



New England Fishery Management Council

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DRAFT MEETING SUMMARY
HERRING PLAN DEVELOPMENT TEAM WEBINAR

October 24, 2017

The Herring Plan Development Team (PDT) met in Plymouth, MA on October 24, 2017 primarily to review draft analyses being prepared for measures to address potential localized depletion and user conflicts in the herring fishery in Amendment 8. The PDT discussed what analyses are still needed and began to develop draft impact findings. The PDT also discussed recommendations for future RSA research priorities for FY2019-2021.

MEETING ATTENDANCE: Ms. Deirdre Boelke (Herring PDT Chair); Dr. Rachel Feeney (Council staff); Ms. Marianne Ferguson, Ms. Carrie Nordeen, and Mr. Dan Luers, (NMFS GARFO staff); Dr. Jonathon Deroba, Dr. Min-Yang Lee, and Ms. Sara Weeks (NEFSC staff); Dr. Matthew Cieri (MEDMR); Ms. Renee Zobel (NHFG); and Mr. Micah Dean, (MADMF). Mr. Glenn Chamberlain from NEFOP attended the meeting as well.

Audience: Mr. Greg Wells attended the meeting in-person, and about ten individuals called into the webinar.

KEY OUTCOMES

- The PDT has a recommendation for the Committee to consider to clarify the language of the measures to address potential localized depletion and user conflicts in the herring fishery.
- The PDT reviewed and discussed general findings for the impacts of these measures. The PDT will continue to draft impact analysis.
- The PDT has several recommendations for potential Herring RSA research priorities for the Herring Committee to consider. The list includes: 1) bycatch avoidance; 2) stock structure/spatial management; 3) spawning dynamics; and 4) localized depletion. At the meeting the PDT did not rank those research priorities. Several issues with the current RSA program were discussed, but the PDT did not have a complete discussion on that topic.
- The PDT received a brief update on the current ASMFC days out program for 2017 and GOM spawning closures, as well as an update on the NMFS pilot electronic monitoring program with herring MWT vessels.

AMENDMENT 8 UPDATES

Staff reviewed the status of Amendment 8 and potential timelines moving forward, as they relate to other actions under consideration. Staff also summarized the handful of analyses still planned for the ABC control rule alternatives. This work will hopefully all be included in the document when it is finally submitted as a DEIS to NMFS at some point in the future. Finally, staff briefly reviewed the range of alternatives under consideration in Amendment 8 to address potential localized depletion and user conflicts in the herring fishery (LD measures).

ISSUE TO CLARIFY IN AMENDMENT 8 – HOW TO DEFINE WHEN A MWT VESSEL IS “FISHING FOR HERRING”

The PDT reviewed the recent Herring Committee motion that clarified the intent of the LD measures (to restrict vessels fishing for herring with midwater trawl gear). The PDT recommends that the alternatives be revised to include more clarifying language so it is understood which vessels and fishing activity would be impacted.

PDT Recommendation:

Potential language to clarify the alternatives that would prohibit MWT gear in certain areas and times (Alternatives 3, 4, 5, 6, and 7):

Vessels with any Atlantic herring permit (limited or open access) may not use, deploy, or fish with midwater trawl gear in __ (Area) __ from __ (date) __ to __ (date) __ of each fishing year. A vessel with midwater trawl gear on board may transit the area, provided such midwater trawl gear is stowed and not available for immediate use. Vessels may use any authorized gear type to harvest herring in this area from __ (date) __ to __ (date) __ unless prohibited by other regulations.

The PDT notes that this language would apply to all herring permit types (Categories A-E) and would prohibit all midwater trawl fishing in the time/area of the herring midwater trawl closure. If the Committee wants to explore ways to potentially enable limited fishing for other species (e.g., mackerel and squid), the wording could be modified, but more development may be needed, and some of the potential adjustments discussed may not provide much additional benefit in practice since there is substantial overlap in these fisheries.

1. It could read: “Vessels with any Atlantic herring permit (limited or open access) **on a declared herring trip** may not use...”. This addition would allow a vessel with a herring permit to fish in a LD closure area for other species, so long as it does not possess any herring on the trip. This would require compliance checks at the trip level. This is done already, and when the observer program finds that a trip lands herring, but did not declare a herring trip, compliance reports are sent to NMFS Office of Law Enforcement (OLE). In addition, analysts monitoring the fishery are not currently using catch information based on declaration codes. Keeping the measure linked to the permit would be easier from a compliance perspective, compared to basing it on declaration. Furthermore, it may not be very practical to

fish for other species and not possess any herring; therefore, this adjustment may not be very feasible in practice.

2. If the Council is interested in modifying the measures to better enable directed mackerel fishing in these areas, then **some level of herring incidental catch would have to be allowed, and likely more than the current incidental limit of 2,000 pounds**. It is not very feasible for a mackerel trip to be completely clean of all herring catch. Currently, if a vessel is in possession of one herring, it is considered a herring trip; therefore, the majority of vessels declare into both fisheries on all trips. This action could potentially include an incidental allowance of herring for vessels fishing for other species within a LD closure; however, making that adjustment and identifying an appropriate possession limit to potentially enable directed mackerel trips within a LD closure now would require more time and likely delay Amendment 8.

3. **The measures could only apply to limited access herring permits**. This would potentially allow a MWT vessel with an open access herring permit to fish for other species within a LD closure, and herring more incidentally. At the meeting the PDT reviewed 2017 permit data and over 50 vessels have a LA mackerel permit and only an open access herring permit (Table 1). However, the PDT was not certain what fraction of mackerel catch is attributed to these vessels. If the majority of mackerel activity is from vessels that have LA permits in both fisheries, then this adjustment may not be very fruitful in terms of enabling other directed fisheries.

The PDT reviewed preliminary information about herring and mackerel fishing activities and permits. In 2017, there are 82 vessels that have a limited access herring permit (Category A, B/C and C). A little over half of those vessels also have limited access mackerel permits (48 vessels), and only a sub-set of those vessels fish with MWT gear (Table 1). Therefore, if the alternatives only applied to MWT vessels with LA herring permits, the universe of vessels potentially impacted by these measures would be about less. However, it is not certain at this time if this would be fruitful at all; most mackerel landings may be from vessels that also have LA herring permits.

Table 1 – Overlap of herring and mackerel permits (2017)

Herring Permit Type		# of vessels with LA mackerel permit
Limited Access	A	28
	B/C	2
	C	18
Open Access	D	15
	D/E	41
	F	1

The PDT also discussed creating a table that would describe the overlap of herring and mackerel fisheries. Table 2 is a summary of herring and mackerel landings on MWT herring trips with at least one pound of mackerel landings.

Table 2 – Herring and mackerel landings on MWT trips (2011-2016)

Year	Permits	Trips	Trips Landing Herring	Trips Landing >= 90% Herring	Herring Live Pounds	Mackerel Live Pounds	Avg. Herring Percent per Trip ²
2011	12	24	23	16	6,496,623	673,915	87.7%
2012	12	41	36	15	9,145,718	5,877,851	52.2%
2013	16	58	57	33	13,853,901	8,118,382	74.0%
2014	11	55	52	15	19,068,466	11,691,912	54.8%
2015	11	67	59	29	15,855,332	8,445,115	57.4%
2016	11	90	85	41	20,637,136	9,550,445	65.8%

Source: GARFO DMIS Database as of 2017-11-02

¹Includes all midwater trips landing > 0 pounds of Atlantic mackerel that filed a VTR. Excludes CARRIER and PARTY/CHARTER trips.

²Average percentage of herring from combined Atlantic mackerel and Atlantic herring landings for each trip.

The PDT also discussed that there is confusion about the current definition of a midwater trawl. The PDT was not sure if this is the appropriate time or action to discuss this, but if new measures are adopted that may restrict herring fishing with one gear type, vessels may look to convert to other gear types. For example, there are some vessels that currently fish with a bottom trawl, but it is fished midwater.

The current gear definitions are included below for reference. At the meeting there was discussion that the definitions may need to be clarified so that vessels are not recording the wrong gear type in their VTR report. However, after further review of the definitions, they are clear enough. What may be needed is more outreach by NMFS, and through the AP that trips should be declared based on the gear used, and not the way the gear is fished on a particular trip. For example, if a vessel is using a bottom trawl net, designed to be in contact with the bottom, but fishing it mid-water to catch herring, the vessel should record bottom trawl on their VTR. However, this has caused confusion in the past, and if measures are adopted in Amendment 8 that would restrict only one gear type, it would be important for vessels to declare the appropriate gear type.

Midwater trawl gear means trawl gear that is designed to fish for, is capable of fishing for, or is being used to fish for pelagic species, no portion of which is designed to be or is operated in contact with the bottom at any time. The gear may not include discs, bobbins, or rollers on its footrope, or chafing gear as part of the net.

Mobile gear means trawls, beam trawls, and dredges that are designed to maneuver with that vessel.

Trawl means gear consisting of a net that is towed, including but not limited to beam trawls, pair trawls, otter trawls, and Danish and Scottish seine gear.

REVIEW OF DRAFT ANALYSES FOR MEASURES TO ADDRESS POTENTIAL LOCALIZED DEPLETION AND USER CONFLICTS

The PDT spent the majority of the day reviewing draft impacts of the LD alternatives by VEC (valued ecosystem component): herring resource, bycatch, predator species, protected species, EFH and human communities including the herring fishery, mackerel fishery, lobster fishery, predator fisheries and ecotourism, and communities. The PDT discussed that there are a handful of questions about potential effort shifts the Herring AP could provide input on that would improve the draft impacts. The PDT will likely review updated text via email.

INPUT ON HERRING RSA RESEARCH PRIORITIES

The PDT discussed potential research priorities for the next round of RSA awards. From the list of priorities used in the last specifications process, the PDT recommends that only one remain on the list for 2019-2021 – bycatch avoidance. The PDT discussed that both portside sampling and electronic monitoring may be coming online through the IFM Amendment in the near future, and funding long term monitoring systems through RSA may not be the most appropriate use of that funding source. The portside sampling projects that have been funded under RSA in the past were in part funded to test if that method is comparable to at-sea monitors, and that has been accepted. The Agency is considering ways to integrate portside data for RH/S bycatch monitoring in the near future. For the electronic monitoring topic, there was some support for leaving it on the list because the current pilot is only for MWT vessels, and there may be other ways to enhance the program if additional research is done. However, in the end that topic was not in the final list of recommendations. The PDT recommended that the bycatch avoidance topic remain on the list and include examples of both river herring and bycatch.

Next, the PDT reviewed the priorities listed in Amendment 1 and the last benchmark assessment (2012). It was discussed that acoustic surveys (both inshore and offshore) could be useful, but again funding long term projects like that should not use RSA funding. Adding a few years of acoustic data here and there is not that useful unless it is a long term survey that can be integrated into the assessment. The acoustic data that is currently collected from the NMFS bottom trawl survey is going to be processed for this assessment. The PDT discussed that knowing more about stock structure would really inform the assessment process as well as provide useful information for spatial management of herring when setting sub-ACLs. Because that topic is linked to management, and not just the assessment, it is a good priority for RSA.

The PDT also discussed the importance of knowing more about spawning dynamics, not just when and where, but the impacts of gear interactions. While fishing on spawning fish is often assumed to have negative consequences, there has not been a lot of research on this subject in this region. Finally, the PDT discussed that the management process has also been discussing

localized depletion for many years without direct research to measure the effects of localized depletion of herring on predators in this region.

PDT Recommendations:

1. Bycatch avoidance (e.g. river herring/shad, and haddock).
2. Stock structure / spatial management
In particular, continued work on distinguishing among stocks (e.g. morphometrics) and identifying stock of origin from mixed catches, identifying the relative size of stock components, movements and mixing rates, and degree of homing. This information could help development of a spatially explicit stock assessment model and inform appropriate apportionment of sub-ACLs.
3. Research spawning dynamics
Including life history, gear interactions, spatial patterns, etc. Information about whether gear interactions disrupt spawning and negatively affect recruitment (i.e. egg disposition and survival) success would be particularly beneficial.
4. Localized depletion
Studies to evaluate the influence of localized depletion of herring on their predators. For example, projects that directly measure the potential influences of depleting herring on predator distributions, such as a before-after control impact study (BACI experiment), or other related research.

OTHER BUSINESS / FUTURE MEETINGS

The PDT did not discuss future meeting, but conference calls will likely be scheduled to complete the DEIS for submission before the end of 2017.