

Amendment 14 Public Hearings Summary (April/May 2012)

Public / Scoping Hearings

Meeting Type	Date	Time	Location	Information
Mackerel-Squid-Butterfish Amendment 14 Public Hearings (River Herring & Shad Issues)	April 30, 2012	5:30-7:30 pm	Alexandria, VA	See FR notice for meeting details (click here)
	May 15, 2012	7-9 pm	Riverhead, NY	
	May 16, 2012	6-8 pm	Internet Webinar with listening station in Newport News, VA	
	May 17, 2012	7-9 pm	Cape May, NJ	
	May 21, 2012	6-8 pm	Gloucester, MA	
	May 22, 2012	5:30-7:30 pm	Warwick, RI	

Note: RH/S = River Herring and Shad

4/30: Alexandria, VA (At the ASMFC Meeting)

Attendance:

<u>Name</u>	<u>Affiliation</u>	<u>EMAIL</u> <u>Topic to be Discussed</u>
<u>Theresa Labriola</u>	<u>Pan Environment Corp.</u>	<u>tlabriola@pantrusts.org</u>
<u>Ray Kane</u>	<u>CHOIR</u>	<u>rkane@verizon.net</u>
<u>DARREN SALEM</u>	<u>MCSBA</u>	<u>masscomm@csba.com</u>
<u>Phil Kline</u>	<u>Greenpeace</u>	<u>pkline@greenpeace.org</u>
<u>Kristen Cudde</u>	<u>Herring Alliance/PEA</u>	<u>kcudde@peatrusts.org</u>
<u>JEFF KIELIN</u>	<u>LUND'S FISHERIES, INC</u>	
<u>Nichelle Dilval</u>	<u>NC DMF</u>	<u>Machhead_City_NC</u>
<u>WILSON LANEY</u>	<u>USFWS- Fisheries</u>	<u>wilson_laney@fws.gov</u>
<u>Greg DiDomenico</u>	<u>GSSA</u>	
<u>Larry Miller</u>	<u>USFWS</u>	<u>larry_m_miller@fws.gov</u>
<u>Kate Taylor</u>	<u>asmfc</u>	

Comments:

Greg DiDomenico: Can you look at which vessels are responsible for most bycatch?

Ray Kane: I would like to see more accountability and consistency with NEFMC Amendment 5. A shared strategy should include:

- 1) 100% observer coverage on high-volume vessels in upper limited access tiers of mackerel and herring (including an observer on both vessels in pair trawl operations).
- 2) Increased observer coverage for minor limited access participants to improve estimates but should consider their relative contribution to overall landings
- 3) Improve dealer reporting and make consistent across FMPs including requiring weighing and sorting all catch for all vessels
- 4) For all vessel to bring all catch including operational discards aboard for observer sampling (similar to closed area 1 rules in New England).
- 5) Implement RH/S catch caps and use RH protection areas (and closed areas) until catch caps are implemented (not trigger based).

Pam Lyons-Gromen (on behalf of National Coalition for Marine Conservation):

- Catch of RH/S in federal waters is unrestricted (versus severe state restrictions)
- A regional and fleet based approach is appropriate
- MWT fisheries account for 71% of RH/S incidental catch
- SMBT fisheries account for 24% of RH/S catch
- Need consistency throughout Mid-Atlantic and New England
- Strongly support adding RH/S as stocks in the fishery
 - Would add resources and tools to conserve RH/S
- A fragmented approach is likely to fail.
- NCMC will follow-up with specific comments

Phil Klein, Greenpeace USA

- Support comments of Ray Kane and Pam Lyons-Gromen
- Observers and good data are critical
 - 100% on MWT, as high as is feasible for rest of fleet
- Work cooperatively across range of fish...add as stocks in the fishery
- Don't allow tows to be dumped before contents can be sampled
- These would lead to a catch cap

Darren Saletta, Massachusetts Commercial Striped Bass Association

- Need consistency with New England
- VMS and VTR alternatives appear good
- Need to know what is being caught, 100% observer coverage
- Need to do everything we can to reduce slippage events and fully account for all fish
- Would like to see coast-wide caps.
- Consider recent studies that concluded forage fish have higher value as forage than landings
- Need accurate weighing/reporting by dealers

5/15: Riverhead, NY (Hotel)

Attendance:

The attendance sheet was lost related to a theft, however the recording of the hearing was not lost. Attendees included Bonnie Brady, Long Island Commercial Fishing Association; Emerson Hasbrouck (Cornell Marine Program), Byron Young (NYS Retired), and Theresa Labriola (PEW).

Comments:

Byron Young:

- Everyone should have the same reporting requirements.
- The data does not appear ready to support caps.
- Increased observer coverage needs to be considered relative to costs.
- The NEFMC, MAFMC, ASMFC, and Canadians need to work cooperatively to address RH/S throughout their distributions.

Emerson Hasbrouck: Provided information on Herring catch in Cornell's cooperative research work, which was provided in the briefing book.

- Before restrictions or caps are placed on the fisheries, need to figure out how much current catch is impacting RH/S stocks.
- Like Byron's comments, a coordinated approach is needed among the relevant management partners.
- Cornell has just received funding for developing a real-time bycatch avoidance fleet communication protocol but preliminary work suggests areas of higher RH/S catch are very dynamic.

5/16: Internet Webinar with facilitated listening station in Newport News, VA

Attendees

At Newport News:

Name	Affiliation	Address (email, if possible)
Beau Beasley	Press	fishutopia@comcast.net
Jerry Benson	Menhaden Coalition/CCA-VA	jb@widomaker.com
Thomas A. Miller	FORVA & FFV	millertam@verizon.net
Sharon Wilson	VMRC	sharon.wilson@mrc.virginia.gov
Chris Irby	ODU	chris@terrascapes.org
Terra Pascarosa	Sierra Club	terrabspace@gmail.com
Katarina Bezekova	TerraScapes	katarina@terrascapes.org
Eric Brittle	DGIF	eric.brittle@dgif.virginia.gov
Alex Bailey		alexbailey815@gmail.gov
Mark Nesius	Kneeland Nesius	knesius@odu.edu
Ben Duff	Fisherman	orangeruffey@gmail.com

On the Internet:

Name	Affiliation	Address (email, if possible)
O'Reilly, Rob	VMRC	rob.oreilly@mrc.virginia.gov
Wynne, Bennett	NCW	bennett.wynne@ncwildlife.com
Kaelin, Jeff	Lunds	jkaelin@lundsfish.com
Taylor, Kate	ASMFC	ktaylor@asmfc.org
Bowden, Alison	TNC	abowden@tnc.org
Shelton, James		james_shelton32@yahoo.com
Cevoli, Kristen	Pew	kcevoli@pewtrusts.org

Comments

Internet Comments (all from Shelton, James):

- I recommend a scientific approach that is verifiable and effective.
- Council needs to determine a safe amount that can be taken that still allows River Herring and Shad to Rebound. Also recommended:
- From Alternative 3 paired observations are needed to make a valid count.
- From Alternative 4 100% coverage mid water and small mesh to get an accurate count of by catch.
- From Alternative 6 - RH/S cap mortality cap must be observed and that catch ended at the point.
- I suggest that Fish Trawlers might adopt the Sustainable Fisheries ByCatch Avoidance as a way of meeting the Catch limit and still getting their target species.

Comments from Individuals in Newport News:

Jerry Benson:

- Have concern about trawlers impact on RH/S and depletion of forage is endangering ecosystems
- Recent Lenfest Forage Report supports protecting RH/S
- Council should create management controls on the mackerel and squid fisheries to help reverse decline of forage in Mid-Atlantic

Thomas A. Miller (Speaking on behalf of the Friends of the Rivers of Virginia, and Float Fishermen of Virginia):

- Coastal Communities have been working on restoring RH/S
- Incidental catch of RH/S in mackerel and squid fisheries is largely unmonitored and unregulated
- Create comprehensive monitoring and accountability/oversight for the industrial trawl fleet
- Choose options with the best effect toward restoring RH/S
- Recommend a catch cap that can not be circumvented by choice of trip declarations
- Recommend 100% monitoring of MWT
- Recommend discouraging slippage so that all catch is available for observers for sampling
- Recommend weighing all catch

Eric Brittle:

- Professionally, VA is more than happy to increase communication and assist in data exchange
- Personally, recommend addition of RH/S as stocks in the fishery

Chris Irby:

- Recommend addition of RH/S as stocks in the fishery to improve conservation
 - Need federal management...states already managing
- Trawlers are not leaving fish for local fishing

Terra Pascaros (Chair of Chesapeake Bay Group Sierra Club):

- Recommend addition of RH/S as stocks in the fishery
- Recommend a cap (Alts 6)
- Recommend 100% observer coverage on trawl trips
- Recommend weighing all catch

Katarina Bezekova:

- Need to protect small fish so we can catch more big fish
- Recommend addition of RH/S as stocks in the fishery
- Recommend a cap (Alts 6)
- Recommend observers on both trawlers for pair MWT
- Recommend 100% coverage on MWT
- Recommend weighing all catch

Alex Bailey:

- There shouldn't be any bycatch if you don't have a permit. Adding RH/S as stocks in the fishery should help the bay and rivers.

Ben Duff:

- Urge addition of RH/S as stocks in the fishery

5/17: Cape May, NJ (Hotel)

Attendance:

Name	Affiliation	Address (email, if possible)
Patty Doerr	TNC	pdoerr@tnc.org
Sonia Rite	PEW	
Kristen Cevoil	PEW	kcevoli@pewtrusts.org
Fred Akers	Great Egg Harbor Watershed Association	fred_akers@gehwa.org
Stephaine Cash		cashrs@comcast.net
John Conneely		JJConneely@live.com
Stefan Axelsson		
Jeff Kaelin	Lunds	jkaelin@lundsfish.com

Comments:

Can you look at which vessels are responsible for most bycatch?

Jeff Kaelin: Lund's will be submitting detailed comments. Jeff Kaelin read a 1 page comment, which was included in the briefing book for the June 2012 Council meeting (other Lunds' employees signed this letter as well to provide their input. Jeff also recognized TNC for supporting the SMAST project. Jeff also thought that looking at if a few vessels are causing the most RH/S problems is a good idea.

Fred Akers: Submitted written comments on behalf of *Great Egg Harbor Watershed Association*, which were included in the briefing book for the June 2012 Council meeting. Generally hopes better management will avoid RH from having to get listed with ESA.

5/21: Gloucester, MA (at Mass DMF Annisquam River Marine Fisheries Field Station)

Attendance:

Name	Affiliation	Address (email, if possible)
Theresa Labriola	PEW	tlabriola@pewtrusts.org
Katharine Deuel	PEW	kdeuel@pewtrusts.org
Erica Fuller	Earth Justice	efuller@earthjustic.org
Greg Wells		
Ben Gahogan		ben.gahagan@state.ma.us

Comments:

Erica Fuller on behalf of Herring Alliance

- RH/S are at historic lows and in dire need of conservation and management in federal waters
- MAFMC has the obligation to protect and conserve these depleted stocks
- MAFMC should choose:
 - RH/S should be added as stocks in the fishery.
 - New England's rejection of RH as stocks in the fishery was recently found to be unlawful
 - Section 302 of the Magnuson Act requires an FMP for any stock capable of being managed in a unit and in need of conservation and management.
 - Overfishing and current designation as stocks in the fishery are not the only triggers whether a stock should be a stock in the fishery and NMFS must review and provide justification for any decision
 - RH/S are caught, sold, and/or discarded in MSB fisheries
- RH stock assessment and consideration of listing shows RH/S are in need of management
- You should add RH/S as stocks in the fishery
- Herring Alliance supports a modified catch cap as an interim measure that shuts mackerel fishing by lowering the amount of mackerel that can be fished for, possessed, or retained. We support alternatives 6b and 6c.
- We support 5b4 and 3d to place observers on all mid-water trawl fishing vessels
- We support accountability measures to discourage slippage, including operational discards (3j with operational discards prohibited). If dumping is allowed, provide for a fleet wide limit of 10 dumping events and require vessels that dump to take an observer on their next trip. 3l, 3n, 3o.
- We support a requirement to weigh all catch, alternatives 2c-2f.

5/22: Warwick, RI (immediately after Amendment 14/Amendment 5 joint technical meeting)

Attendance:

Name	Affiliation	Address (email, if possible)
Eric Reid	Deep Sea Fish	eric@deepseafish.net
Geir Monsen	Seafreeze	geir@seafreezeld.com
Kristen Cevoli	PEW	kcevoli@pewtrust.org
Jud Crawford	PEW	jcrawford@pewtrust.org
Pam Lyons Gromen	NCMC	conservac@yahoo.com

Comments:

Geir Monsen:

- If you are going to develop a fishery management plan for RH/S you are going to have to develop a few thousand because each river & creek is its own stock and you will have to have a plan for each river.
- There is no information on how much can be taken out of all the rivers
- Water quality has improved in recent decades that should result in better recruitment
- These are feel good actions and you have no clue about what they are going to do
- For the most part there is an incentive to avoid river herring because zoos and aquariums do not want river herring mixed into marine mammal food.
- Seafreeze sorts all fish and has been catching very little.
- Since no one wants to get river herring, a lot of that the Amendment considers is already in place.
- Cormorants are targeting RH at river mouths in the fall, far surpassing commercial fishing mortality.

Ray Kane:

- Has there been tagging of River Herring? I think you should consider a 25-miles buffer zone from the coast out (entire coast). Maine and New Hampshire use buffers (40 mile). Small triggered hotspots will not work.

Pam Lyons Gromen:

- Request that for upcoming meetings, that they be provided an update of the river herring stock assessment, which found them to be depleted to historic lows

Jud Crawford on behalf of Pew Environment Group:

- There are caps on salmon on the west coast that are not river specific.
- MAFMC has an opportunity to take a leadership role with regard to stocks in the fishery
- The Amendment 4 lawsuit suggests stock in the fishery designation is required
- Amendment 14 should be able to officially add RH/S as stocks in a fishery and then implement measures later.
- Want better monitoring of both directed landings and bycatch
- Mixed nature of fisheries must be addressed and not used as an excuse to do nothing
- Recommend designating RH/S as stocks in the fishery and initiate a follow-up amendment to implement associated required measures
- See other measures, in particular a catch cap as a good interim measure (Alt Set 6), especially matched with 100% observer coverage on the larger scale small mesh midwater fishery as a condition for access
- If a cap is implemented, make the mackerel possession limit very low to address cap pitfalls identified in the EIS
- The costs for observer coverage can be brought down in half as is being done in other fisheries.
- Allow frameworking of protection areas as well as increases in size of those areas.

Eric Reid, on behalf of Deep Sea Fish, RI:

- RH/S face major habitat impediments and this should be the focus of recovery efforts
- \$800/day would be a tremendous financial burden
- A variety of state-level efforts are underway
- Commercial fishermen are being blamed which there are other culprits
- Urge no action on all alternatives
- The DEIS is insanely long.