



**Small Mesh Multispecies Fishery Management Plan
Scoping Hearing**

Massachusetts Division of Marine Fisheries
Annisquam River Marine Station - Gloucester MA
Wednesday, May 24 2006

Six individuals attended the scoping hearing in Gloucester, MA. This audience contained fisherman, a shoreside businessman, an academic and a government (NMFS) staff member. NEFMC member and Small Mesh Multispecies Committee Chair David Goethel chaired the meeting, and NEFMC member Dr. David Pierce (Massachusetts Division of Marine Fisheries Deputy Director) was present as well.

The meeting began with introductions by the Chair. NEFMC staff (Chad Demarest) gave an overview of the Amendment / Fishery Management Plan process as it relates to Small Mesh Multispecies, and discussed the format for the scoping hearing.

Significantly, it was pointed out that the management action might involve separating the Small Mesh Multispecies fishery from the Northeast Multispecies Fishery Management Plan (FMP) and creating a stand-alone FMP for this fishery. Such an action would also require an Amendment of the Northeast Multispecies FMP, which would most likely be Amendment 14 to that Plan. Participants were informed that, should a separate FMP be implemented for the Small Mesh Multispecies Fishery, it would either include (A) one of the four issues summarized in the Small Mesh Multispecies Scoping Document, or, if no action was taken by the Council on these issues, (B) the regulations that currently govern the fishery with no changes. This is to say that, should no action be taken by the Council with on the issues in the scoping document, the creation of a stand-alone Fishery Management Plan for the Small Mesh Multispecies fishery would not otherwise change the regulation of this fishery.

After a few procedural questions, public scoping comments were taken specific to each of the four issues contained in the scoping document. Those issues are:

- (1) Limited entry in the Small Mesh Multispecies fishery
- (2) Hard total allowable catch (TAC)
- (3) Possible restrictions on the juvenile whiting fishery
- (4) Dedicated access privileges

Summary of the scoping hearing

Overall, the participants were optimistic about the potential for limited entry in the fishery, resistant to the idea of hard TACs, saw little need for protections for juvenile whiting, and were skeptical of dedicated access privileges due to a perceived additional layer of complexity in the regulation of the fishery. Only on this last point was there

significant diversity of opinion, as one attendee spoke in favor of sector-style access privileges. Additionally, data accuracy was viewed as a large concern and attendees felt that the Vessel Trip Report data represented actual landings better than dealer-reported data.

Regarding limited entry, discussions focused on qualification criteria. In general, the attendees favored limited entry for this fishery. No one spoke in opposition to using the control date (March 25, 2003) as an end date for qualification, while two people spoke in favor of that date. Most attendees' felt that data prior to the inception of the Vessel Trip Reports (mid-1994) is likely to be too inaccurate to serve as a basis for critical limited entry decisions. The only preferences expressed regarding minimum landings for qualification were in the range of 50,000 lbs per year during the qualifying timeframe. At least one attendee spoke in favor of increased research with the goal of expanding whiting fishery opportunities in the Gulf of Maine. In order to qualify historical participants in the Gulf of Maine, landing from years prior to the VTR inception may be necessary. No discussions arose regarding communities impacted or social/economic impacts of limiting entry in this fishery. Likewise, it was noted by several attendees that the narrow margins and particular fishing and handling requirements for successfully participating in this fishery tend to drive the fishery more so that historical practices or other "social" factors.

Regarding hard TACs, attendee's expressed doubts about the level of certainty behind the stock assessment for silver hake and quoted the most recent stock assessment, which concluded that no TAC could reliably be estimated on the basis of that assessment. The idea of two separate TACs for the Northern and Southern stock areas was brought forward, as was the idea of discard TACs both for other species in the small mesh multispecies fishery and for silver, red and offshore hake in other fisheries. There was no discussion of the recreational fishery and TACs, nor was there discussion of mechanisms for limiting or preventing derby-style fishing practices under a TAC. The question regarding individual allocations of a TAC was taken up under item four, dedicated access privileges.

Regarding protections for juvenile whiting, an attendee noted that he didn't see a market for smaller whiting, but noted that he did not want to cull whiting because the volume of fish makes this impractical. A discard-free fishery was viewed as a positive attribute by this speaker.

Regarding dedicated access privileges (DAPs), attendee's had a wide range of opinions. Attendee's tended to feel that the fishery operated pretty well as it is, and that DAPs and ITQs would simply complicate things unnecessarily. One attendee provided ideas for additional criteria in allocating resource access, such as those that provide for a "cleaner" fishery. There were doubts expressed about the ability to set TACs and divide them amongst the qualifying fisherman due to poor understanding of the fisheries. One attendee spoke strongly in favor of self-selecting sectors with a third-party certifying that the sector is operating as it said it would. No attendees spoke in opposition to the idea of ITQs, though none spoke in specifically in favor of them either. There was no discussion

regarding the prevention of excessive share (“too much consolidation,” as in the scoping document).

The following are the specific comments from the hearing, as transcribed by staff:

Initial issues

“Question on the landings data. There are problems with the data...the dealer data does not seem to be accurate. We need to reconcile any data problems prior to looking into these four issues. The PDT needs to explore databases for consistency.”

“Clarification on the scope of scoping...are only the four objectives from the document on the table?” Answer from the Chair: “Yes”

Limited Entry into the small mesh multispecies fishery

“For limited entry, we need to know about what the data source is...but I don’t know if my dealers are reporting. I wish we could go back to old control date, criteria, etc. Use 500,000 lbs and a ten year participation criteria? I have seen new entries off the Cape. I don’t want to see a lot of new entrants...I don’t want to just “keep the fishery to myself” but new entrants are coming in w/out markets, which destroys my market. 50,000 lbs a year would be a reasonable qualification criteria.”

“If you go back 10 years, you’ll get good data. If you go before 1994, it appears (as per a NMFS ltr) the data is no good. Jim Armstrong (MAFMC) did a report on the whiting fishery...we need to have information to make a decision.”

“There should be a way to let the GOM boats in at a later date. I’d love to see more areas open, because there are fish in different areas at different times.”

“There should be a retention limit that is scaled by mesh size...3.5K or 7K or 30K with big mesh. That limit might work if we left it like that. Don’t we already have that established? No limit for groundfish boats with 6.5 inch...”

“We don’t really need to spend a lot of time on this until we get some landings data...not that many people are actually approaching those limits.”

Hard total allowable catch (TAC)

“I’m having a problem w/ the hard TAC...we have seen huge problems with the loligo fishery and derby-fishing. There is also the data problems...the SARC says we can’t do it. I’m not opposed to a hard TAC, but it says in here (in the SARC report) that we can’t get one. Not sure if you need a hard TAC under current reg’s, and especially if you have limited access.”

“Is the TAC for both areas or the individual areas? It might be better to have two individual TACs for the northern and southern, but these shouldn’t restrict the fishery.”

“I don’t know of the landings are right. If you’re going to use the landings as the TAC, you need to know what the landings are.”

“In general, Oceanna supports bycatch TACs for discards in other fisheries, and also for species caught in the whiting fishery. A system of hard seasonal/area TACs could result in a fishery that’s better-managed and easier to manage.”

Several participants noted in the same conversation the need to explore bycatch TACs for other fisheries (herring, squid, groundfish).

Possible restrictions in the juvenile whiting fishery

“I don’t think there’s any demand for juvenile whiting...the Spain market used to take some fish a little bigger, but not the cigars. I don’t want to cull whiting, though. I don’t want restrictions on what we can catch...too ridiculous for the volume of fish. No reason to dump good fish.”

Dedicated access privileges

“Oceanna does not have a position on ITQs, but criteria such as habitat impacts and bycatch could be used as allocation criteria to encourage even cleaner fisheries. Perhaps increased allocations for those that use the grate or raised footrope trawl. These are some issues to look at when allocating the resource.”

“The boats that fish for whiting year-round tend to fish cleaner. If you fish better, you get better prices. The market rewards clean fishing, and if you look at consistent fishing, such as trips per year, and a portion of total trips, then you’re probably fishing cleaner and should be rewarded. As far as the raised footrope and the grate, there’s no data on their benefits to the fishery in Southern area.”

“The raised footrope works well...you lose about 50% of the fish...I used it up north and in the south in the Canyons, but I couldn’t use it in the deep water down there, but I could use it up here (in the northern area). As far as grates, forget grates. If you get into the dogfish, they blow the net apart. The grate is not worth it. The 50 mil grate wasn’t enough to get good marketable whiting. The raised footrope eliminates a lot of flounders, and potentially fluke in the south.”

“The last couple of years, three years, the whiting have been scarce. I don’t know if they go to Canada, but they’ve been harder find around here. I don’t think that much of ITQ’s, from what I know about them. Don’t make things complicated!”

“What we don’t need is a plan that eliminates people that don’t need to be eliminated.”

“I think sectors are a good idea, self-selecting, etc. I would advocate for a third-party certification of how the sectors are operating. A certified third-party that provides oversight for how the sector is operating.”

“I don’t want to see consolidation.”