



**Small Mesh Multispecies Fishery Management Plan**  
**Scoping Hearing**  
Ferrara's Restaurant  
Point Pleasant Beach, NJ  
Thursday, June 8 2006

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Ten individuals signed in at the scoping hearing in Point Pleasant Beach, NJ. The audience contained at least four fishermen, three fisheries organization representatives, one charter boat operator, and a NMFS employee. Frances Puskas, from the Mid-Atlantic Council, 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 seemed opposed to limited entry, but not one attendee spoke in open opposition to it—instead, they seemed resigned to its inevitability and focused their energies on the qualification dates, as most wanted to go back significantly farther in time than the creation of the VTR program. They were universally opposed to hard TACs and even target TACs; they were universally opposed to fishing on juvenile whiting; and

were somewhat neutral about the ideas surrounding dedicated access privileges—most were opposed to ITQs, but open to sectors that may ensure access for fisherman that may not qualify for limited entry permits if a later qualifying time period is used. There was somewhat more diversity of opinion than at previous meetings, and a broader range of issues came up in the course of the hearing.

Regarding limited entry, the primary thrust of the participants was for an earlier qualification date range, going back “to the beginning of the permit” or, at least, well into the 1980’s. Local fisherman had similar concerns to those in the Gulf of Maine, in that the resource is now predominately fished offshore and the inshore fisherman want to ensure they have the ability to fish on whiting should they ever move back inshore. A few attendee’s stated they supported the control date, and none spoke in opposition to it. A tiered system was discussed here (similar to the discussions in Riverhead, NY) with the primary difference being that the fourth (lowest) tier should not be open-access.

Regarding hard TACs, all attendees were opposed. The recreational fishery in New Jersey was said to be active on whiting, but all of the recreational landings “don’t put a dent into the total fishery.” There was a general discussion on mechanisms for limiting or preventing derby-style fishing practices under a TAC, with one audience member stating that there were ways to spread out landings if “the Service” was committed to hard TACs for this fishery. 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, attendee’s were universally in support of protecting juvenile whiting and eliminating any fishery directed on juveniles. There was a proposal for a 10 inch minimum size limit (with a tolerance) and for the elimination of net strengtheners with the 2.5 inch mesh to increase mesh selectivity.

Regarding dedicated access privileges (DAPs), attendees were hesitant to speak in favor or in opposition to any one idea due to lack of specificity. One attendee pointed out that a sector could be beneficial under a hard TAC management program.

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

Initial issues

*“We need research, because data is lacking...we need more information on the fishery itself. Temperatures have been investigated, but the results were inconclusive. Something happened to make the stock move, but we don’t know what it was...we need to know.”*

*“The sewage outfall attracted the fish, but now secondary treatment has created a dead zone. They exchanged nutrients for harmful chemicals. Things changed out there.”*

*“One last suggestion...we need to hire one boat year-round to feed the fish...catch the little skates and dogfish, mulch them up and feed them to the fish.”*

### Limited Entry into the small mesh multispecies fishery

*“How far back will they go? I think we should look back as far back as the history of the permit. The boat that I’m running now used to run 1,000’s of pounds of whiting...the boat had a good history of whiting when I bought the boat in 1990. Whiting landings dropped off in 2000.”*

*“The Coop’s landings started a decline in 1992, stayed down for 10 years, and the last three years it’s been low. No mudhole run, 2K – 3K per day for a boat now, and that isn’t likely to change. [The limited access provisions in] Am 12 went back to 1981 for criteria, and the North Carolina boats had a fishery back in the 1980’s. We don’t have enough fish to be considered full-time in any fishery, and we get hammered. I can see this in the whiting fishery. Our guys aren’t going to want to move to eastern Long Island for the whiting fishery. We need, and I believe we will come up with, some good stuff for this. We may want to look at a tiered system for certain vessels. We worked on a 100-120 box limit for years. The market for whiting is very different from other fish, and they are difficult to keep.”*

*“I’m going to suggest one thing we should be concerned about...we should consider banning on-board processing of whiting. That would take care of a major concern...but the 30K trip limit might actually take care of that.”*

*“We need to go back to 1990 [for limited entry criteria].”*

*“I agree with 1990.”*

*“I’d like see mid to early 1980’s...that was the last time our vessels caught a lot of whiting.”*

*“The reason that NMFS turned down the Am12 limited access was because the data was bad. We should go back to 1993 or whenever the VTR started.”*

*“But some of us have no landings of whiting after 1990.”*

*“We support the control date.”*

*“[Regarding the tiered proposal from Riverhead, NY...] No one would qualify for that...our concern there is with Tier 3 – 100K – 150K would not be sufficient...but if you went back five years, they’d have twice that. We’re not looking to be full time whiting fishery...we want one of the tiers to include our guys.”*

*“In the herring they kept lowering the qualification criteria for the lower tier permits. That seems good. I don’t want that 3,500 permit category to be completely open...they should get a permit for some landings...1000 lbs...it doesn’t make sense to leave something open.”*

*“We should start at 1985...or 1980. Why start at 1995?”*

*“We’re looking at the data that NMFS has...and they’ve got great data around here. Our boats could provide documented NMFS data going that far back. The whiting has moved into colder water...are they going to come back? Is the cold water going to return? If you can bring that first date back to 1990 or 1985 w/ documented landings, documented by NMFS, not a dealer, then you can capture the New Jersey boats. We’re not going to have a deal like loligo with 20 boats qualifying w/ falsified landings records. In previous attempts we wanted to accommodate all of the former whiting fisherman. The tiered system can work, and we need to make sure we get at least a part of that.”*

*“What if squid collapses? You’re not going to direct on whiting for 10K lbs, so you need that 30K trip limit. You don’t want to be limited to 10K whiting.”*

#### Hard total allowable catch (TAC)

*“Is the service going to be saying “do we want a hard TAC?” The service likes hard TAC’s. We’ve dealt with hard TACs in the MAFMC, and there are ways to deal with the mini-derbies...there are some examples where when they spread out the fishery, it’s good. It keeps the season open, it keeps the price high...there are ways to address derby fisheries. That basically leaves us with setting a target, and, because whiting landings have remained pretty consistent, maybe we don’t even need target TACs.”*

*“There was a very big recreational fishery for whiting...but even so, they don’t put a dent on the total fishery. We would oppose any recreational restrictions.”*

*“There’s not enough data to calculate a TAC.”*

*“Red hake is a steady fishery for us...there are not many boats that target ling, maybe four boats. Our winter fishery for whiting was 25 boats in each port...now it’s down to about seven, total.”*

#### Possible restrictions in the juvenile whiting fishery

*“No juvenile whiting fishing, period. There should be one mesh size for the fishery. I think the 2.5 inch mesh makes most sense, I don’t agree w/ anything bigger makes sense.”*

*“The reason the mesh size was in place was because the nets fish differently with volume. Big boats with big tows, the 2.5 inch mesh isn’t selective. I would like to see the 2.5 inch with no liner. That gives you true selectivity with the 2.5 inch mesh. If you’re dealing with a fishery that has a low trip limit, you don’t need the bag strengthener...all it does is impede selectivity. There should be no strengtheners. I am totally opposed to juvenile landings. The persistence of small fish in the market is not good. A minimum 10 inch size limit with a 10% tolerance would be a good choice.*

*And our country should be doing something about Canadian landings. Once we started doing something about the juveniles, the Canadians came in and stole the Spanish market. 100 boxes of juveniles translates into 300 boxes of adults. If you land 20 million pounds of juveniles, that’s 60 million pounds of adults. No fishery should exist like that. The mesh should select a fish that spawns at least once. I recognize that this is a very labor-intensive fishery, and it’s difficult to sort.”*

*“I think that the Spanish market should be eliminated.”*

#### Dedicated access privileges

*“I’m opposed to ITQs for this fishery because of the difficulties of divvying this up under qualifying criteria because our boats would not fair well unless you want to go back 20 years when we caught 35% of the fishery. This is a difficult plan to deal with because there’s a group of large fisherman and then there’s a large group of fisherman that have participated but don’t fish much these days. There are a lot of guys that can’t afford to lose access. We need numbers for qualifying...we need to see hard data.”*

*“We think it’s the weather...water temps drove the fish down here...now the water’s too warm. We need something to keep fishing.”*

*“If a person had a license, it should never be taken away.”*

*“Shut the door, but don’t shut the people out that participated in the past.”*

*“They’re not taking fish right now, so to take their license away it’s not helping the fishery.”*

*“I think that a sector could be something down the road...really to do a cooperative or a sector thing, you need to have a TAC or something to cap landings.”*