



Herring Committee Report

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June 28, 2022
Council Meeting



Herring report plan

1. Update on 2022 Council management priorities

- ✓ a. **“Complete submission of FW9”** (rebuilding plan, accountability measures) – Done. Final Rule pending.
- ✓ b. **“Staff participate in the 2022 herring management track assessment”** – Done. Peer review meeting June 27-29.
- c. **“FY 2023-2025 Herring Specifications”** – Task for summer/fall. No Council action needed today.
- d. **“Complete Framework 7”** (Georges Bank spawning) – Ongoing. Committee considered next steps. No motions to bring forward today. Tabled a motion to stop action.

2. **Industry-Funded Monitoring** – Status update. Advisory Panel moved to revise program. Committee considered logistical and funding constraints, no motions to bring forward today.



2023-2025 Specifications

(no Council action needed today)

- Action expected to set:
 1. Overfishing Limit, Acceptable Biological Catch (ABC) using ABC control rule as set through Amendment 8 and the Atlantic herring rebuilding plan (FWV9 final rule pending).
 2. Subsequent flow chart (e.g., Annual Catch Limit, management area sub-ACLs, Research-Set-Asides, river herring and shad catch caps).
- Action timeline:

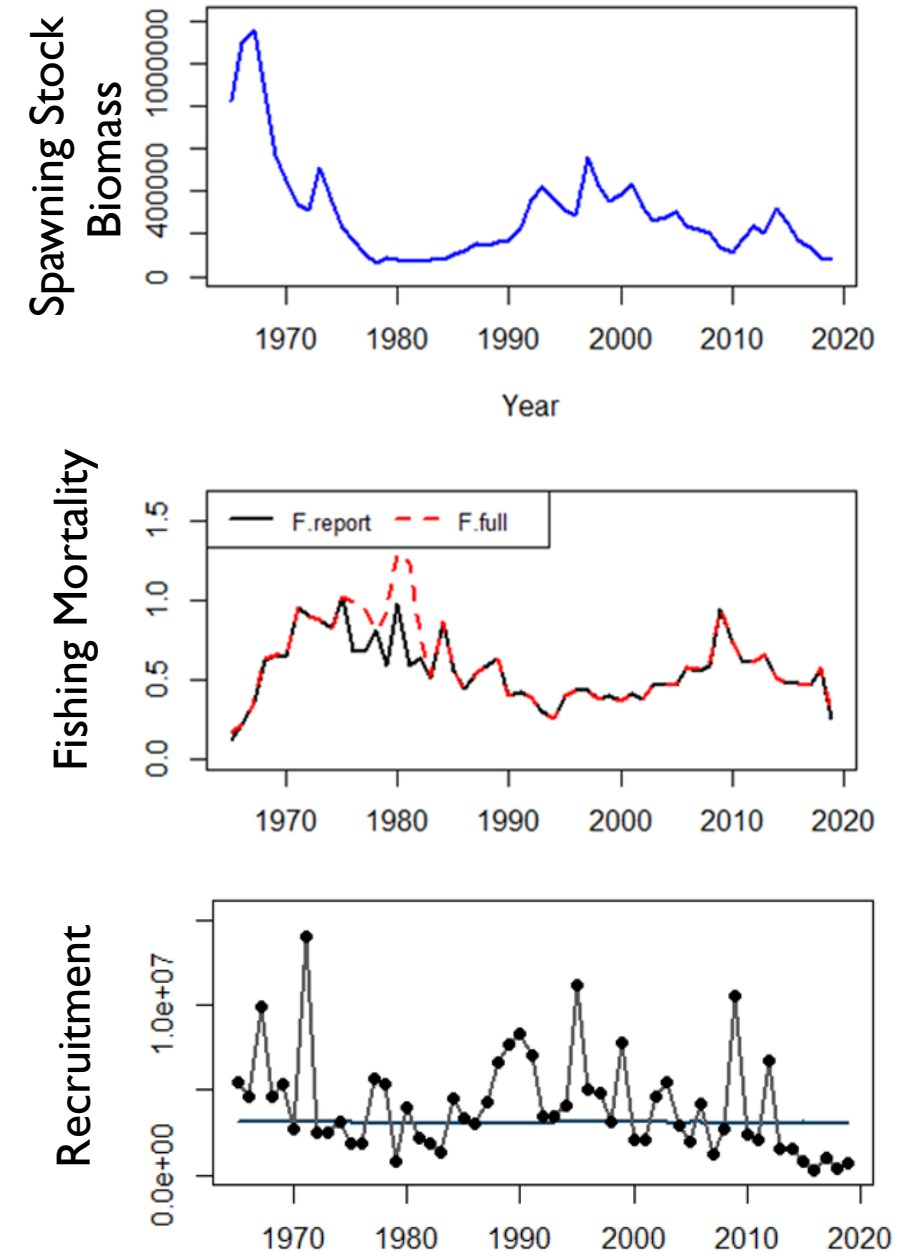
June 27-29	Atlantic herring Management track assessment peer review.
July	PDT develops ABC recommendation.
Aug 4	Scientific and Statistical Committee recommends ABC.
Aug-Sept	AP and Committee review analysis (supplemental information report likely), recommend preferred alternatives.
September	Final action.



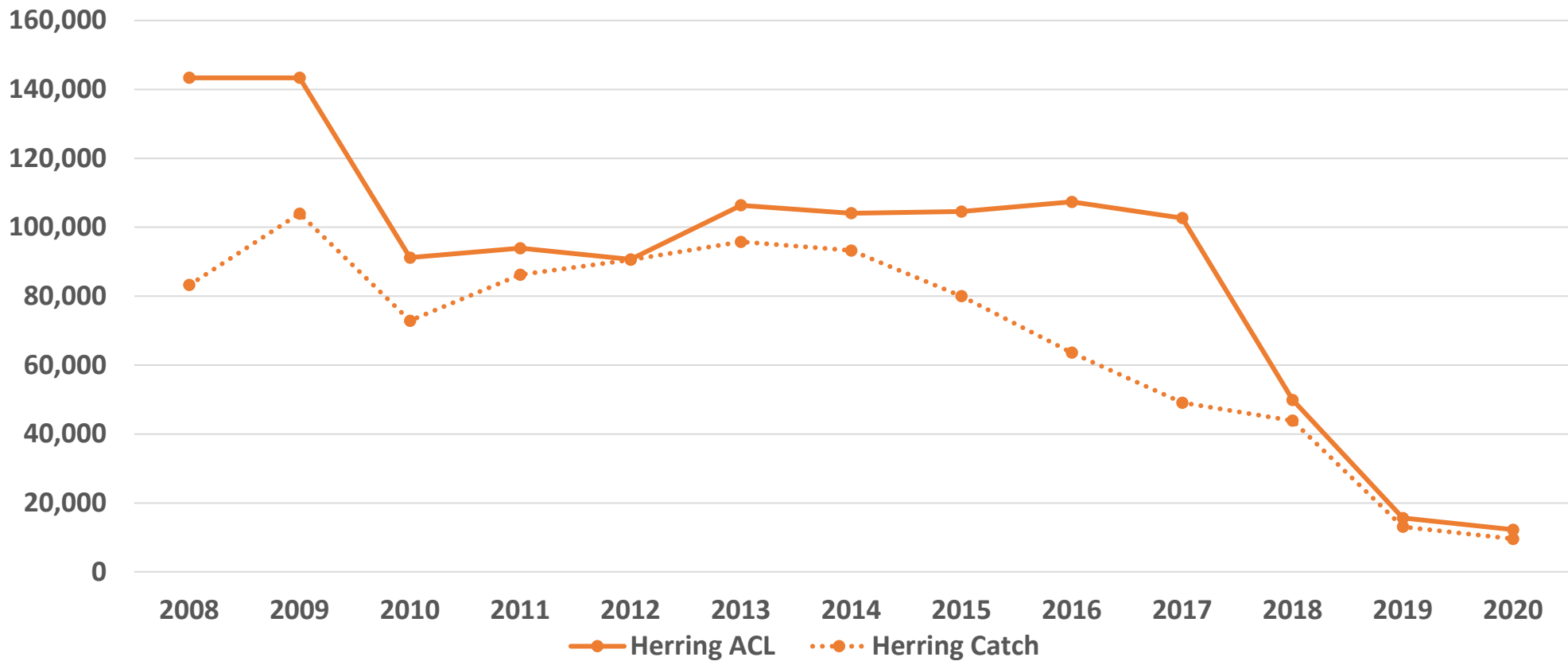
Stock Status

- Herring last assessed in 2020 (data through 2019).
- SSB = 77,883 mt, under $\frac{1}{2}$ SSB at MSY, thus overfished.
- Below average recruitment since 2013.
- Not subject to overfishing.
- A rebuilding plan was necessary.
- 2020-2022 specifications remained while Council created plan, submitted Jan 2022 to use the biomass-based control rule from Amendment 8.
- 2020 management track assessment in progress.

2020 assessment



Prior specifications



← 2019 SSB

← 2021-22 ACLs

Year	OFL (mt)	ABC (mt)	ACL (mt)
2021	23,423	9,483	5,128
2022	26,292	8,767	3,813
2023	44,600	8,767	4,098

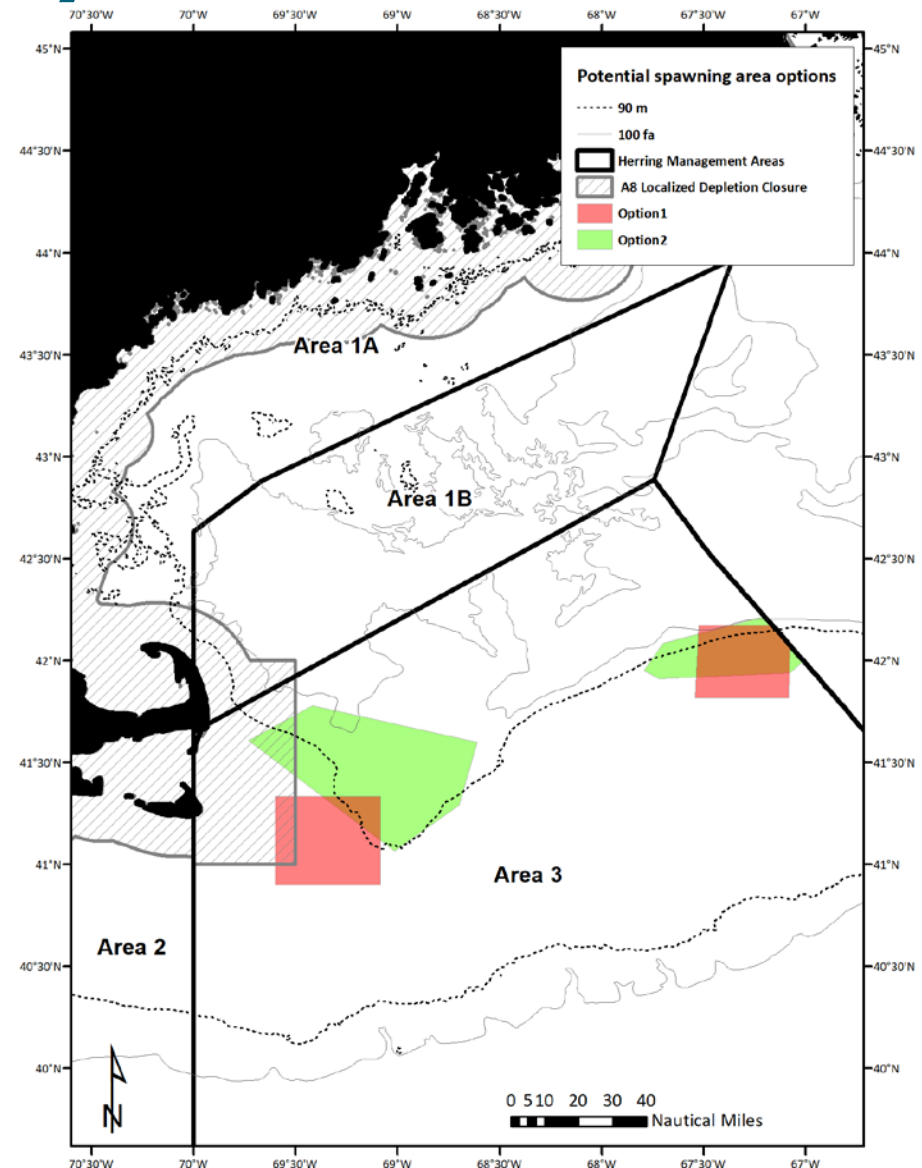




Framework Adjustment 7

Framework 7 history

2019	<ul style="list-style-type: none"> Contract to review A. herring spawning on Georges Bank (GB). Sept: action initiated to protect spawning herring in Areas 1B, 2, 3. Ideas for alternatives floated, not approved.
2020	<ul style="list-style-type: none"> April: set goal and objective – protect spawning adults and egg mats, considering measures like in Area 1A. June-Dec: develop alternatives (areas, closures, spawning tolerance, program review).
2021	<ul style="list-style-type: none"> Feb: develop alternatives (avoidance program). April: focus action on declared herring vessels and on protecting spawning adults (not egg mats). June: pause for joint PDT/AP meeting to discuss in-season monitoring of spawning tolerance.
2022	<ul style="list-style-type: none"> May: PDT/AP mtg. Many details to develop still. PDT: difficult to monitor and enforce. AP supports incentive to avoid spawning herring. June: Committee passed no motions. Tabled motion to stop action.



Goals and Objectives (Sect. 3.2)

- **The goal of this action** is to protect **spawning adults** of Atlantic herring and/or Atlantic herring egg mats to increase overall herring biomass. The specific measurable action, or **objective of this action** is to **consider similar measures to ones in place in Area 1A** for other spawning components of this resource (i.e., Georges Bank and Nantucket Shoals).
- The goal specifically includes the term “and/or” before herring egg mats to clarify that if there is not enough information to support measures to protect adult herring or herring egg mats, the action could focus on just one. During development, the Council clarified that the **scope of this action** is to **minimize potential impacts of the herring fishery on adult spawning aggregations only**. Therefore, the measures under consideration in this action are limited to the herring fishery only and will not include restrictions on other fisheries. The Council may consider other measures to protect spawning of Atlantic herring and/or Atlantic herring egg mats from other fisheries in a separate action in the future.



Alternatives (Sect. 4)

Action 1: Seasonal closures on Georges Bank

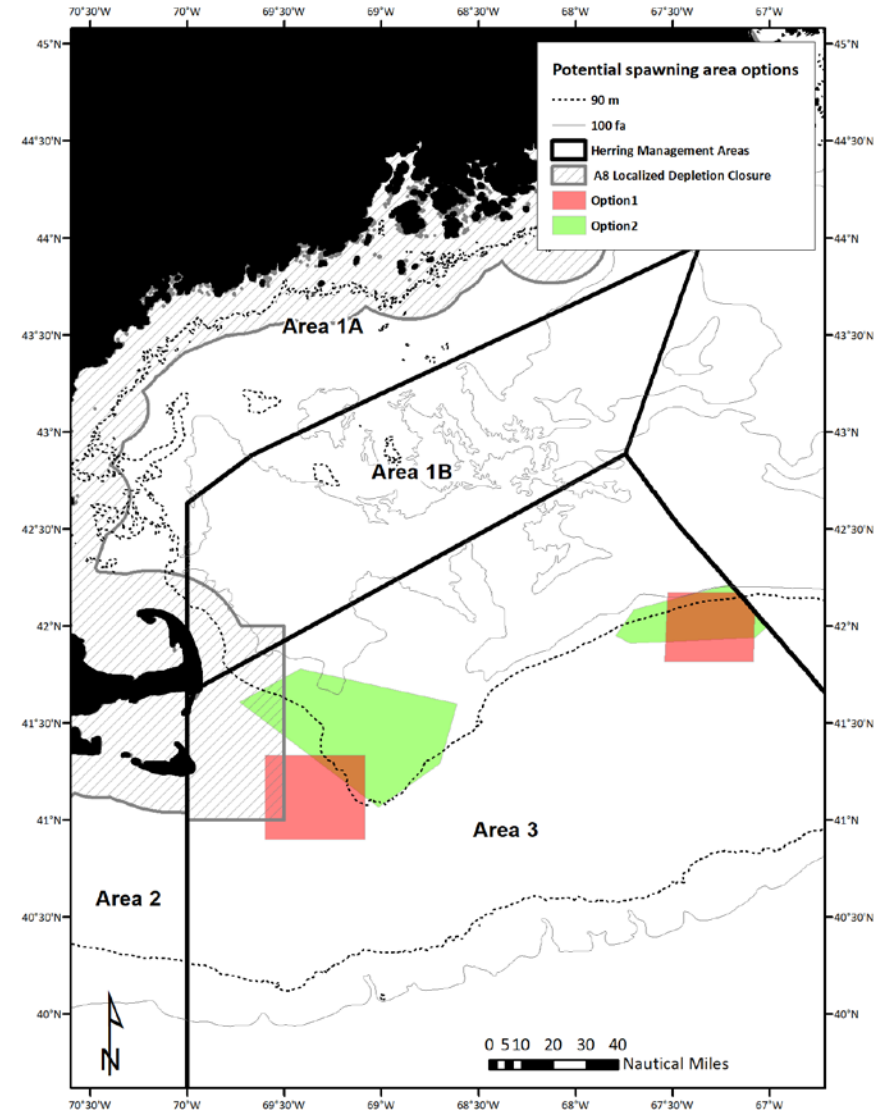
- Alt 1 - No Action
- Alt 2 – Default closure: 2 sets of areas (larger green and smaller red), 2 seasons (6 and 8 weeks)

Action 2: Limit possession of spawning A. herring

- Alt. 1 – No Action
- Alt. 2 – In an area (TBD?), vessels may have up to 20% spawning herring (Enforced at sea or portside?)
- Alt. 3 – Monitor trips in an area (TBD?), hitting a tolerance limit triggers fleetwide closure for rest of season (Threshold? Closure triggered based on how many trips? Closure area and season?)

Action 3: Spawning avoidance program / In-season monitoring with trigger based spawning closure

No alternatives yet, needs development.



Alternatives (Sect. 4)

Action 4: Required program review

- Alt 1 – No action, no set review
 - Alt 2 – Option A: review every 10 years; Option B: review within 5 years of being rebuilt
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- **AP input:**
 - Supports individual vessel incentives to avoid spawning.
 - It's already difficult to get an at-sea observer.
 - If this action continues, supports keeping all alternatives in document for further development. Some AP members want action delayed until herring rebuilds.
 - **PDT input:**
 - Base triggers on GSI not % spawning.
 - At-sea enforcement by USCG infeasible (GSI sampled portside, difficult at-sea). Portside enforcement based on biological sampling needs careful development.
 - How to monitor? Industry-funded monitoring could expand to sample gonads. Future funding for IFM and portside sampling in question.



Background (Sect 4.4)

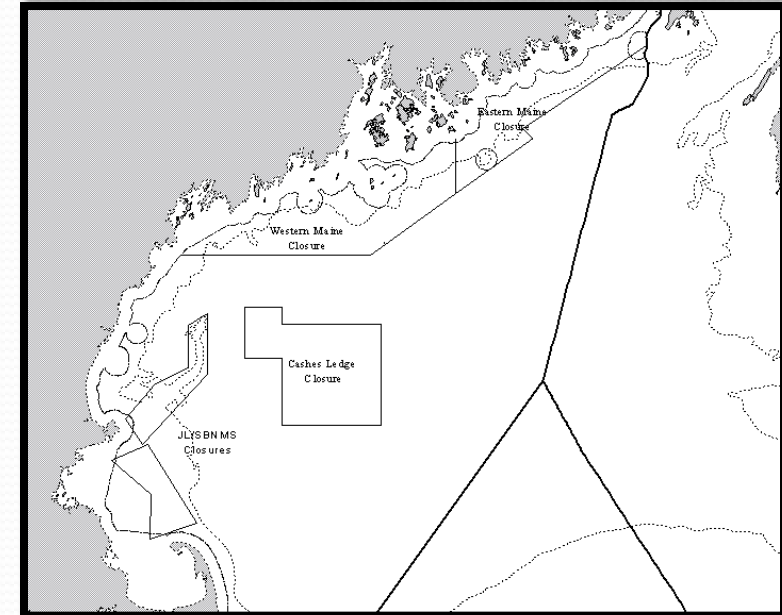
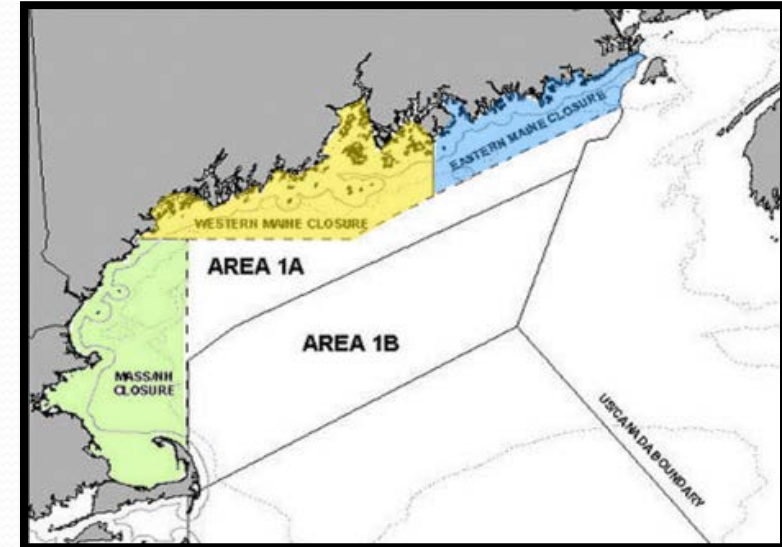
Current GOM spawning closures in Area 1A →

Determined by a GSI protocol (Calculation of the gonad (ovary) mass as a proportion of total)

- Timing of closure based on 3 or more samples of herring, either from fishery independent or dependent sources.
- If insufficient samples available, a default closure date is used.
- In 2019, ASMFC strengthened protocol to extend length of closure.

Disapproved NEFMC spawning closures ↘

- Recommended in original Herring FMP
 - Fixed dates, could be changed via framework.
 - Applicable to purse seines and midwater trawls.
 - Spawning areas not developed for Areas 2 or 3.
- NOAA Fisheries disapproved
 - Costs do not outweigh benefits.
 - Other gears still allowed that disturb spawning.
 - Conservation benefits uncertain.
 - Enforcement concerns about possession of herring allowed.



Committee input

TABLED Committee Motion: That work discontinue on Atlantic Herring Framework Adjustment 7 to protect spawning herring on Georges Bank.

Discussion Points:

- General Counsel cautions there should be sufficient data to properly analyze the costs and benefits of closures. Management tool should meet need identified.
- Real costs of developing and enforcing this action outweigh the potential for interactions; recent fishing on GB has been outside the spawning period (Feb-Apr vs Aug-Sept).
- Concern about creating unfunded monitoring programs. No IFM funds in 2023, Portside funding ending late 2022.
- Committee members want to support herring rebuilding, unsure if this is the appropriate action.
- Framework 7 was only an “update” on June Council agenda. Can’t end the action now.
- PDT should do no work on this action until the Committee reconvenes in August/Sept.

Is the Council comfortable postponing work on FW7 over summer?





Industry-Funded Monitoring (IFM)

IFM program update

- Program became effective July 2021; 50% monitoring coverage goal for Cat A and B herring vessels (IFM adding to SBRM).
- Trips selected for IFM need an at-sea monitor unless in the EFP program (electronic monitoring plus portside sampling).
- In IFM year 2021 (July 2021-Mar 2022):
 - 43 trips were selected for at-sea IFM, but none were sampled.
 - 46 trips were selected for EFP (portside and EM), 18 had fishing activity so eligible for EM video review and 1 was also sampled portside.
- Program challenges (some):
 - COVID-19 restrictions caused high attrition rate, travel for sampling limited.
 - IFM providers are the same providers for NEFOP, IFS, ASM groundfish coverage, and IFM had to be the lowest on the priority list.
 - Difficult to maintain cadre of people monitoring a fishery with low effort.



IFM outlook and next steps

- IFM Year 2022 outlook
 - NMFS has funding to administer program, conduct video review.
 - Funding to help offset industry costs expiring September 2022.
 - Observer training ongoing, expect to be ready for trips.
- IFM Year 2023 outlook
 - No funding has been identified to administer program.
 - IFM only operates if federal funds are available to administer.
- In May 2022, AP recommended initiating a framework action to revise the IFM weighting approach for the herring fishery.
- In June 2022, Committee made no motions on IFM.
 - Program will be on hold past April 2023 without federal funds.
 - Required program review in 2023.

Is the Council comfortable taking no action on IFM today?

