



New England Fishery Management Council

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FINAL MEETING SUMMARY

Joint Herring Committee/Ecosystem-Based Fisheries Management (EBFM)

Committee Meeting

Holiday Inn, Portsmouth NH

June 2, 2015

The Herring Committee met jointly with the Ecosystem-Based Fisheries Management (EBFM) Committee on June 2, 2015 to: (1) review and discuss ecological guidance developed by the EBFM Plan Development Team (PDT), with input from the Scientific and Statistical Committee (SSC), on Atlantic herring control rules considering its role in the ecosystem and as a forage species; (2) review scoping comments received regarding the development of Amendment 8 to the Atlantic Herring Fishery Management Plan (FMP); (3) discuss Amendment 8 goals and objectives; and (4) develop further guidance and related Joint Committee recommendations.

Prior to the start of the Joint Committee meeting, the Herring Committee met separately to: (1) review and discuss results from the Atlantic herring operational assessment, including recommendations from the May 20, 2015 SSC meeting; and (2) develop recommendations regarding the specification of Atlantic herring acceptable biological catch (ABC) for the 2016-2018 fishing years. The Herring Committee also convened in closed session to review Herring Advisory Panel (AP) applications and nominate individuals to fill five open seats on the Herring AP. These nominations will be forwarded to the Council's Executive Committee for approval. The Joint Herring/EBFM Committee meeting began at approximately 11:30 a.m. with a review and discussion of comments received during the scoping period for Amendment 8 to the Atlantic Herring FMP (ABC control rule).

MEETING ATTENDANCE: Herring Committee Members: Doug Grout (Chairman), Matt McKenzie (Vice Chair), Vincent Balzano, Peter Christopher (GARFO), Mark Gibson, Peter Kendall, John Pappalardo, David Pierce, Terry Stockwell, Jeff Kaelin (10 of 12 Committee members, Tooley and McMurray absent); **EBFM Committee Members:** Terry Stockwell (Chairman), Mike Sissenwine (Vice Chair), Terry Alexander, Frank Blount, Doug Grout, John Pappalardo, David Pierce, David Preble, Chris Zeman (9 of 11 Committee members present, Tooley and Anderson absent); Lori Steele, Andy Applegate, Rachel Feeney (NEFMC Staff); Carrie Nordeen (GARFO); Mitch McDonald (NOAA GC); Matt Cieri (ME DMR); Chris Weiner, Steve Weiner, Patrick Paquette, Gerry O'Neill, Erika Fuller, Jud Crawford, Sally McGee, JP Bilodeau, other interested parties.

Webinar: Jake Kritzer (SSC), Meghan Lapp, other interested parties.

KEY OUTCOMES

- The Herring Committee passed a motion (7-0-2) supporting the May 20, 2015 SSC recommendations regarding the Atlantic herring OFL/ABC specifications for the 2016-2018 fishing years.
- The Joint Herring/EBFM Committee passed three motions regarding recommendations for goals and objectives for Draft Amendment 8 to the Atlantic Herring FMP (see following pages). The Joint Committee recommends (8-2-3) that the goals of Amendment 8 would be to: (1) account for the role of Atlantic herring as a forage species within in the ecosystem; (2) attempt to stabilize the fishery at a level designed to achieve OY; and (3) address localized depletion in inshore waters. The Joint Committee also passed motions to recommend the following Amendment 8 objectives: (a) to develop and implement an ABC control rule that manages Atlantic herring within an ecosystem context and addresses the goals of Amendment 8; and (b) to establish spatial protection of sea herring to reduce pressure on subcomponents of the stock, shift (herring fishing) effort intensity away from inshore, and avoid changes in meta-population structure, all in the interest of promoting abundant forage for important predators.
- The Joint Committee also agreed by consensus to support the SSC recommendation to conduct a peer review of the preliminary Atlantic herring catch simulation work developed by a member of the Herring PDT to determine whether it is a sufficient basis for management decisions in Amendment 8.

Detailed minutes of the June 2, 2015 Joint Herring/EBFM Committee meeting are provided below.

ATLANTIC HERRING OPERATIONAL ASSESSMENT RESULTS AND HERRING PDT REPORT

Jon Deroba (NEFSC, Herring PDT member) presented the Herring Committee with an overview of the results of the Atlantic herring operational stock assessment meeting, which occurred in Woods Hole, MA April 8-9, 2015. Following his presentation, Ms. Steele provided the Committee with an overview of the Herring Plan Development Team (PDT) Report from the May 13, 2015 Herring PDT meeting. Ms. Steele also summarized recommendations from the Council's SSC regarding the specification of the Atlantic herring overfishing level (OFL) and ABC for the 2016-2018 fishing years. Several Committee members asked clarifying questions and discussed various elements of the operational assessment and the information used to inform the Herring PDT and SSC when developing recommendations regarding the ABC specification. Dr. Deroba explained why the reference points for Atlantic herring changed so much between the benchmark assessment and the operational (update) assessment (largely due to a technical correction in the model and a change to the stock-recruitment function). The Committee also spent some time discussing assumptions about natural mortality (M) in the assessment and information about consumption derived from analysis of stomach contents. Mr. Pappalardo expressed concern that some major herring predators (seals, for example) are not included in the NEFSC consumption estimates which are compared to implied consumption in the assessment model (this suggests that the consumption estimates may underestimate removals of herring due to predation).

SELECTION OF PREFERRED ALTERNATIVE FOR 2016-2018 ATLANTIC HERRING ABC SPECIFICATION

The Herring Committee considered the Atlantic herring operational stock assessment results, information provided by the Herring PDT, recommendations from the SSC, and some public comment as it developed its recommendation regarding the Atlantic herring ABC in the 2016-2018 fishery specifications package. Ms. Fuller (audience) expressed opposition to the SSC recommendations for 2016-2018 and urged the Council to consider other approaches because she felt that Amendment 8 may not be implemented for several years. Dr. Crawford (audience) urged the Herring Committee to give more explicit consideration to the role of Atlantic herring in the ecosystem when specifying ABC for the 2016-2018 fishing years.

1. MOTION: KAELIN/BALZANO

That the Herring OFL/ABC specifications for 2016-2018 be as follows (Slide 14 of the Herring PDT presentation):

2016 – 138,000 mt OFL/111,000 mt ABC

2017 – 117,000 mt OFL/111,000 mt ABC

2018 – 111,000 mt OFL/111,000 mt ABC

Discussion on the Motion: Dr. McKenzie stated that he would be willing to support this motion with recognition that the Council will be developing a forage-based control rule in Amendment 8 and that the Amendment 8 action may supersede the specifications in 2017 and/or 2018. Mr. Balzano reiterated the Atlantic herring stock assessment results, expressed support for maintaining the constant catch approach for the 2016-2018 specifications, and reminded the Herring Committee that the Council chose to address the long-term ABC control rule through a plan amendment and not the specifications package. Ms. Fuller (audience) suggested that the Committee could utilize a different ABC control rule without changing the reference points (which would require an FMP amendment). Mr. O'Neill (audience) expressed support for the motion and the SSC recommendations. Mr. Pappalardo stated that although he can support the catch levels proposed in the motion, he has concerns about an approach that sets ABC equal to OFL in Year 3.

MOTION #1 CARRIED 7-0-2.

Ms. Steele asked the Herring Committee members if they would support moving forward with the same 2013-2015 sub-ACL distributions (proportions by management area) for the 2016-2018 specifications package since the ABC is only proposed to change slightly for 2016-2018; none of the Committee members expressed concern about maintaining the same proportional sub-ACL distribution at this time. Ms. Steele also mentioned that the Herring PDT has updated river herring/shad (RH/S) catch by vessels in the Atlantic herring fishery and has expressed support for maintaining the 2015 RH/S catch caps for the 2016-2018 fishing years; this issue will be addressed in more detail at the next Herring Committee meeting (anticipated for late July/August 2015).

JOINT HERRING/EBFM COMMITTEE – REVIEW OF AMENDMENT 8 SCOPING AND EBFM PDT REPORT

Ms. Steele provided the Joint Herring/EBFM Committee with an overview of the scoping process and scoping comments received regarding the development of Amendment 8 to the Atlantic Herring FMP. Mr. Applegate, EBFM PDT Chair, presented the Joint Committee an overview of the EBFM PDT Report regarding ecological guidance for the development of an ABC control rule for Atlantic herring in Amendment 8. Several Herring and EBFM Committee members discussed elements of the EBFM PDT Report and asked clarifying questions. Following the EBFM PDT Report, several members of the public provided comments, and the Joint Committee discussed the further development of Amendment 8 goals/objectives and management alternatives.

Audience Comments:

- Ms. Fuller urged the Herring/EBFM Committee to support the SSC recommendation for a peer review of the simulation analysis that the Herring PDT is developing to evaluate the Amendment 8 alternatives.
- Dr. Crawford asked whether the short-term projections from the operational assessment model have been performed under the ABC CR alternatives that the EBFM PDT generally evaluated. Mr. Applegate explained that the EBFM PDT considered long-term effects of the ABC CR alternatives and stated that the short-term effects should be evaluated in Amendment 8. He added that any ecosystem impacts from the ABC CR alternatives would not become apparent from a short-term (three-year) projection.
- Dr. Crawford also noted that the value of Atlantic herring beyond the directed fishery is apparent through the Amendment 8 scoping comments, many of which came from individuals and organizations other than those directly involved in the harvest of the Atlantic herring resource. He urged the Committee to move forward with Amendment 8 as expeditiously as possible, as he feels that this action represents a good starting point for EBFM.
- Mr. O’Neill was concerned about moving forward with Amendment 8 without a benchmark assessment and emphasized the need for improvements to the Atlantic herring stock assessment in order to address ecosystem issues in a more appropriate manner. Ms. Fuller agreed and emphasized the need for a new benchmark stock assessment.
- Mr. Paquette and Mr. Weiner both were concerned about the seasonal and spatial availability of herring for forage and noted that this issue was raised many times during the scoping process for Amendment 8.

2. MOTION: PIERCE/PAPPALARDO

That an objective of Amendment 8 would be to establish spatial protection of sea herring to reduce pressure on subcomponents of the stock, shift effort intensity away from inshore, and avoid changes in meta-population structure, all in the interest of promoting abundant forage for important predators.

Discussion on the Motion: Ms. Steele explained that this motion would expand the scope of Amendment 8 beyond ABC control rule changes, which would likely change the amendment timeline. Dr. Sissenwine acknowledged that the motion addresses two different topics: (1) biomass relative to ecosystem function and (2) localized depletion. He suggested that the wording in the motion could be simplified and that the two issues should be addressed separately in the amendment. Mr. O’Neill (audience) was concerned that the motion implies that area closures may be considered in the amendment. Mr. Kendall also was concerned about the motion’s consistency with the original scope of Amendment 8. Mr. Gibson pointed out that the motion would be consistent with recent scientific advice that ecosystem processes occur at finer scales that that addressed by a control rule modification and that they would be more effectively addressed through measures other than a control rule. Mr. Zeman agreed that this motion articulates long-term objectives; he suggested that the Council also consider recommending that the NEFSC develop a “prey indicator” to evaluate ecosystem performance. Mr. Applegate responded that this type of indicator is already incorporated into Northeast Ecosystem Status Reports, available online. Mr. Grout was concerned that the motion specifies an objective for Amendment 8, when the Committee has not yet agreed on the goals of the amendment.

3. MOTION TO TABLE

Table the previous motion until after the Committee approves goals for Amendment 8

No Discussion on the Motion to Table.

MOTION #3 TO TABLE FAILED 6-8-0.

MAIN MOTION #2 REPEATED:

That an objective of Amendment 8 would be to establish spatial protection of sea herring to reduce pressure on subcomponents of the stock, shift effort intensity away from inshore, and avoid changes in meta-population structure, all in the interest of promoting abundant forage for important predators.

Further Discussion on the Motion: Mr. Balzano was concerned that the motion addresses concerns about localized depletion would include more than alternatives for an ABC control rule. He also questioned localized depletion concerns and noted that midwater trawl vessels are already prohibited from fishing in Area 1A (inshore Gulf of Maine) until October of every year, and only 4% of the total Atlantic herring quota comes out of Area 1B (offshore Gulf of Maine).

MOTION #2 CARRIED 9-5-1.

4. MOTION: GROUT/KENDALL

That the goal of Amendment 8 would be to develop and implement an ABC control rule for herring that:

1. Considers the role of herring as a forage in the ecosystem and
2. Attempts to provide stable yields to the fishery at levels that are designed to achieve optimal yield

Discussion on Motion #4: Mr. Paquette (audience) suggested that the words “and additional management measures” be added to the goal following “ABC control rule.” Mr. Grout disagreed with the suggestion and clarified that his goal is intended to be specific to the ABC control rule, but he did agree to perfect the motion to reflect that this may just be one goal that the Council establishes Amendment 8.

MOTION #4 PERFECTED:

That *a* goal of amendment 8 would be to develop and implement an ABC control rule for herring that:

1. Considers the role of herring as a forage in the ecosystem and
2. Attempts to provide stable yields to the fishery at levels that are designed to achieve optimal yield

Further Discussion: Dr. Crawford (audience) felt that the motion may be too narrow for specifying the goals of Amendment 8, given the previous motion for an objective that goes beyond the ABC control rule. Dr. McKenzie suggested a friendly amendment to add “and other management measures” after “ABC control rule,” but Mr. Grout did not accept the change and stated that he wanted to keep the focus of this motion on the original charge of Amendment 8 and the ABC control rule. Dr. Sissenwine offered to address all of the goals of Amendment 8 through a motion to substitute.

5. MOTION TO SUBSTITUTE: SISSENWINE/PREBLE

That the goals of Amendment 8 would be:

- (1) To account for the role of Atlantic herring as a forage species within in the ecosystem;
- (2) To attempt to stabilize the fishery at a level designed to achieve OY;
- (3) To address localized depletion in inshore waters.

Discussion on the Motion: Mr. Weiner (audience) stated that he supported the motion. Mr. O’Neill (audience) was opposed to the motion because it adds localized depletion to Amendment 8; he noted that the Council already addressed localized depletion in a previous management action. Mr. Kaelin opposed the motion for the same reasons provided by Mr. O’Neill and added that a specific problem has not been clearly identified. Mr. Christopher elected to abstain from the motion because of concerns about how the motion would affect the amendment timeline if the scope of the amendment is expanded.

MOTION #5 TO SUBSTITUTE CARRIED 8-1-4.

SUBSTITUTE MOTION #5 (MAIN MOTION) CARRIED 8-2-3.

Mr. Grout then offered a motion to include an objective in Amendment 8 specifically related to the Atlantic herring ABC control rule.

6. MOTION: GROUT/MCKENZIE

To include as an objective in Amendment 8, to develop and implement an ABC control rule for Atlantic herring that addresses the goals of Amendment 8

Discussion on the Motion: Dr. McKenzie suggested a friendly amendment, which was accepted.

MOTION #6 PERFECTED THROUGH FRIENDLY AMENDMENT:

To include as an objective in Amendment 8, to develop and implement an ABC control rule that manages Atlantic herring within an ecosystem context and addresses the goals of Amendment 8

MOTION #6 (PERFECTED) CARRIED 14-0-1.

The Joint Committee discussed the further development of the Amendment 8 management alternatives and analysis. Mr. Grout suggested that the Committee consider supporting the SSC recommendation that the Herring PDT simulation model be peer-reviewed prior to the development of the Draft Environmental Impact Statement (EIS) for Amendment 8. Dr. Sissenwine was concerned about developing the Amendment 8 alternatives and analyses based on maximum sustainable yield (MSY) principles and adapting them to a forage species. He suggested that the Herring PDT consider taking a broader approach to address this issue and not to get bogged down in numerical estimates. He said that while he would not object to having the PDT simulation model peer reviewed, he is concerned that the response will likely be too general/broad to significantly change the direction of the analysis.

Joint Herring/EBFM Committee Consensus

The Joint Committee agreed by consensus to support the SSC recommendation to conduct a peer review of the preliminary herring catch simulation developed by a member of the Herring PDT to determine whether it is a sufficient basis for management decisions in Amendment 8.

The Joint Herring/EBFM Committee meeting adjourned at approximately 4:15 p.m..