



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

Casco Bay Lines - Terminal  
Portland, ME  
Thursday, May 25 2006

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Three individuals attended the scoping hearing in Portland, ME. The audience contained two fishermen and a fisheries organization representative. NEFMC member Terry Stockwell (Maine Division of Marine Resources) chaired the meeting.

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.

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 skeptical about the potential for limited entry in the fishery, somewhat warm to the idea of hard TACs (primarily hard TACs without limited entry), saw little need for protections for juvenile whiting, and were positive about the ideas surrounding dedicated access privileges. Due primarily to the small number of attendees, there was little diversity of opinion on any/all topics. Data accuracy was mentioned as a

large concern, but attendees made no mention of the difference between Vessel Trip Report data and dealer-reported data.

Regarding limited entry, the attendees were not convinced it was needed in the northern area. The problem in Maine (and possibly much of the northern area) is twofold: those who fished historically may not be the ones who would like to participate in the future, and the historical fishery goes back farther than the accurate (VTR?) data. No one spoke in opposition to using the control date (March 25, 2003) as an end date for qualification, and no one spoke in favor of that date. The only comments regarding minimum landings for qualification were that 100,000 lbs was probably too high. In order to capture the Maine participants, the qualification dates would need to go back to at least 1992-1993. Downeast fishing communities are likely to be impacted adversely by a limited access qualification program that relies on historical landings, because it may eliminate potential fisherman in an area where the resource exists and the impediments to fishing on it is primarily market-driven.

Regarding hard TACs, attendee's liked the idea of a hard TAC in the absence of limited entry. There was a concern that the whiting fishery may be used as a test-case for quota management by the NEFMC, that the "tool" might be chosen before the issues facing the fishery are defined. 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. As in the previous scoping hearing, 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 the grate "kicked out" the big spawner fish and retained juveniles. There was some discussion about the differences between a bait and a food market for whiting, and a preference amongst the attendees for landing food-market fish. A concern that a lack of bait in the late summer (due to shortages of herring) may lead to a viable bait market for whiting, a situation that could see lots of juvenile whiting landing for very low values.

Regarding dedicated access privileges (DAPs), attendees were strongly in favor of sector-based management. A sector-based model may allow for a fishery prosecuted by vessels that don't necessarily have the landings history, but have the desire to fish on a resource that is available (no overfishing, not overfished, etc). The sector, therefore, would need to be based on the resource and not on historical landings.

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

Initial issues

*"The timing for this could not be worse. We're potentially facing elimination from the scallop fishery, and the whiting situation has been rough on Maine due to market conditions. What is really the problem? The perception is that this is becoming a north/south conflict. Is that what is driving this? Is it a resource grab while people in*

*the northern aren't paying attention? There have been historical conflicts between the north and south...issues with gear...issues with markets, juvenile fish, etc. We're all here because we don't want a fishery taken away from us. Even though we don't actively participate now, we don't want to lose our potential future access. The whiting fishery in the south seems to be its own fishery."*

*"I think we need specific whiting scientists involved in the development of the plan...we need people that understand the fish, not just the stock assessment models."*

#### Limited Entry into the small mesh multispecies fishery

*"In general, opposed to limited entry program at this point. I don't see the need for it. It is not financially possible for a big boat burning 500-700 gallons of fuel per day to make a living at this fishery."*

*"The numbers going around for qualifying criteria are probably too high (100K) for even the most historically active whiting. When people really shifted to groundfish, the infrastructure for whiting went away...Maine is too far from current markets, and the fish aren't worth the money for trucking."*

*"We in Maine have been proactive...when we went whiting fishing and couldn't keep away from bycatch, we experimented with the grate. There were a lot of experiments with the grate, etc, as we were trying to participate in management while also creating a decent fishery. The rules in the late 90's and maybe now had inconsistencies between the shrimp and whiting fisheries...we couldn't keep both, so guys discarded the opposite species."*

*"One or two guys spent a lot of time in collaborative research, finally resulting in a complicated situation that meant that fisherman just left the whiting fishery. The catch limits were imposed on us by the southern fisherman. They were too complicated to use, so people left."*

*"There's no way that Maine boats are going to qualify under the qualifying criteria."*

*"Let the northern manage their stocks they way we want, and let the southern manage how they want."*

*"Go back to 1992-1993 to capture Maine boats in qualification criteria. 1994 thru 1996 had decent landings. I think we had over 30 boats participating in the fishery. We tried to get the Port Clyde folks involved, but the trucking costs killed them. The deferred delivery contract created a stable market with better prices, but it's a tricky market."*

*"Again, I don't understand why we're looking to reward someone who caught the most fish. We're not talking about a fishery that's in trouble. It's underexploited. There's*

*enough limitations, bycatch, etc, that if someone wants to go through the trouble, they should get to go.”*

*“Sometimes just talking about limited entry gets boats to just fish for history.”*

*“I’m against limited entry up here, none of the boats are going to qualify. I fished for whiting, but I was running someone else’s boat...I didn’t own a boat, so I’m out of it despite the fact that I’m a whiting fisherman.”*

*“It’s always been an economic fishery anyway, the markets drive it all. We had to go through all the hurdles to get the experimental fisheries going, it took many years to get it accomplished. We had a decent fishery for a while, until the markets dried up. Now all the small boats are looking for alternative fisheries...as long as we stay below the bycatch limit, there’s no reason to keep boats out of it. Boats should be able to go fishing on a healthy resource. It’s difficult, I’ve lost scalloping because of the VMS req (no gen, to shore power), I’m losing groundfish DAS. I’d like to be able to go whiting fishing if we can get the market back.”*

*“One thing we have that’s bad for the whiting fishery is no small mesh fishing inside state waters except btwn Jan and June. You can get a very clean whiting fishery, but they went in to state waters and we couldn’t get to them. Clean, abundant whiting, but we couldn’t change the state law.”*

*“Another thing...we’ve been reading every document written about this fishery. What the Council is doing with this scoping document runs counter to the whiting monitoring ctte SAFE report...the 2002 report recommended expanding the fishery in the northern area.”*

*“The stock is not overfished, I don’t understand why we’re even talking about limited entry when other Council documents point to needing to expand the fishery in the northern area. The fishery in Maine is self-limiting.”*

*“We need to make available a healthy resource to the Maine fisherman.”*

#### Hard total allowable catch (TAC)

*“Is this a test for the NE Council to get it’s feet wet with ITQ’s? If that’s the case, then let’s be up front about it. Until we know who’s in and who’s out, it’s hard to comment. The people that participate in the fishery will fish well under a quota.”*

*“I think quotas are going to happen, and I think we’d be interested in seeing what kind of numbers might be available for the Northern stock.”*

*“I’d promote that you define our area, give us a TAC, and we’ll manage it.”*

*“If we do want to do some precautionary management, then let’s start fresh. We’re comfortable managing under a TAC, but we want to see what that number is going to be.”*

#### Possible restrictions in the juvenile whiting fishery

*“I think we should keep teenager to young adult and let the big whiting go.”*

*“There’s a Canadian study, and it was in their belief that the grate which eliminated big fish was a better fishery. We don’t see big whiting up here because of the grate...the spawners go up, the little ones go through mesh.”*

*“I’d rather see the whiting go to a food market, but there will probably be some need for bait if the herring fishery has shortages.”*

*“We may want to distinguish btwn the food fishery and the bait fishery. These two groups may need to be managed differently.”*

*“I don’t think anyone should be participating in the bait fishery w/out a grate. We can’t afford the groundfish bycatch. We can’t create a mechanism that allows for increased bycatch.”*

*“If the bait market is limited via the herring fishery, the bait whiting fishery may see increased activity. The bait whiting fishery is not as clean as the food whiting fishery.”*

#### Dedicated access privileges

*“A sector makes a lot of sense for us.”*

*“You have to have a threshold amount of fish to get a market. We need to know what we can have, then we can get the buyers interested.”*

*“It’s a good idea to have a sector that gives Maine boats a TAC that they can access.”*

*“There are boats throughout the coast that would like to participate.”*

*“We would like to do something different than the Hook ...we don’t have the catch history, we’re asking to allocate fish to the area based on the TAC”*

*“We need a sector based on the resource, not on catch history. With a sector, we’d be able to figure out what we can get and what we spend to catch for our whiting.”*

*“The science is fuzzy, and we’re looking at a management plan that requires better science. We need to know how much fish are out there. We want to do everything we can do to develop a good clean fishery, but we’ll need good science. We might need to get the inshore trawl survey data into the mix, too.”*

*“If you look at the exempted fisheries off of Massachusetts, we might want to do that on the coast of Maine.”*

*“We need more cooperative research to make improvements in the fishery. Some sort of precautionary number would be a good start, but I’d like to do an additional data collection effort for this fishery.”*

*“In (groundfish) Framework 32, both state and fed managers were worried that any sort of monitoring system wouldn’t be conceivable. Sectors may alleviate this problem.”*

*“Given the opportunity to try, I think we’ll find that the fisherman can do a better job of monitoring the fishery than the gov’t can. Let’s find a way to work together to maximize our profits.”*