The Whiting Oversight Committee met on September 10th, 2015 to receive the Annual Monitoring Report (AMR) for the 2015 fishing year and to review a draft Amendment 22 scoping document. This was a joint meeting for the Small Mesh Multispecies Committee and Advisory Panel.

MEETING ATTENDANCE: Mr. Balzano (Chairman), Mark Alexander, Frank Blount, Ellen Goethel, Peter Kendall, Lauri Nolan, and Matt McKenzie (Committee members); Mrs. Moira Kelly (non-voting Committee member, GARFO); Mr. Daniel Farnham, Mr. Thomas Testeverde, and Mr. David Goethel (Advisors); Andrew Applegate (NEFMC staff); and Mr. Michael Decker (East Hampton, NY), Mr. Robert Contrad (Warren, VT), Ms. Katie Almeida (Town Dock, RI), and Mr. Daniel Farnham Jr. (Montauk, NY).

AGENDA ITEM: ANNUAL MONITORING REPORT AND RED HAKE ASSESSMENT

After an introduction by the Committee chairman, Mr. Applegate summarized the Annual Monitoring Report (http://s3.amazonaws.com/nefmc.org/2014-Annual-Monitoring-Report-2.pdf) on behalf of the Whiting PDT. The first part of the report is on fishery performance and compared catch estimates for fishing year 2014 to the 2014 specifications. The second portion of the report contained an operational or update assessment for both red hake stocks. This assessment included calendar year 2014 catch and spring 2015 survey data.

The fishery performance was evaluated by GARFO staff and the report was reviewed by the Whiting PDT when it met on August 3rd and 27th. Catches, including landings, estimated discards, and state-water landings were compared with the 2014 Annual Catch Limits (ACL) to determine whether excess catches triggered post-season accountability measures. New measures (northern red hake possession limits), accountability measures (AM), and specifications took effect on May 1, 2015 (a three-year period ending in 2017).

Catches of northern silver hake, southern red hake, and southern whiting (silver and offshore hakes) were all well below their ACLs. In 2013, northern red hake exceeded the ACL tolerance, which triggered a reduction in the post-season AM. As a result, the 400 lbs. incidental limit was
triggered on August 5th when landings reached 45% of the Total Allowable Landings (TAL). During 2014, the measures kept catches in check and they were 104.5 percent of the ACL, less than the 5% tolerance that would have triggered a post-season AM adjustment. Also, the 2013 SAFE Report included an operational assessment for all small-mesh multispecies stocks, which indicated that in 2013 overfishing of northern red hake was occurring. Beginning May 1, 2015, new specifications and northern red hake possession limits took effect through a specifications package that among other things addressed the overfishing of northern red hake. The AMR summary included an update of the northern red hake cumulative landings as an early indication of how the new measures were operating. The fishing year started with a 3,000 lbs. northern red hake possession limit (down from 5,000 lbs.), which was reduced to 1,500 lbs. on August 12 when landings reached 45% of the TAL and reduced again to 400 lbs. on August 24. The effect on total catches will not be known until next year’s AMR.

The 2014 AMR also included an operational (update) assessment for northern and southern red hake. This assessment was updated at the Council’s request, mainly due to the early indication of a historically large year class of small northern red hake, observed for the first time in the spring 2014 survey. Adding the spring 2015 survey data confirmed the large size of this year class, which when included in a three-year moving average (2013-2015) increased the OFL by 73% to 556 mt. The new assessment also indicated that in 2014, overfishing was no longer occurring (a status change).

The 2013 update assessment for southern red hake could not include the spring 2014 survey data because a mechanical breakdown prevented the completion of some (4) strata that were previously included in the southern red hake assessment. The new assessment in the AMR addressed this issue by applying the time-series biomass ratio between consistently surveyed strata to all strata for the stock to the amount observed in 2014. This adjustment made a small (<10%) change in the overfishing level (OFL) compared to the calculation if this adjustment had not been made, because the unsurveyed strata typically contained a small fraction of southern red hake biomass.

This new assessment added two years of new data to the previous assessment, an adjusted/corrected 2014 spring survey and the 2015 spring survey data. Therefore the biomass index that is used to determine the OFL was updated from 2011-2013 to 2013-2015. The three-year moving average survey biomass declined and resulted in reducing the OFL by 46% to 1,816 mt. Catch in 2014 was 1,201 mt.

In the AMR, the PDT recommended that the Council initiate an interim change in the red hake specifications for the 2016-2017 fishing years, based on the new information. If there was no adjustment, the increasing northern red hake biomass could cause an early triggering of the 400 lbs. AM and high discards. It would also reduce the ability of the fishery to increase landings and revenue as the stock biomass increases. In the south, recent catches have been about 2/3rds of the proposed ACL and there would be little effect despite the lower OFL. If however landings increase to the existing ACL, the assessment indicated a near certainty that this would cause overfishing to occur.
If these changes are not coupled with other actions and fall within the analytical scope of the last specification package, GARFO staff thought that this action might be processed with minimal effort through a Supplemental Information Report (SIR).

1. MOTION: Mr. McKenzie/Mr. Alexander

To recommend revising the 2016-2017 fishing year red hake specifications in the Northern Fishery Management Area to be consistent with a 556 mt OFL (ABC=496 mt) and the 2016-2017 fishing year red hake specifications in the Southern Fishery Management Area to be consistent with a 1816 mt OFL (ABC=1717 mt), using an Interim Change in Specifications. Approval of the change in specifications shall be contingent on SSC approval.

Discussion on the Motion:

The advisors and committee asked if and when a benchmark assessment had been scheduled, to address stock structure using new research results. Mr. Applegate answered that he was not aware if those results are available yet and did not know if a benchmark assessment had been scheduled.

Mr. Applegate explained that the Council’s Scientific and Statistical Committee (SSC) would need to review the proposed specifications, but he thought that it would be a pro-forma review in an SSC conference call. He suggested that in September the Council might be able to approve the new specifications conditioned on approval of the SSC and authorize the staff to prepare and submit a SIR justifying the action. Otherwise, it would require a more involved and time-consuming process that included formal approval in December.

Based on this report, the committee decided to accept the PDT recommendations and recommend approval of the new specifications by the Council.

The motion carried on a show of hands, 7-0.

AGENDA ITEM: AMENDMENT 22 SCOoping DOCUMENT

Mr. Applegate first oriented the advisors and committee to the process by outlining an Amendment 22 roadmap. He said that a Notice of Intent would be published and scoping hearings would be scheduled after the Council approved the scoping document in September. He thought that this would allow completion of scoping hearings and time to review the comments at the January 2016 meeting. This would be followed by a period to develop and analyze alternatives in a draft amendment and environmental impact statement, with public hearings in mid to late 2016. Since the action would need a period for formal review, determination of pre-qualification, and an appeals process, the limited access program would go into effect at the beginning of the 2018 fishing year. He indicated that this meeting focuses on the scoping document, which is written to solicit public comment on the scope of the action and issues that are relevant to developing alternatives.
Following the above introduction, Mr. Applegate led the committee through the draft scoping document, focusing attention on primarily on the purpose and need on page 2 and the type of actions being considered, beginning on page 6.

As initially drafted, these potential actions and questions about issues surrounding them included

1) Limited access qualification criteria that would determine whether vessels may target small-mesh multispecies. These criteria may differ by stock/management area and may treat older history different than newer history;

2) Limited access permit characteristics and conditions (transfers, ownership caps, history permits, etc.);

3) Permit categories and associated measures; and

4) Possible catch share management and relationship to the existing groundfish sector management program.

The committee and advisors strengthened the purpose and need language, clarifying that the need was based on the potential negative effects of managing catch of ‘choke’ stocks. They added the following language to the purpose and need section:

“The amendment will help ensure that catches of the small-mesh multispecies and other non-target species will be at or below specifications, reducing the potential for causing accountability measures to be triggered and resulting closure of the directed fishery.”

The committee asked if Mid-Atlantic interests would be consulted and whether a scoping hearing in the Mid-Atlantic would be scheduled. Ms. Nolan indicated that there was a lot of latent effort in the Mid-Atlantic region. Mr. Applegate recognized the Mid-Atlantic interests, particularly with the overlap of small-mesh multispecies fishing with the squid fishery (managed by the Mid-Atlantic Fishery Management Council), but said that scheduling hearings would be up to the Executive Committee and the Executive Director.

There was some added discussion of what qualifying permit holders would receive and how it related to the existing exemption area restrictions. More importantly, it was somewhat unclear what non-qualifiers would be allowed to do, especially when targeting other small mesh species, like squid, shrimp, or herring. The committee revised some questions under section 2, “Limited access permit characteristics and conditions” to make it clearer what was being asked. Also, the committee agreed that asking about what vessel owners may do (including transfers and accumulation limits) with qualifying permits was appropriate.

The committee added or revised the following questions in Section 2,

- How will qualification effect participation in other fisheries using small mesh in exemption areas to target other species, such as squid, herring, and shrimp?
• What would vessels with an incidental permit be able to land (using any gear type) and what other restrictions might apply?
• Is there a broadly applicable poundage limit for non-qualifying small-mesh multispecies permit that would be acceptable? Should it be specified by species or as a combined limit for red, silver, and offshore hakes?

2. **MOTION: Mrs. Goethel/Mrs. Nolan**

To strike section 4 catch share management from the scoping document, saving the issue for a later action to ensure discussion and public comment is centered on the limited access issue.

**Discussion on the Motion:**

The committee thought that consideration of how small-mesh multispecies limited access and permit allowances would mesh with the groundfish catch shares program would invite too much criticism and concern. Mr. Gibson recognized the problems that it could cause for people involved in catch shares, but the issue has stalled the Monkfish FMP amendment and many in the Mid-Atlantic were opposed to catch shares. Mrs. Goethel added that catch shares are complicated and controversial, which would slow down progress on the limited access amendment. Mr. Goethel added that people will comment on how to grab a chunk of the resource to sell to someone else.

**The motion carried on a show of hands, 6-1**

3. **MOTION: Mrs. Goethel/ Mr. Kendall**

That the Whiting Committee accept the scoping document as revised and recommend Council approval

**Discussion on the Motion:**

After the committee’s revisions, the committee agreed that the document was appropriate and ready for scoping hearings.

**The motion carried on a show of hands, 7-0**

The Whiting Oversight Committee (working through lunch time) adjourned at 2:30 PM.