

# **Atlantic States Marine Fisheries Commission**

## **Atlantic Herring Advisory Panel**

### **Conference Call Summary**

*June 1, 2012*

**Present:** Jenny Bichrest (ME), David Ellenton (MA), Jeff Kaelin (NJ, Chair), Patrick Paquette (MA), Dana Rice (ME), Mary-Beth Tooley (ME), Chris Vonderweidt (ASMFC Staff), and Steve Weiner (MA).

The Atlantic Herring Advisory Panel (AP) held a conference call on May 31, 2012 to elect a Chair and review Addendum V to the Interstate Fisheries Management Plan for Atlantic Herring for Public Comment (Addendum V). The AP unanimously elected Jeff Kaelin from New Jersey. Following the election, the AP thanked and acknowledged the quality work of David Ellenton who had served as AP Chair since 2003. David will continue to serve as a member of the AP.

The AP then discussed the Addendum V options as follows.

#### **3.1 Spawning Area Boundaries**

The AP unanimously supports Option A, that spawning area boundaries can only be modified through the addendum or amendment process. Members agree that changes to spawning area boundaries have significant impact on industry and public hearings and a public comment period are necessary to inform the Section before making a final decision. For example, under the 'zero tolerance' provision, closures can overlap and close the entire Maine coast for part of the year. AP members also commented that quick decisions based solely on new scientific information often have unintended consequences if not vetted through fishermen and the AP first.

#### **3.2 Size Bins that Trigger a Spawning Closure Start**

The AP unanimously supports Option D, greater than or equal to 22 cm. AP members support the size reduction mainly because of concern that smaller spawning fish are not being counted during sampling. There is also some concern that sampling data from Maine Department of Marine Resources was not utilized when coming up with these options and a thorough presentation of that spawning data would have been useful. AP members did utilize Table 1, Percentage of spawning or developing females, to decide on their preferred option and members agree that 20% 21-22 cm fish in 2011 is significant enough to decrease the size bin to 22 cm or greater. AP members also noted that herring are spawning at a smaller size, and not at a younger age.

#### **3.3 Number of Fish Per Sample**

The AP unanimously supports Option B, 100 fish per sample. AP members agree that increased sampling provides a more accurate understanding of when and where herring spawn. All AP members agree that states do not collect enough samples and resources should be funneled to increase the number collected.

There is support from most of the AP to remove the 'zero tolerance' provision as this measure has resulted in fewer and less accurate sampling because commercial samples are unavailable during a closure. These members agree that the broad closures are a result of insufficient sampling effort and that increased sampling could allow for a tolerance. One member disagrees with allowing a tolerance because you have to kill spawning fish to learn that an area should be avoided.

**Other Business:**

The AP also discussed a few issues that they want to highlight for the Atlantic Herring Section as follows.

- States should increase their sampling effort, especially New Hampshire. AP members would support programs where fishermen and dealers contact state marine fisheries agencies and provide them with spawning herring samples.
- Zero tolerance spawning closures should be reevaluated.
- The AP is concerned that regulations may not be consistent from state to state and think the TC should review the regulations again. For example, Massachusetts does not issue notice when the Western Gulf of Maine and Eastern Gulf of Maine spawning areas are closed.
- There is concern that 7 open days (0 days out) is too liberal and will result in the quota being harvested before peak demand for lobster bait.
- The Section should consider 'days out' measures for Area 2.