

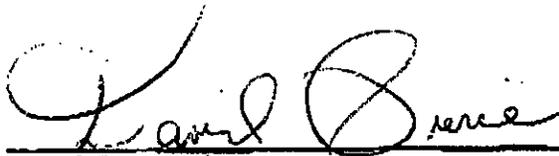
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**SUMMARY MINUTES APPROVAL**

**SECTION:** Atlantic Herring  
**DATE:** December 10, 1996  
**LOCATION:** Peabody, Massachusetts

**APPROVED BY THE SECTION**

**DATE:** March 26, 1997  
**LOCATION:** Providence, Rhode Island

  
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Board Chair endorsement

5/2/97  
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Date

## **SUMMARY MINUTES**

### **ASMFC ATLANTIC HERRING SECTION NEFMC HERRING COMMITTEE 10 December 1996 Peabody, MA**

David Pierce opened the meeting at 1030, introducing Committee and Section members. The following Section and Committee members were present:

Dave Stevenson, Chair, Atlantic Herring Technical Committee  
Jill Goldthwait, ASMFC  
Bruce Smith, ASMFC  
David Pierce, ASMFC  
Lance Stewart, ASMFC  
George Lapointe, ASMFC staff  
Chris Kellogg, NEFMC staff  
Robin Alden, ASMFC, NEFMC  
David Borden, ASMFC, NEFMC

Public attendance is listed at the back of these minutes

#### **Technical Committee REPORT**

Dave Stevenson reported on the Technical Committee meeting that was held on 18,19 November in Portland, ME (Attachment) to explore preliminary alternatives to providing more specific assessment information for the Gulf of Maine area. The problem is that the current assessment applies to the entire range of the species, but we have three areas for which we make management recommendations. The Technical Committee saw it as a responsibility to explore alternatives for specific assessment.

Dave said that the Technical Committee evaluate possible approaches for assessing Gulf of Maine herring stocks that warrant further investigations for long-term solutions to the stock assessment questions. He stressed that this discussion was a preliminary brainstorming session that in no way came to conclusions because the ideas presented would require further development and then a complete review by the Technical Committee the Stock Assessment Workshop (SAW/SARC) before incorporation into the herring management system. He said that if new methods of assessment are agreed to, we would want to run the new techniques through the SAW/SARC process which would be fall 1997 or spring 1998 at the earliest. Using either technique for estimating total mortality rates ( $Z$ ) would require "cleaning up" catch at age data to ensure that individual assessments were based on the appropriate area and time. Dave went through the five recommendations from the Technical Committee meeting.

He said the Technical Committee also examined alternative means or scientific bases for providing stock or area specific management recommendations based on the coastal stock complex, in lieu of a Gulf of Maine assessment.

Dave then discussed Item #2, saying that the process used in making allocation decisions can be improved, saying that currently the only rule for allocation is that no more than 50% of the total allowable catch (TAC) go to any one area.

Dave said that Technical Committee would like to reconvene early in the new year to explore different alternatives for the upcoming year's allocation based on the relative size of the offshore / inshore components of the herring stock. Prior to stock collapse, the George's Bank / Nantucket Shoals stock was 8 to 10 times the size of the Gulf of Maine stock based on independent assessments done at that time. The early 1970's Gulf of Maine assessment was done on Jeffrey's Ledge so that we're really talking about a Jeffrey's Ledge stock, not the entire Gulf of Maine. Implicit in this discussion is the assumption that both stocks are at their respective maximum size. This procedure has been used in the past as shown by a table from the 1978 Federal herring fishery management plan.

Dave then discussed suggested modification in the IWP allocation procedure which he noted was not a Technical Committee Recommendation. The current procedure is to determine a total surplus adult biomass for the entire stock, then to deduct the expected domestic harvest or processing capacity from the surplus to get the total IWP allocation which is then divided among individual management areas and states. A more logical approach which accounts more directly with variations in domestic harvest in each area would be to calculate the total biomass available for IWP allocation, then divide it among areas using purely biological criteria, then deduct the expected domestic harvest in each area to arrive at an IWP allocation for that area.

Dave said that the Technical Committee needed to have additional discussions on spawning area closures to refine this process through better area recommendations for spawning closures.

Dave Pierce asked David Stevenson if the Technical Committee had any specific recommendations at this time. David Stevenson replied that the Technical Committee had no recommendations and would not have a new approach before 1998 at the earliest. there will be no Gulf of Maine virtual population analysis (VPA) for 1997 but we may have some acoustic survey information for use in the April 1997 decision meeting.

Dave Borden asked David Stevenson the ratio between Gulf of Maine and George's Bank / Southern New England from the early 70's, specifically what the removal levels were at that time.

Fran Kulle said that 1972-1976 removals from George's Bank were 258,000MT. Gulf of Maine catch at that time were 30,000MT as reported, the largest year was 41,000MT in

1968. Dave Stevenson said that he remembered Gulf of Maine harvest estimates of approximately 60,000MT

Dave Pierce asked David Stevenson about his earlier ideas about sustainable levels of harvest from Gulf of Maine.

Dave Pierce said that the earlier Council plan focused on adult fish (age 4+), catch on ages 1,2,3 were unrestricted at that time. In 1976, the Gulf of Maine spawning stock biomass as estimated at 60,600MT, the NEFMC was guided by the fact that the 1976 catch in Gulf of Maine would reduce spawning stock to 43,000MT, leading to different area / season closures. The concern about the drop in biomass was the reason for FMP preparation in the late 1970's.

David Stevenson said the Jeffrey's Ledge stock at that time was 60,000 but had already declined from 120,000MT.

Dave Borden asked about the total removal levels from the Gulf of Maine for the most recent period with numbers, saying that we're confronting the same issues as in 1978 but with very little new data with which we can make decisions. The lack of data may well force us to use the same conservative line of thinking as was done by the Council in the late 1970's.

Jeff Kaelin asked whether there was catch information from Central and eastern Maine and west Nova Scotia and whether this data could be applied to improve the Gulf of Maine estimate as well.

David Stevenson said that you could derive a total mortality, fishing mortality, and natural mortality from the catch curve analysis (catch at age). David Pierce said that this may provide a useful management tool in the future when we can estimate the strength of individual year classes.

Robin Alden said that historical data could provide a retrospective analysis on different areas.

David Stevenson said that we could do that but it would not be current because it would be based on older fish, e.g. 4 years prior to the most recent information. He also said that the quality of landings has been questioned in the past and that this was not a problem because catch curve did not require absolute landings numbers.

Peter Moore commented that he thought separating the Gulf of Maine from George's Bank / Southern New England would be very difficult and that this would make the catch curve analysis less useful.

David Pierce said that older fish leaving the grounds would impact the catch curve analysis and that the timing of the data would be critical to make a catch curve analysis when fish were on the spawning grounds.

David Stevenson cautioned that the Technical Committee report should not be considered conclusions rather recommendations for future research and action.

David Borden asked whether the process if completed would allow recommendations for setting IWPs and domestic harvest levels. He was concerned that this would still not allow work on the issue of fishing out local stock. New estimates would still require making assumptions about the Gulf of Maine largely based on Jeffrey's Ledge estimates.

David Stevenson said that NMFS, through Kevin Friedland, was exploring the use of acoustic surveys because NMFS research vessels now had state of the art hydroacoustic equipment but that NMFS still lacked the staff to do the work at this time.

Fran Kulle asked David Stevenson what percentage of the total stock was comprised of George's Bank stock, separating George's Bank from Nantucket Shoals.

David Stevenson said that he did not know the answer to this question because Nantucket was lumped in with George's Bank based on the assessment. David Stevenson said that this would require using larval data which showed that Nantucket Shoals produced the bulk of larvae in the past.

Lance Stewart asked if David Stevenson had any definition of spawning areas as used in the plan in terms of substrate, depth band, etc.

David Stevenson said that they used substrate, recent work based on submersible that yielded good maps for George's Bank but other areas would be more difficult. David Stevenson said that a surrogate was using the larval surveys within 1-2 weeks post-hatch would be close to spawning areas. He added that this was put on the Technical Committee report because of its use in spawning closures

Bob Blair said that we don't know much more than 20 years ago, asking what the priorities were to get this information for future management to correct this.

David Stevenson asked for Section guidance on issues 1 and 2 of Item 2 of the Technical Committee report so the Technical Committee could work on issues that would be directed and useful to the Section.

Dave Pierce suggested using technique 1 and 2 to examine both alternatives for the Section to consider.

Dave Stevenson said that the Technical Committee could do this without too much extra work.

Section members asked about the timing of future meetings to discuss these issues, set IWP allocations for the coming fishing year, and proceed with FMP Amendment planning. George Lapointe told Section members that the Commission would have no funds for meetings prior to March but that the Technical Committee could be convened at no cost to the Commission. He also said that a Section meeting could be arranged in conjunction with the next Council meeting on 29-30 January to consider Technical Committee advise on allocation procedures and to finalize the Herring Advisory Panel makeup. The Section and Advisory Panel could then meet at the March ASMFC meeting week, 17-20 March, for AP member orientation and consideration of the Public Information Document for the Amendment.

Robin Alden asked Dave Stevenson if the Technical Committee get the analyses done by 29, 30 January Council meeting.

Dave Stevenson said that this should not be a problem, adding that the Technical Committee would provide recommendations for different allocation procedures, rather than a new assessment technique.

Robin Alden asked whether the current assessment could be divided based on the past split between the Gulf of Maine and George's Bank/Southern New England?

David Stevenson said that the Technical Committee could look at different intermixture rates and assumptions of the relative size of Gulf of Maine, George's Bank/Southern New England to make these estimates in an effort to refine the allocation process in a manner that reflects concerns about harvest levels in the Gulf of Maine.

David Borden said that you will come with some number for the Gulf of Maine which will be used to come up potential harvest levels for areas, times of year, etc.

Bruce Smith said that the Herring Section gave the Technical Committee a tough challenge with 2 methods to go through. Will the multiple methods dilute the time needed for the best option for a viable alternative.

David Stevenson said that he didn't think that this was a problem because the second analysis was a logical extension of the first.

Ed McLeod that the earlier tagging survey proved fish were caught where tagged because of harvest very soon after tagging, rather than returning to the area after an extended period of time. He did not remember that 50% of fish from Southern New England were from the Gulf of Maine. He also said that the market in Europe at that time was rebounding, the Council made a decision to take advantage of the temporary market before

the North Sea Stock rebounded. He hope that future research is more successful than in the past.

Fran Kulle asked what the current estimate of stock size was? If you use the 90:10 ratio, the stock in Gulf of Maine is 200,000MT, 30% harvest is 60,000MT which is currently being exceeded. He wants the managers do ensure that this doesn't occur again.

David Stevenson said that the spawning stock estimate was 2.2million MT, total stock 3.8 million MT.

## **RESEARCH PRIORITIES**

Dave Pierce said that the Technical Committee, Section, Committee, and industry had been working on this issue of research priorities for the future and that the list was finally nearing completion.

David Stevenson said that the report (Attached) was still a draft but is nearing completion.

Section members asked that staff send the research list be sent to advisors, interested parties for comments, comments back to David Stevenson prior to late January meeting. They recommended that the list be sent out and returned to David Stevenson.

Dave S. said that a Maine industry group has also come up with research recommendations that are similar to the U.S. / Canada list, in addition to being prioritized (Attached)

Jeff Kaelin added that there's a Maine initiative that provides funding with a 17 January 1997 deadline; this means that the initial research items can be started soon.

## **JOINT VENTURE APPLICATION PROCEDURES**

Chris Kellogg said that the NEFMC, at its last meeting, considered a couple of JV applications. The issue of how the Council should allocate fish was raised, including 1997 allocations. The council said that the Council would encourage JV applications and that they should comment without regard to the set JV allocations. The burden of staying with the JV specs would fall to the NMFS. The Council also asked the Herring Committee for proposed changes to the JV application process. Recent history suggests that JV performance is well below the amount requested. Staff recommends not changing the current policy and then dealing with the issue through the FMP amendment process.

Jill Goldthwait asked if the Council was not going to recommend specific levels to equal the total JV allocation, why bother with an application at all.

Chris Kellogg said that by law, the Councils had to be consulted on JV applications. Additionally, past practice has been to set allocations at allowable levels and then to let business practice and decisions decide who could operate within the allocation.

Dave Borden said that Rhode Island requires that applicants must submit a form by a set date, then RI gives each applicant a set amount with the remainder in reserve. Upon use of a full allocation, additional allocations can be granted.

Marty Jaffe said that the current system does create a “derby” among JV participants. He says that NMFS tells what the allocation is and that there are other participants in the fishery.

Dave Ellenton said that the JV’s and IWPs are different for herring and mackerel. JV’s are country to country application which is a response to the Federal Register notice on initial JV.

Marty Jaffe said that the JV allocation of 40,000MT was based on total allowable harvest minus domestic annual processing capacity.

Dave Ellenton said that the Council was asking the Committee for guidance and that the industry would like some guidance as well. Dave said that the MAFMC asks 13 questions of applicants and as long as applicants meet the criteria set by the questions, NMFS can allow the application to proceed. The questions include foreign vessel specs, domestic vessels, end country of product, product use, processing equipment on board.

Dave Borden said that staff should get the format from the MAFMC to look at that in the future.

Robin Alden commented that, in the past, the Council took much time making judgments about specific applications.

Peter Moore said that he agreed with Chris Kellogg that the current process allows JV partners to make business decisions and performance requirements. If an applicant does not apply for more than the JV application, you should let the industry make decisions on whether to apply and fish or not.

Fran Kulle said that joint venture language should prohibit mealing or a roe fishery on George’s Bank because of the removal of spawning closures on George’s Bank.

Dave Borden said that as long as the harvest levels did not exceed 20,000MT, mealing was not a problem with the biologists. He said that he was comfortable with setting caps on meal and roe, even if that is somewhat arbitrary.

Chris Kellogg said that the Council could state that the end use of the product be listed as a requirement of the JV permit.

Vito Calamo said that he thought that as long as the use was within the JV allocation, the end use was not a relevant factor.

Jeff Kaelin asked if the end uses, (meal, fillets, roe, etc.) could be made known as part of the application procedures because this was of interest to all parties - industry, managers, and the public.

Dave Ellenton said that federal observers could report this information for the public to have to consider these issues in the future. He asked whether the committee allocated among IWP's and JV's in terms of how the product was being used.

Section and Committee members said that the next joint meeting of the ASMFC Herring Section and NEFMC Herring Committee should be held in March with major agenda items being (1) the annual IWP / JV allocation process, and (2) how reserves are allocated.

### **FMP AMENDMENT PROCESS, PUBLIC INFORMATION DOCUMENT ISSUES**

The discussion on the FMP amendment process began with extensive discussion about the role of the Commission and Council in Amendment development. There was consensus that ASMFC will take the lead role, with joint planning with the NEFMC. The Council will maintain the lead role in PMP issues, Joint Venture issues, and meetings with the Canadians.

Staff went through issues that have been identified in the past for inclusion in the Public Information Document and FMP amendment. These include:

## 1) SPAWNING CLOSURES FOR SPECIFIC AREAS.

There is interest in determining whether spawning closures can be made for specific areas and times rather than the overall closure in the current FMP.

There is interest in determining if spawning closure times could be made flexible, based on the spawning condition of the herring.

## 2) IMPACTS OF GROUND FISH MANAGEMENT STRATEGIES ON HERRING

Groundfish management strategies may be impacting the herring resource in numerous ways, including (a) redirection of groundfish effort on herring, (b) effects of trawling in herring spawning areas, (c) effects of the whiting grate fishery on herring. Massachusetts DMF information on the whiting fishery in Ipswich Bay showed a high catch and discard of sea herring (also impacts river herring).

Some interests have suggested prohibiting all bottom trawling in herring spawning areas during the spawning period.

This discussion should include what the groundfish fishery look like in 1998 with further restrictions on that fishery and impacts of these restrictions on the herring fishery. Further, the impacts of large area closures on groundfish and herring should be explored.

## 3) END USES OF PRODUCT

Some interests in the herring fishery believe that some end uses of product, e.g. mealing or roe, should be prohibited in the FMP.

## 4) CHANGES IN GEAR

Add discussion of the impacts of changes in gear, e.g. mid-water trawls vs. purse seine, on the fishery. There has also been discussion on a prohibition of pair trawling in the herring fishery.

## 5) HERRING FISHERY DISPERSING FISH, REDUCING ABUNDANCE.

Interests in the tuna fishery have expressed concern that the mid-water trawl fishery dispersed tuna so that the tuna fishery can't catch them. Additionally, tuna interests have expressed concerns about overall herring removal levels should the fishery continue to expand and how this may impact the tuna fishery. The tuna fishery is also concerned about the availability of herring as bait in the tuna fishery.

## 6) PROTECTED SPECIES, ECOSYSTEM CONCERNS

Concerns about overall removal levels have also been raised by protected species interests. Additionally, discussion of ecosystem concerns and implication of herring management should be considered. This should include discussion of predator / prey issues.

## 7) RESTRICTIONS ON DOMESTIC HARVEST

With growing investment in shoreside facilities for herring and more fishermen involved coastwide, there may need to be restrictions placed on the domestic fishery to ensure that herring stocks are not overfished. Some interests have suggested permitted fishing and limited entry as a means of accomplishing this.

## 8) HABITAT ISSUES

The FMP amendment should contain a discussion of appropriate habitat issues as required in the ISFMP Charter and Magnuson-Stevens Act.

## 9) TRANSSHIPMENT ISSUE

The issue of trans-shipment of herring between the U.S. and Canada was addressed in the recent changes to the Magnuson Act. These changes were controversial among some interests in the herring fishery. This issue should be discussed in the FMP amendment process to integrate into the overall management system.

Niaz Dorry said that it was important for the FMP amendment should address appropriate gear for the fishery and predator / prey issues.

Fran Kulle said that the orderly development of fishery must be discussed because we are experiencing - very rapid development of the fishery and protection of stock must be taken care of as this development occurs.

Vito Calamo said that shoreside development should take a priority in future management.

Limit removals, potential removals from Gulf of Maine  
- MA, NH and ME should provide guidance to ASMFC

## **HERRING ADVISORS**

George Lapointe said that the ASMFC Atlantic Herring Advisory Panel roster was still incomplete and that he would work to ensure a full Advisory Panel by the March

meeting. Additionally, he would work with NEFMC staff to maximize overlap between the Commission and Council Advisory Panels.

## **OTHER BUSINESS**

There was a short discussion of the trans-shipment issue at the end of the meeting. Jeff Kaelin said that NMFS would issue a blanket letter of authorization to allow winter fisheries to occur. Further, discussion should occur soon on reporting requirements and other restrictions. He added that transshipment must be consistent with Sec. 204 of the Magnuson Act.

David Borden said that this was an important issue that we should discuss at next meeting with notice to public.

## **ATTENDANCE**

<b><u>NAME</u></b>	<b><u>ORGANIZATION</u></b>
Peter Barbera	ASMFC Herring Advisor
Artie Odlin	Resource Trading Company
Niaz Dorry	Greenpeace
Francis Kulle	
Jeff Kaelin	Maine Sardine Council
Jennie Bichrest	Brunswick, ME
Bob Blair	Gloucester Herring Corp.
Dave Ellenton	World Wide Trading, Inc.
Gert Hoogland,	Hoogland Foods
Rich Ruais	East Coast Tuna Assoc.
Vito Calamo	Gloucester Fish Commission
David Bollivar	K&J Fisheries
Peter Moore,	Resource Trading Company
Ed McLeod	Gloucester Fisherman's Wives
Janice Plante	Commercial Fisheries News