

# *Atlantic States Marine Fisheries Commission*

Atlantic Herring Section Meeting  
July 12, 2000  
Comfort Inn, Warwick, RI

## **Meeting Summary**

The ASMFC Atlantic Herring Section convened on July 12, 2000 in Warwick, RI, following a meeting of the NEFMC's Herring Oversight Committee. The Section met to review the public comment received for draft Addendum I (changes to spawning regulations) and to review and approve the addendum. Public hearings were held in Rockland, Maine and Gloucester, Massachusetts. A written summary of the Rockland meeting was provided by Mr. Flagg (attachment 1). Mr. Adler and Dr. Pierce provided a verbal summary of the Gloucester meeting. Attendees supported the spawning closures along with the tolerance provision as long as the proper enforcement was available. They also supported the 2,000 pound incidental catch limit, transfer of 1B TAC into 1A, and a roe fishery with no discarding of fish. They also supported the three day closures but stated that four days off were problematic.

Mr. Flagg stated that the proposed implementation date of August 1, 2000 might pose a problem if the tolerance provision was not adopted. They would have to do another round of hearings to satisfy their state's administrative requirements.

**Move to adopt Option II, Commercial Fisheries Management Measures, Section 4.2 of draft Addendum I, including Option IIb, contained in Section 4.2.1.5 (staff note: this is the no tolerance provision).** Motion by Dr. Pierce, second by Mr. R. White.

**Move to amend by including option IIa or IIb.** Motion by Mr. Flagg, second by Mr. Smith.

Mr. Kaelin commented that there was a de facto three month closure for the mid-water trawl fleet last year due to the provisions of Amendment 1. There has been no analysis of the tolerance provision vs. a bycatch limit in regards to their relative impacts or comparative effect on fishing mortality.

Mr Smith stated that there were plenty of buffers to protect the stock, all indications point to a healthy stock overall, and Maine law enforcement testimony regarding the effectiveness of the tolerance provision.

The motion to amend failed 2-3 with one abstention. The original motion then passed 4-2.

**Move that the states must implement the measures set forth in Addendum I, including those specified in Sections II and IIa by August 15, 2000, and IIb by January 1, 2001.** Motion by Mr. Borden, second by Dr. Pierce.

The motion carries 5-0, with one abstention.

Dr. Pierce suggested that Maine representatives report back to the Section next year on the effectiveness of the spawning regulations implementing the tolerance provision. The report should include law enforcement and sampling efforts, results of any court cases, etc.

**Other Business**

Staff was instructed to distribute the preliminary analysis of the effort control measures (days out) put together by David Libby.

The Section discussed the need for a formal motion to recommend that the states implement the effort controls in lieu of another addendum.

**Move that when 50% of the TAC in Area 1A is projected to be caught that the states implement a three day closure from Friday-Sunday, and that when 75% of the TAC is projected to be caught, the states implement a 4 day closure, Friday-Monday.** Motion by Dr. Pierce, second by Mr. R. White. Motion was withdrawn.

**Move to approve the days out provision for implementation and delegate to the states of Maine, New Hampshire and Massachusetts, determine the actual days to be designated following analyses of historical catches.** Motion by Mr. Borden, second by Mr. Flagg. Motion carries by voice vote.

Meeting adjourned at 4:30 pm.