



COMMERCIAL FISHERIES CENTER OF RHODE ISLAND

P.O. Box 5161, Wakefield RI 02880
Tel: (401) 874-4568 Web: www.cfcri.org
Email: fredmattera@cfcri.org shayerooney@cfcri.org

October 23, 2020

Peter Duhamel
Department of Environmental Management
3 Fort Wetherill Road
Jamestown, RI 02835

Thank you for the opportunity to comment on the Dockside Sales Emergency Pilot Regulation. Please consider these comments on the behalf of The Commercial Fisheries Center of Rhode Island.

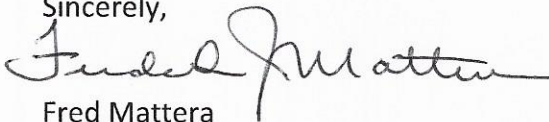
- First and foremost, the same day rule that fish must be caught and sold on the same calendar day (whole fish sold by 11:59pm) needs to be addressed, otherwise the license does not provide much benefit to the industry. We must further explore what our neighboring states have initiated. It should be permitted to sell fish, not sold on the same day that has been properly stored and cooled in the hold. If it is not possible to allow sales of fish after a day, a regulation of a full 24 hours would allow fishermen greater flexibility and time to sell their catch than the same calendar day rule.
- The present regulations governing dockside sales are designed around exemption. I would like to suggest we consider what Massachusetts has initiated to govern Rhode Island dockside sales by applying for a letter of authorization rather than the exemption. Neighboring states have implemented a letter of authorization to allow dockside sales of fin fish and scallops, this should be further explored in Rhode Island.
- Scallops caught and sold in the same 24 hours will have an equal food safety risk as fin fish caught and sold within the same 24 hours. Therefore, scallops caught and sold in the same 24 hours should also be permitted under this license. Other states permit dockside sales of scallops and we should learn from these states to allow this in Rhode Island.

Proudly Representing: Ocean State Fishermen's Association, RI Commercial Fisherman's Association, RI Lobstermen's Association, RI Shellfishermen's Association, Eastern New England Scallop Association, RI Monkfishermen's Association, Point Judith Fishermen Memorial Foundation, Commercial Fisheries Research Foundation, RI Party & Charter Boat Association, Point Judith Scholarship Foundation

- The license fee of \$200 should be reduced to \$50. Reducing the license fee to \$50 will incentivize fishermen to utilize the license. As this is still a pilot program, fishermen are still determining what strategies work and what strategies do not work under this license. Therefore, it is best to not charge a substantial fee to discourage fishermen from applying for and utilizing the license. The Peddler license fee of \$100 should also be reduced to further incentivize direct to consumer sales within Rhode Island.

In conclusion, Rhode Island is the Ocean State and should become the model in the North East in adopting an accessible process for direct sales of seafood. This program should be accessible for both the fishermen and the consumers. Building our local food market is increasingly important during the pandemic and new market pathways need to be expanded including selling seafood from boats to consumers. The current regulations governing the dockside sales license does not provide benefit to the industry and does not support an accessible direct to consumer pathway for seafood.

Sincerely,

A handwritten signature in black ink that reads "Fred Mattera". The signature is fluid and cursive, with the first name "Fred" being more prominent than the last name "Mattera".

Fred Mattera

Executive Director

The commercial Fisheries Center of RI

fredmattera@cfcri.org

(401) 874-4568

From: [Jon Kourtesis](#)
To: [Duhamel, Peter \(DEM\)](#)
Subject: [EXTERNAL] : Direct sales license
Date: Sunday, October 25, 2020 9:38:11 PM

Mr. Duhamel,

I am sure you are aware, my husband and I are of the few that have participated in the dockside sales program. We have repeatedly expressed that it is not feasible to sell Finfish dockside on a regular basis unless the 24 clock which starts at midnight is changed. It simply isn't fair to start the clock when the boat isn't out and the fish aren't even caught yet. Fishermen start their day very early and work hard to catch the fish, it's physically impossible for them to stay extended hours at the dock to sell their catch and then drive what's left over to a dealer all in the same day. We propose that the clock start when either the boat leaves the dock to start their trip or preferably when the boat returns to the dock with the fish.

Additionally, we also feel the proposed fee of \$200 is not reasonable. We propose there be no fee or a nominal fee of \$50 or less in 2021 since fishermen will still be experiencing loss of income due to the ongoing pandemic.

Thank you,
Sherry and Jon Kourtesis

Sent from my iPad

From: [Michael Marchetti](#)
To: [Duhamel, Peter \(DEM\)](#)
Cc: [Michael Marchetti](#); [Fvcapt](#); [Ballou, Robert \(DEM\)](#); [Fred Mattera](#)
Subject: [EXTERNAL] : RI DEM Public Hearing dockside sales
Date: Sunday, October 25, 2020 8:47:49 PM

Hello, RI DEM Fish and Wildlife Staff , RI Marine Fisheries Council Members,

As this is a late comment literally at the last minute, I will try to keep this brief. I am opposed to the listing of scallops, be they sea scallops or bay scallops as prohibited for consideration of dockside sales. There are many layers to this issue, more than I have time to cover in this format, I will try to get to several. But I have also talked at length with Bob Ballou on this subject over the last several months. I did not pursue this as an emergency action as I did not want to hold up the discussion for the dragger finfish and dayboat fleets.

First off this is a federal fishery and as such those of us that want to do this need to get federal dealer permits. Since scallops are all considered federal, they do allow us the permit to sell our product, both shucked meats and live shell stock to a federally licensed dealer, even if that dealer is ourselves. Let me point out that this provision has been allowed as an emergency action and a waiver in most northern east coast states due to COVID since March and April and May, so that means that those of us in RI have been disadvantaged this entire time in that regard. If this spike continues I can easily foresee a need to go directly to the consumer again!

The entire hang up here is within the state of RI, and the interaction between RI DEM and seemingly in this case the RI DOH acting as a lead agency on allowing this activity. It seems that the fact that scallops are a shellfish is a large problem,,!?,. In the case of scallops it should not be. The product is completely shucked and free of the viscera, shell and other potential bacteria harboring and toxin producing agents. This is the industry standard of processing and production for many decades. In my view sea scallop meats and bay scallop meats are one of the purest seafood products you can get. The product is shucked on usually fiberglass or stainless tables or boxes into plastic pails, washed in a saltwater bath stainless tub every tow and put in cheesecloth bags on ice every tow (each hour), in warm weather ice is added to the pails and this bath to chill the product. Care is taken so as not to absorb too much fresh water from the ice, AND SOAKING IN TSP IS VERY MUCH TABOO and NOT done by any dayboat scalloper that I know of in this area!! The product is kept in Xtubs, well iced, chilled, until offload. We take pride in our product as a dayboat FRESH clean, dry product for the consumer!! And it is delivered HOURS old. Mind you that it is accepted standard for a trip boat to hold their product on ice for WEEKS, and in a few cases it is not treated nearly as well either.

Further, Let me point out that in the Atlantic sea scallop fishery, we must be properly federally permitted. These permits are very expensive. Further we need quota, which is also very expensive!! Several hundreds of thousands, even well upwards of a million and a half dollars for a boat to work a reasonable season. The vessel needs to be equipped with a VMS unit, polling every 30 minutes, with pre sailing forms AND pre landing forms, to match a FVTr (in my case electronic).SO that means there is absolutely no question as to where the vessel was and when it landed. I point all this out to show there is a quality control and accountability within our fishery, let alone PRIDE in our product! Also, IF BY CHANCE, and I HOPE, that a bay scallop fishery returns to our state waters in earnest and that a set or more of sea scallops finally set for real in state waters as they did several decades ago,that our draggers and other state commercial fishermen have this possible outlet to offer a quality product to

their consumers along with their finfish.

The only difference now in the sales of product is the requirement that we go thru another set of hands or more at the dealer(s). Mind you, I am not against the dealer, we need them and the consumer does too. I believe though that we should have the right to sell a portion of our trips if chosen to the consumer directly at times.

Again, This is a Brief overview of our fishery, I am always open and available to answer questions and I am willing to work with the DEM and DOH to help move this along.

As such I am requesting that the RIMFC request that the RIDEM and Director Coit work directly with her counterpart in RIDOH to get this dockside sales provision be approved for State of RI Commercial fishermen involved in the sea scallop AND bay scallop fisheries ASAP and without further delay.

Thank You for your consideration,
Michael L. Marchetti
Pres Eastern New England Scallop Assn
Pres East Farm Commercial Fisheries Center