

## *Atlantic States Marine Fisheries Commission*

Atlantic Herring Section  
February 28, 2002  
Sheraton Ferncroft, Danvers, Massachusetts

### **Draft Meeting Summary**

The Atlantic Herring Section met in Danvers, Massachusetts, on February 28, 2002 to review and approve draft Addendum II to Amendment 1 of the FMP and to discuss the 2002 Internal Waters Processing (IWP) allocations. David Borden, Section Chair opened the meeting at 9:00 am and noted that four of the seven member states (Maine, New Hampshire, Massachusetts and Rhode Island) were in attendance. The proceedings of the October 18, 2001 Section meeting were approved with no objection. The order of the agenda was modified in order to discuss the 2002 IWP allocations prior to reviewing and adopting Addendum II.

#### **PRT Report**

Staff reported that 2001 Annual Compliance Reports had been received from four states (ME, NH, CT and NJ) by the February 1, 2002 deadline. Staff will contact the representatives of the states of MA, RI and NY to remind them of the annual reporting requirement. As a condition of the Section allowing Maine to implement an alternative management regime regarding the spawning closures, Mr. Flagg provided a report on the enforcement and sampling activities during the closure periods. A letter from Commissioner Lapointe outlining concerns over herring landings in Massachusetts during the closures was presented to the Section. The Section asked that Massachusetts provide a formal response to the questions raised in Commissioner Lapointe's letter at the next Section meeting if not earlier. The Section also asked C/O Jeff Marston, LEC Representative, to contact other LEC members to review state implementation of herring regulations and report on any current or potential problems.

#### **IWP Allocations**

Mr. Quinby provided a summary of the combined 2001-02 joint venture fishery for Atlantic herring which included the IWP fishery. Approximately 15,000 metric tons (MT) of herring had been processed as a result of the joint venture in federal waters and the state waters-based IWP operations, of which 5,000 mt had been processed in the 2002 IWP to date. Three Russian vessels had processed herring taken from U.S. vessels coming from Maine to New Jersey, and the product was destined for the Russian market. Mr. Quinby asked that the Section provide some sort of a signal to continue the IWP, at least for this season. Most of the vessels were concentrating on mackerel now and he thought an additional 1,000 mt would be enough. Anticipating this situation, Mr. Borden had inquired about the feasibility of allowing more IWP allocation in Area 2 from the TAC of 50,000 mt. A letter could be sent to the NMFS/NERO with the concurrence of the Council and its process, requesting a change in the specifications. This could be a lengthy process and would not address any short-term concerns. The Section discussed the relative catch rates between 2002 and previous years, noting that the TAC had never been approached in Area 2.

Mr. Nelson offered the following: ***“Move to allocate an additional 1,000 metric tons to Rhode Island (from the 2002 IWP specification).”*** Second by Mr. Flagg.

Mr. Ellenton stated that he had no objection to continuing the IWP in Area 2. Mr. Flagg replied that it

was assumed that the motion was specific to Area 2. The motion carried by voice vote.

Mr. Borden questioned if the Section felt the need to increase the IWP specification for 2002 due to previous concerns raised by representatives of New York and New Jersey for the existence of a fall IWP operation. At this point there was only 3,500 mt unallocated for future use. Mr. Nelson stated that the 2001 and 2002 Area 2 harvests were about 3,500 mt each year so why should there be a need to increase the amount. In addition, there had been discussions about new shore-side processing operations coming on-line in 2002 and IWPs might not be needed. Mr. Calomo said that he was a proponent for onshore processing and questioned whether the IWPs were beneficial now or a hindrance to further development. The Section has an obligation to help the U.S. fisherman and needs to make a major decision on the future direction. Mr. Flagg stated that the RI IWP operation has been beneficial this year, businesses need to make plans, but shore-based operations should be a priority. Mr. Quinby stated that only 50% of the optimum yield was being taken, IWPs were a stepping stone in the process. The increased landing in 2001 were due to the entrance of large, mid-Atlantic vessels into the fishery and he was unsure whether the new shore-side facilities would start in 2002. IWPs had not impacted shore-side development at this time.

Mr. Borden summarized by saying that he had not heard any support for the Section taking any action on this issue today and it might be wise to continue this at a later date when there were more Section members present. Mr. Ellenton offered that the Section needed to also discuss the 2003 specifications in light of the canneries increasing their capacity, and the increased shore-side capacity. The JV/IWPs were an outlet for fishermen with no other markets and the foreign vessels were here due to the increased demand for the export market. The European Union is also writing a GIFA which should also increase demand for access to the resource. He added that observers were mandatory for the JV operations and should likewise be mandatory for IWPs. The Section should solicit input from the AP concerning the overall issue and should evaluate the impact of Area 2 harvests on the Gulf of Maine TAC. Mr. Abbott stated that the Section needs another meeting prior to the specification setting meeting to discuss the broad issues in more detail and that the AP should meet as well, together with the Section.

### **Addendum II**

Staff presented an overview of the public comment received for Addendum II, noting the lack of a summary from two of the three meetings held in Massachusetts. The Massachusetts meetings were held in conjunction with a proposed lobster addendum which may have been part of the problem. Most comments were in favor of the split TAC for Area 1A and no comments were directed to the proposed IWP deadlines. Mr. Al West stated that this winter was the first time in a long time where boats fished north of Cape Cod and if the markets were strong the 6,000 mt would have been caught already. The numbers were based on years when there was no winter fishery. The canneries are looking at a shutdown this year. Mr. Ellenton said that industry went along with the split season with the assumption that there could be an in-season adjustment to keep the canneries open. He said that NMFS' answer now was that there was not enough time for that. Mr. Nelson stated that the primary focus was to allow for more harvest later in the year when the lobster fishery was active, this represented a change in fishing behavior. States could still implement measures to slow the catch rates if they chose to do so. Mr. Borden added that the Section noted this possibility if the fishery was to return to what it was in the 1980s. Mr. Calomo stated that the fish were changing their behavior again and returning to the inshore Gulf of Maine. Mr. Flagg asked whether the reallocation of fish (mortality) from the various management areas could be examined along with a re-evaluation of the TACs/area. Mr. Borden stated that there were a number of technical issues that need to be addressed in the future. Landings had been limited in some areas in order to be risk averse given the lack of new data.

Mr. Flagg offered the following: ***“Move to adopt Option 1a for 2002 and Option 1b for 2003 and beyond.”*** Seconded by Mr. Nelson. The motion carried with 2 in favor and 1 opposed.

Mr. Nelson then offered the following: ***“Move to approve Addendum II as amended.”*** Second by Mr. Flagg. The motion carried unanimously.

On behalf of the Section, Mr. Borden thanked Kohl Kanwit (ME DMR) for all the work she had done in compiling and providing landings data to the states and members of the fishing industry.

Mr. Borden said that he would work with staff to develop tasks for the AP to address prior to the next Section meeting. Ms. Mary Beth Tooley asked that a discussion regarding the effort controls be placed on the agendas for both of those meetings. The meeting adjourned at 10:30 am.