



New England Fishery Management Council

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MEETING SUMMARY

SMALL MESH MULTISPECIES COMMITTEE and WHITING ADVISORY PANEL

December 3, 2018

Hotel Viking
One Bellevue Avenue
Newport, RI 02840

The Small-Mesh Multispecies (Whiting) Committee met jointly with the Whiting Advisory Panel on December 3, 2018 in Newport, RI. The purpose of the meeting was to recommend final action for Amendment 22 limited access alternatives.

MEETING ATTENDANCE:

Terry Alexander (Chair), Vincent Balzano, Eric Reid, Mike Ruccio, Peter Aarrestad, Peter Kendall, Laurie Nolan, and Scott Olszewski (committee members), and John Quinn (Council chair); Andrew Applegate (NEFMC staff and PDT chair), Naresh Pradhan (NEFMC staff and PDT member), and Janice Plante (NEFMC staff); Peter Burns (NMFS GARFO staff and PDT member); and Thomas Testaverde and Katie Almeida (Whiting advisors). Also attending the meeting were Russel Sherman, a whiting boat owner. Only two advisors were present, thus there was no quorum or votes taken by the Advisory Panel.

Meeting documents were posted at the following location: <https://www.nefmc.org/calendar/dec-3-2018-joint-whiting-committee-and-advisory-panel-meeting>

KEY OUTCOMES:

- After considering the estimated number of qualifying vessels for the five limited access alternatives, the expected impacts, the written comments received during the original and supplemental public comment periods, and advice from the advisors in attendance, the committee voted to recommend No Action to the Council, as final action on Amendment 22.

The meeting was held the day before the Council meeting so that advisors and other interested parties could attend both meetings. Due to the short agenda, the meeting began at 1:30 pm.

AGENDA ITEM #1: FINAL ACTION RECOMMENDATIONS FOR AMENDMENT 22

Presentation: Mr. Alexander opened the meeting and asked Mr. Applegate to give a presentation on the history of the amendment and the alternatives under consideration, the webinar, and written comments received by the Council in November 2018.

Mr. Applegate reported that the error in the initial fleet history analysis was identified in April 2017 and corrected in May 2017 when the PDT and staff began analyzing the impacts of the alternatives. The corrected analysis and the estimated number of qualifiers was presented to the Committee and Advisory Panel in August 2017, before the Council chose a preferred alternative in September. Because the Council chose No Action as a preferred alternative and because the document had separable choices for limited access, possession limits, and permit characteristics, the document needed to be restructured. Unfortunately the revised qualification estimates were not corrected in the summary discussion of the alternatives. These incorrect data were also incorporated into a public hearing document table.

The initial history analysis from late 2016 and early 2017 incorrectly allowed more than one vessel to qualify based on a single history, which was in conflict with the rules associated with Moratorium Right ID policy (for vessels having existing limited access permits for other fisheries). The effect of this error was greater for alternatives with lower qualification criteria and longer qualification histories than for the other alternatives. Thus, Alternative 4, which had been recommended by the Advisory Panel in August 2018 for final action was affected more by the incorrect estimates than the other alternatives were. Generally, Alternative 4 had lower qualification criteria and a longer qualification period than the other alternatives.

At the September 2018 Council meeting, it was decided to correct the numbers in the erroneous public hearing document table, re-open the public comment period, and hold a webinar on November 13, 2018 to accept additional comment.

Mr. Applegate reported that he had given this explanation and presentation during the webinar. There were about 12 people on the webinar, most were NEFMC and GARFO staff. One member from the public was online. Other than the committee chair, Terry Alexander, there were no committee members or advisors on the webinar. After the presentation, there were no questions or comments.

During the supplemental comment period ending on November 23rd, the Council received three written comments, one in favor of Alternative 4 with status quo possession limits for qualifying vessels, one in favor of a moratorium on Category K permits (not an alternative in Amendment 22) and a trailing action to address bycatch concerns, and one anonymous comment opposed to any limited access fisheries program.

The Committee discussion focused on the rationale for the action to limit new entrants to the fishery as a means to manage problems caused by excessive bycatch. The Committee also discussed the low utilization rate for whiting, where 2017 landings were 10 to 17% of the 2018-2020 Annual Catch Limit.

The Committee asked questions about the source of the small-mesh multispecies fishery bycatch, referring to Tables 8 and 9 in the 2017 Annual Monitoring Report (https://s3.amazonaws.com/nefmc.org/5_Annual-Monitoring-Report-for-Fishing-Year-2017_180919_150658.pdf). Except for high haddock catches in the northern management area, most of the perceived bycatch issues were in the southern area.

Mr. Reid mentioned that much of the bycatch in the southern area was associated with the ‘other’ trawl fishery and asked why that was. Mr. Ruccio admitted that it was a challenge to use the trip declaration for classification of kept landings on observed and unobserved trips. Mr. Applegate elaborated that some vessels that target whiting had been declaring into the squid and herring fisheries to be able to exceed the lower squid and herring possession limits that would otherwise apply if they had declared out of those fisheries when targeting whiting. Mr. Applegate explained that the trip declaration had been used as a first-level trip classification, followed by the species that contributed the majority of revenue as a second-level classification. If no species contributed to the majority of revenue (i.e. > 50%), a trip would frequently fall into an ‘other classification’. Mr. Applegate cautioned the committee not to overinterpret the bycatch table in the Annual Monitoring Report, because of the trip classification issues noted by the PDT. He said that there were also some suspicious data that needed further investigation but at the time of the report, there was insufficient time to drill down into those details while preparing the Annual Monitoring Report.

The committee felt that additional work is needed to investigate the sources of bycatch and felt that limited access by itself does little to curb bycatch. Mr. Alexander mentioned that the NTAP project is collecting data on how catches of silver and red hake change with different net configurations. Mr. Testaverde reported that he has used the raised footrope trawl to catch squid and whiting in the Cultivator Shoals Area (where it is not currently required) and saw some reduction in bycatch.

Mr. Reid pointed out that there is also a sizeable bycatch of haddock in the small-mesh multispecies fishery, which should be evaluated.

1. MOTION: Mr. Reid/ Dr. McKenzie

To recommend the status quo for final action.

Discussion: It was understood that the status quo is the same as the No Action alternative.

Turning to the Amendment 22 limited access decision, the Committee focused on the low utilization rate for whiting, the main target of the small-mesh multispecies fishery. Answering a question, Mr. Applegate reported that the whiting catch has been 10 to 20 percent of the Annual Catch Limit, although he pointed out that this could change quickly if biomass declines like has been occurring for southern whiting.

Mr. Reid said that he supported no action, because open access to the small-mesh multispecies fishery is a means to get new blood into the fishery, being one of the few remaining open to new fishermen without buying an expensive limited access permit.

Dr. McKenzie said that he originally supported establishing limited access for the fishery that included all participants, but it appeared that objective could not be achieved through limited access qualification. He felt that the Amendment 22 alternatives did not allow the Council to keep people fishing, which he had expected would occur with the Amendment 22 alternatives.

Mr. Kendall supported the motion for No Action, because he wanted to keep as many people in the fishery as possible. Instead of supporting a limited access alternative, he was going to recommend a follow-on action for 2019 priorities to address the small-mesh multispecies fishery bycatch issues.

Mrs. Nolan preferred a more liberal set of qualification criteria than the alternatives offered. She wanted the most liberal criteria possible that would have qualified all 344 vessel histories and leave the door open to new entrants, but no alternative did that.

Mr. Ruccio said that the small-mesh multispecies is a complex fishery which made it difficult to design the perfect limited access alternative to meet the Councils objective. For many vessels, their landings of small-mesh multispecies comprise only a portion of their total revenue from fishing, many often fishing seasonally or landing smaller amounts of whiting while other vessels were full time whiting and squid vessels and had higher capacity. He recognized that the alternatives had not shaped up to what people wanted. He felt that the attrition of participation (referring to the low turnout of the advisors and the light webinar attendance) was concerning. Mrs. Nolan thought the lack of participation occurred because people expect the Council to choose the status quo.

Mr. Testeverde recommended that the committee choose Alternative 4 with status quo possession limits for qualifying vessels as the final action. Mrs. Almeida supported No Action with a follow-on action to freeze Category K permit issuance and an action to directly address bycatch concerns.

Mr. Sherman, a small-mesh multispecies fisherman, commented that overfishing was not occurring in the northern area and there was a robust stock condition. He recommended that the committee support the status quo, or at least a limited access alternative with the most liberal of the five qualification options.

COMMITTEE MOTION #1 The motion carried 7-0-1.

Although the committee voted to recommend No Action to the Council for final action in Amendment 22, the Amendment also included an option to adjust the southern management area whiting possession limit. The committee discussed the alternatives that could raise the whiting possession limit in winter, lower it in the summer and fall, or keep the status quo. Mr. Applegate pointed out that raising the whiting possession limit would run counter to the issues that the Council is facing, southern red hake being overfished and declining biomass of silver hake (i.e. whiting). The committee and advisors felt that changing the possession limits at this time would not be warranted.

Mr. Reid asked if the committee needed to take action to recommend a priority to examine small-mesh multispecies fishery bycatch. Mr. Ruccio said that bycatch of regulated multispecies would be discussed during the priority discussion. Dr. Quinn said that the Executive Committee

was not recommending this as a priority, so it would need to be made as a motion to put this priority “above the line”.

At the conclusion of the meeting, Mr. Testeverde expressed frustration that the Amendment 22 decision that had been made is wrong – hurting fishermen that decided to target species other than regulated groundfish. As a result, these whiting fishermen had not obtained a groundfish limited access permit and now are not being protected from groundfish vessels entering the small-mesh multispecies fishery.

No additional business was taken up by the committee and Mr. Alexander adjourned at about 3:17 p.m.