



New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492 | FAX 978 465 3116

John F. Quinn, J.D., Ph.D., *Chairman* | Thomas A. Nies, *Executive Director*

**MEETING SUMMARY**

**SMALL MESH MULTISPECIES COMMITTEE  
WHITING ADVISORY PANEL  
October 30, 2017**

**Hampton Inn  
2100 Post Road  
Warwick, RI 02886**

The Small-Mesh Multispecies (Whiting) Committee met jointly with the Whiting Advisory Panel on October 30, 2017 in Warwick, RI.

***MEETING ATTENDANCE:***

Mark Gibson (Chairman), Vincent Balzano, Justin Davis (substituting for Mark Alexander), Matt McKenzie, Eric Reid, and Mike Ruccio (committee members); Andrew Applegate and Naresh Pradhan (NEFMC staff); Peter Burns (NMFS GARFO staff); and Vito Calomo (chair), Dan Farnham, and David Goethel (Whiting advisors).

Meeting documents were posted at the following location: <https://www.nefmc.org/calendar/oct-30-2017-joint-whiting-committee-and-advisory-panel-meeting>.

***KEY OUTCOMES:***

- The Advisor and Committee received an update of the status of the Draft Amendment 22 document and Specifications Package. Drafts of these documents will be ready for the December Council meeting mailing, which if approved would be submitted to NMFS for review. This schedule would put public hearings on Draft Amendment 22 for late February or early March, with approval of final alternatives expected in April.
- GARFO staff reported on discussions and concerns about submitting a DEIS having No Action as the preferred alternative, but did not recommend any changes.
- The PDT presented its advice and recommendations for a new tiered, triggered possession limit alternative that would apply to Category II and Non-qualifying (Incidental Permit) vessels. Due to the complicated nature of a triggered possession limit reduction that based on future events and unknown conditions, the Advisors and Committee recommended that these alternatives should be removed from the draft amendment.

- Council staff reported that the Council would be finalizing 2018 priorities at its December meeting. It was recognized that the priorities are likely to include initiating an amendment to address an overfished condition of southern red hake, as well as completion of Amendment 22 to consider limited access options. The committee also noted that other measures could be considered in the future amendment, including measures to compliment the final Omnibus Habitat Amendment measures and to possibly require selective small-mesh trawls to target whiting and red hake in the Cultivator Shoals Area.

***AGENDA ITEM #1: PROGRESS AND STATUS OF DRAFT AMENDMENT 22 AND SPECIFICATIONS PACKAGE DOCUMENTS***

**Presentation:** Mr. Applegate reported that, as a result of the Council decisions at the September meeting, the Amendment 22 document had been re-organized to segregate the No Action alternative from the limited access qualification alternatives, as well as incorporate the new alternatives last added by the committee and the Council. These new alternatives included a triggered possession limit alternative that was to be fleshed out at this meeting and an alternative that would exempt non-qualifying vessels from the incidental possession limits while fishing in exemption areas that require a raised footrope trawl. Mr. Applegate explained that the Document Organization and Rationale for No Action as preferred has been re-drafted for the Executive summary.

The PDT and staff have continued analysis of the alternatives and drafting descriptions of expected impacts, including completion of a bycatch analysis by gear confirmation and limited access qualification status, protected species impacts, and economic and social impacts. The latter analysis focused on dependence on landings of small-mesh multispecies by qualification category and community impacts. Dr. Pradhan presented a summary of these latter analyses. Mr. Applegate reported that work remained to analyze habitat impacts and develop a cumulative effects analysis.

Mr. Applegate reported that the Specifications document would be drafted for the December Council meeting, following approval of the OFL and ABC specifications by the Council's Scientific and Statistical Committee (SSC). He said that the SSC considered the advice of the PDT and the Council about the choices of setting 'P\*', a measure of scientific uncertainty. Although the SSC retained the existing P\* values for now, possible re-examining them after the scheduled 2019 benchmark assessment.

**Discussion:** The advisors and committee noted that there were important differences between economic impacts analyzed by landed port and home port. Dr. Pradhan's analysis demonstrated these differences, showing a 'balance sheet' of landings made at important ports that were not the vessel's home port.

Dr. McKenzie asked about whether the analyses have showed recent increases in small-mesh multispecies fishing effort. Mr. Applegate reported that small-mesh multispecies fishing effort (number of vessels and trips) had declined, but in the past five years effort has increased in statistical area 514 (Small-Mesh Area I) but has been low and stable elsewhere. He reported that he has personally seen more boats in Small-Mesh Area I, particularly in 2015. Mr. Goethel

confirmed that more vessels began fishing there because of more restrictive cod fishing measures, displacing the vessels from the large-mesh groundfish fishery.

***AGENDA ITEM #2: ENVIRONMENTAL IMPACT STATEMENT ISSUES AND GARFO CONCERNS***

**Presentation:** Mr. Ruccio reported that an environmental impact statement (EIS) for an amendment with No Action as a preferred alternative was an awkward construct, but not illegal. Part of the issue is describing how No Action would address the purpose and need statement. GARFO was recommended no changes, but would have to discuss how to move forward with a final EIS if it has No Action as the final alternative.

**Discussion:** Some advisors and committee members felt that the raised footrope trawl exemption alternative would allow a limited access alternative to be more acceptable or the requirement would allow No Action to address the purpose and need. Mr. Calomo pointed out that although the bycatch analysis showed no differences for many species (possibly because of bycatch availability differences in season and area), the raised footrope trawl was very effective in trails before it became a requirement in some exemption areas, particularly for flatfish and lobster. He emphasized that the net had to be configured correctly to be effective.

Mr. Goethel thought that the amount of red hake catch was directly related to the number of vessels and amount of effort. Compared to the specifications, the red hake catches had recently exceeded the amount allowed or will be near that level in 2018, thus the fishery was near full utilization of these red hake stocks.

Mr. Applegate reported that it did not appear to be more selective to avoid catching red hake, one of the species of concern in the purpose and need statement. Mr. Farnham added that concerns about yellowtail flounder catches in the Cultivator Shoals Area and Southern New England posed additional problems. He asked when could the Council develop alternatives that would require the use of raised footrope trawls or fat-belly net trawls in the Cultivator Shoals Area.

***AGENDA ITEM #3: LIMITED ACCESS ALTERNATIVES WITH TRIGGERED POSSESSION LIMIT OPTIONS***

**Presentation:** Mr. Applegate presented the PDT memo which outlined a tiered strategy of implementing a possession limit reduction trigger under limited access. He said that the recommended triggers and possession limits were meant to reduce the opportunity for increasing effort by Category II and non-qualifying vessels when more conservation was needed, for a target or non-target species. He added that this strategy would not make sense without limited access and would complicate the existing in-season accountability measures. He noted that possession limits could always be adjusted without limited access, or by category with limited access, through a framework adjustment process. Speaking as the plan coordinator, Mr. Applegate thought that this set of triggered possession limit alternatives made the amendment more complicated than needed and that it would be difficult to predict the conditions when a possession limit reduction would be required, and what the lower possession limits should be. On the other hand, this strategy had an attractive feature that would apply possession limits to whiting AND red hake catches, thereby modulating the amount of fishing effort. It would not focus on just one species in the fishery, like what occurred with northern red hake in 2015 when the Council lowered the possession limit from 5,000 to 3,000 lbs.

**1. MOTION: Mr. Goethel/Mr. Farnham (advisors)**

To remove the tiered, triggered possession limit reduction alternatives (Alternatives 3 for Category II and Incidental Permits in Action 2) from the amendment.

**2. MOTION: Mr. Reid/Mr. Balzano (committee)**

To accept and recommend the AP motion [sic].

**Discussion on the Motions:** Mr. Ruccio understood that the purpose of the committee's proposed triggered possession limit alternative was to make limited access more palatable, by initiating it with existing possession limits that would be reduced when conditions warranted it. He asked Mr. Applegate whether an historic analysis had been done, showing when the PDT's recommendations would have triggered a possession limit reduction in the past. On the other hand, he thought that there was value in thinking long and hard about the implications of trip limit reductions when they are triggered, reserving that evaluation for when they are needed rather than now. He favored their consideration later as needed in a future framework action. Mr. Applegate replied that a retrospective analysis of the triggers had not been conducted because the alternatives had not been fleshed out sufficiently. He added that the possession limit reductions would have been triggered for 4 of the last 5 years in the northern area due to overages of northern red hake catch and they might be triggered in 2018 in the southern area at current southern red hake catches, if they remain constant. Also, the yellowtail flounder catch in 2013 had exceeded the sub-ACL would be another example of a trigger that would have been applied to non-qualifying vessels with incidental permits.

Considering the complexities of this alternative, the Advisors and Committee felt it would be best to withdraw the triggered possession limit alternatives from the draft amendment.

**ADVISORY PANEL MOTION #1 The motion carried 2-0-1.**

**COMMITTEE MOTION #2 The motion carried 5-0-0.**

Without taking a lunch break, the meeting adjourned at 12:40 p.m.