

RIMFC Adhoc Whelk Committee
January 15, 2013
Coastal Institute, Narragansett, RI

Meeting Attendees:

Fishermen/Industry – Jeff Grant (Acting Chairman), Gerry Schey, Richard Hopkins, Joseph Baker, Michael McGiveney (RISA), Gerald Carvalho, Gary Mataronas, Jr., Katie Eagan, Daniel Eagan, Louis Frattarelli, John McDonald, Remus Saccoccio, Wayne Fredette, Paul Kennedy

Dealers/Processors – Heather Haggerty (Big G Seafood)

Agencies/Others – Thomas Angell (RIDFW), Jason McNamee (RIDFW)

Meeting convened at 4:30PM by acting chairman J. Grant.

There were a total of 16 people in attendance.

MEETING AGENDA:

1. Review draft whelk regulations and provide recommendations for April 3, 2013 public hearing.

Acting Chairman J. Grant provided an overview of the reason(s) for this meeting.

- Meeting requested by industry for whelk regulatory items not adopted or promulgated last year; chance to reconsider recommendations.
- Want to be able to have regulations in effect prior to the start of the fishing season if possible
- Whelk regulations were scheduled for April 3, 2013 public hearing, but have now been moved up to a March 13, 2013 public hearing
- At the present time, there are no recommendations for changing certain regulations that require supporting data and analysis by RIDFW (i.e. minimum sizes, possession limits, trap limits, seasons); RIDFW needs to analyze the data collected during 2012 before any recommendations can be made to adjust these regulations.
- Review current draft regulations and provide recommendations for adoption/promulgation.

T. Angell provided a summary of 2012 RIDFW whelk sea sampling and dealer/laboratory sampling.

Sea Sampling:

- 37 sea sampling trips conducted with randomly-selected whelk fishermen (used 2011 landings data to get list of whelk fishermen)
- Number of sampling trips per month determined by statistical analysis of 2012 monthly whelk landings data
- Currently, 29 of 37 sea sampling trips have been transcribed and entered into the database; 19,089 whelk sea sample measurements in database as of today
- RIDFW (T. Angell) has also collaborated with MADMF on methodology for collection of size and age at maturity data; also coordinate with MADMF and CTDEP for standardized whelk data collection

Dealer / Laboratory Sampling:

- This is collection of detailed biological data on randomly-selected sub-legal and legal-sized whelk

- Data collected includes species, shell length, shell width, shell height, shell circumference, weight with shell, weight without shell, operculum length and width, nuchal gland and ovary weights (females), penis length, testis weight, and sperm production index (males), and an estimate of age
- Detailed biological data collected on 411 channeled whelk and 79 knobbed whelk
- Use data for length/weight/height correlations, size and age at maturity, fishery catch rates and CPUE

T. Angell provided a tentative outline and timeline of the next steps in the whelk data analysis and reporting process.

- January 1 – February 8 = Finish data transcription and database entry
- February 8 – February 15 = Finalize database; data QC
- February 15 – March 8 = Conduct data analyses
- March 11 – March 29 = Prepare report

T. Angell posed the following question to the committee:

If RIDFW were able to complete the analyses according to the timeline, would industry prefer any potential regulatory changes to be made for the 2013 season, or wait until 2014 to adopt and implement? If the recommendation is to wait until the 2014 season, what is/are the reason(s) to do so?

There may be some issues that have not been resolved that could prevent certain regulations from being implemented for the 2013 season (i.e. trap tagging requirements).

If recommended, it is possible that most of the draft regulations that address gear requirements could be implemented for the 2013 season.

- There was no definitive response from the committee to this question

Committee Comments / Questions:

- What was the sampling method used? Were the samples from whelk pots? Other types of gear?
Response – The majority (95%, or 35/37 samples) of the sea samples were from whelk pot gear; other samples (5%, or 2/37 samples) were from lobster trap gear; no samples were taken from otter trawl gear.
- The whelk pots that were sampled caught knobbed whelks?
Response – Yes
- Do the knobbed whelks eat the same food source(s) as the channeled whelks?
Response – Not sure; they seem to be found in very particular areas, but also living along with channeled whelks; probably eat small bivalve mollusks (clams, mussels, etc.) and horseshoe crab eggs; do not know for sure just exactly what the knobbed whelks eat.
- Is it appropriate to manage the 2 whelk species with the same management measures? They are 2 different species and may not have the same biological attributes; may be more appropriate to manage them separately.
Response – It may be more appropriate to manage them separately, but we did not and still do not have the data to support separate management of these 2 whelk species. Preliminary laboratory analysis indicates that virtually all male knobbed whelks are mature at the current minimum size, but that is not the same for male (or female) channeled whelks; need to do a more complete analysis to make this determination.
- What data were collected during the sea sampling trips?

Response – The only measurements (biological data) that were taken for each whelk sampled at-sea were length, width, and height. Other information collected includes a description of the trap type, location of the sample (LORAN, Lat/Long, or GPS), shellfish harvest area, depth, bottom substrate type, surface water temperature, soak time, bait used, total number of whelk traps being fished, and total number of whelk pots sampled.

- Did you find any differences in the whelks between the different shellfish harvest areas?

Response – That analysis has not been done yet; most of the planned analyses have not been done yet; need to finish getting the data into the database first.

- Whelk fishermen fish certain areas at certain times of the year; want to stay away from areas where there are lots of sub-legal whelks; does this skew the data or leave gaps in the data?

Response – The sampling design that was employed should help to minimize some of those effects; trying to get a random sample (and enough random samples) that gives a true/real indication of the actual whelk population.

- Comment that one (1) year of data collection is not enough to make certain decisions on how to manage the fishery; need several years of data; need money to continue the sampling program; concerned about proposing regulations with only one (1) year of data.

Response – How many years of data do you think we need? 5 years? 10 years?

- Who do we need to talk to about getting more money for whelk research?

Response – The amount of money generated from license receipts to run a variety of marine fishery programs has been decreasing. Discussions are being held to try and figure out how to generate additional funds through marine fishery licenses.

- Was the 2012 sea sampling random enough so that the data is not biased one way or the other? Only used 15 different fishermen who probably fished in the same areas during the year. Did you get enough samples from enough different areas?

Response – This question will be answered when the data analysis is conducted.

The discussion about the 2012 data collection will take place once the data has been analyzed; we will have another meeting to present the results of the data analyses later this spring (end of March or early April).

Need to deal with the task for tonight and review and make recommendations on the draft regulations.

REVIEW OF DRAFT WHELK REGULATIONS AND SUMMARY OF COMMITTEE RECOMMENDATIONS:

The committee reviewed each section of the draft whelk regulations, and included discussion followed by a committee recommendation. Much of the discussion has been omitted from this part of the meeting summary and only the committee recommendation is provided.

- Part 1.3 – Definition of Terms

These are new definitions for Conch, Lobster, Scup, Black Sea Bass, and Miscellaneous pots or traps.

- Suggestion/recommendation that these different pot/trap types do not need to be defined in Part 1.3; the definitions of pot/trap can be incorporated into the section of the regulations that deal with each of those species.

- Suggestion/recommendation to use language that is already defined, specifically use the “take or taking”, “catch or catching”, and “land or landing” instead of “harvest”.

T. Angell will review the draft regulations and make the suggested changes in the appropriate places.

- Harvest by RI state residents Only

A majority of the committee approved/recommended that this regulation be added to the whelk regulations. (Voted: YES – 11, NO – 2)

- Mutilation and or possession of Conch Meat; cooked or uncooked

The committee unanimously approved/recommended that the proposed revisions to the language be adopted.

- Commercial Season

The committee questioned the need for this regulation at all; only need to have it if there are any seasonal fishery closures.

The committee unanimously recommended deletion of this section of the whelk regulations.

- Legal Minimum Size of Conch

Subsection (1):

The committee unanimously approved/recommended deleting the language “...**fishing commercially**...” to make it inclusive of everyone, not just fishermen.

Subsection (2):

The committee also unanimously approved/recommended adding the proposed language that describes the penalty for taking/possessing conch that measure less than the minimum legal size.

Subsections (3) and (4):

The committee unanimously approved/recommended accepting the technical revisions to these sections.

T. Angell will make sure that the references to other sections of the regulations are correct.

- Commercial Harvest of Conch (Channeled Whelk – *Busycotypus canaliculatus* and Knobbed Whelk – *Busycon carica*)

The committee unanimously recommended accepting the technical revisions to this section and replacement of the word “harvest” with language that is already defined (i.e. “take or taking”, “catch or catching”)

- Current regulation 4.35.1-2 (a-d) – Legal Minimum Size of Conch

The committee unanimously approved/recommended deleting this language; this language has now moved to a different location within the proposed draft whelk regulations.

- Commercial Conch Pot Limit

The committee unanimously approved/recommended the technical revisions to this section.

- Current regulation 4.35.3

The committee unanimously approved/recommended deleting this language; this language has now moved to a different location within the proposed draft whelk regulations.

- Reporting Requirements

The committee unanimously approved/recommended the technical revisions to this section.

- Sales to Out of State Dealers

The committee unanimously approved/recommended the technical revisions to this section.

- Recreational Harvest of Conch (*Channeled Whelk – Busycotypus canaliculatus* and *Knobbed Whelk – Busycon carica*)

The committee unanimously approved/recommended the technical revisions to this section.

The committee unanimously approved/recommended deleting the current language (4.35.6-1, 4.35.6-2, and 4.35.6-3); this language has now moved to a different location within the proposed draft whelk regulations.

- Recreational Possession Limit

The committee unanimously approved/recommended the technical revisions to this section.

- Non-commercial Conch Pot Limit

The committee unanimously approved/recommended the technical revisions to this section.

- Commercial and Recreational Equipment Requirements to Harvest Conch

- Tagging of Conch Pots or Traps

Comments:

- If there is going to be an enforceable whelk pot limit, then the traps must be tagged to indicate that they are being fished legally (i.e. not fishing more than the pot limit)
- What is the sense of having these tagging requirements if Enforcement is not out there checking gear? Need to have Enforcement out on the water, using the boat that they got a lot of grant money for, and checking for trap tags.

A majority of the committee approved/recommended that this regulation be added to the whelk regulations. (Voted: YES – 9, NO – 0, ABSTAIN - 4)

- Buoying of Conch Pots or Traps

The committee also unanimously approved/recommended adding the proposed language.

- Marking of Conch Pots or Traps

The committee also unanimously approved/recommended adding the proposed language.

- Escape Vent Sizes and Biodegradable (Ghost) Panels

The committee also unanimously approved/recommended adding the proposed language.

- Unauthorized Raising of Traps, Pots, and Devices

The committee also unanimously approved/recommended adding the proposed language.

- Removal of Branded Numbers or Identification Tags from Conch Pots

The committee also unanimously approved/recommended adding the proposed language.

- Raising Pots at Night

The committee also unanimously approved/recommended adding the proposed language.

- Conch Endorsement Moratorium

Comments:

- J. McNamee suggested that this may not be the appropriate place in the regulations to deal with this issue; would be more appropriate to address this issue in the “Licensing” regulations.
- Current PEL and CFL that were actively fishing their Quahog/Shellfish endorsement in 2012 can get a whelk endorsement for 2013.

The committee supports the continuation of the ban on issuing new CFL licenses (licenses endorsements) for the whelk fishery.

The committee recommends that the Industry Advisory Committee (IAC) enact a moratorium on new whelk endorsements.

Meeting adjourned at 7:05PM