. J. McNamee stated that the final item for discussion was to begin talking about a sector program. This program would not be for 2014, but for 2015. J. McNamee gave a little background stating that they had a symposium, a workshop, and had vetted additional ways of creating flexibility for fishermen, but in the end none of the additional options were favored. The Director wanted to provide flexibility and ways for fishermen to manage their businesses more efficiently, while decreasing discards and to this point the sector pilot program that had been run showed the most promise. The presentation had a number of proposed objectives and goals for the proposed program. J. McNamee concluded by stating that this was the beginning of the discussion that would take place over the coming year, but noted that this would be an opportunity to see a specific proposal rather than discussing either the pilot project or the concept of a sector program.

R. Hittinger turned back to the panel for discussion. B. Mattiucci stated that this type of program was unfair, unconstitutional, there were problems of inconsistency with the previous pilot program, and he was unequivocally opposed to a sector program. He went on to state that he wanted the situation where these discussions were brought forward at the last minute to stop. They should be brought forward ahead of time with ample time to meet and discuss these dramatic changes to fishery management. J. McNamee noted that this was exactly the point of bringing this forward over a year ahead of time.

K. Booth stated that the DFW should model out some of the different scenarios (i.e. if 50% of the draggers joined sectors what would the allocations look like, etc) and then bring those scenarios forward for review by the panel.

D. Fox stated that they should consider not only a cap on the number of vessels in a sector, but also a cap on the amount of allocation a single sector could accumulate.

C. Brown stated that the program should not have a set and static historical period to set allocations. If the allocation was more dynamic, it would allow new entrants to avail themselves of sector opportunities in the future.

A. Gewirtz stated that he had a good experience in the sector program but he does worry about individuals being forced in to sectors from a fear of being shut out of the fishery. He went on to note that it is very difficult to manage a personal allocation, so there would be a steep learning curve for those who had not worked in a system like this in the past.

J. Carvalho stated that he was opposed to sector programs due to the inequity that they create. He felt that management should be plain, simple, and fair. He offered a counter proposal for consideration. He felt that there should be no sub periods and a single possession limit should be set for the entire year that would maintain an open fishery. He felt this would be the most equitable program that could be developed. D. Fox stated that this was not a feasible proposal as it was not possible to set a single possession limit that would stay open the whole year and allow some level of economic sense for larger offshore vessels.

This concluded the discussions and R. Hittinger adjourned the meeting.