



New England Fishery Management Council

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**MEETING MOTIONS (Draft)**

**Herring Committee and Advisory Panel**

Holiday Inn, Mansfield, MA

March 27 and 28, 2019

***PURPOSE:***

There were four main agenda items for these meetings:

1. Each group reviewed the 2019 priorities and timelines for the herring plan; no specific input was requested.
2. Both groups discussed the 2019-2020 specifications (Framework 6) and provided input on the purpose and need and range of alternatives that should be considered.
3. Both groups reviewed Addendum II being developed by the Atlantic States Marine Fisheries Commission (ASMFC).
4. Both groups reviewed and provided input on the 5-year research priorities, specific to the herring plan.

***MEETING ATTENDANCE:***

COMMITTEE: Mr. Peter Kendall (Chairman), Dr. Matthew McKenzie, Mr. Peter Christopher (NMFS/GARFO), Mr. John Pappalardo, Mr. Terry Stockwell, Mr. Doug Grout, Mr. Scott Olszewski, Dr. Cate O’Keefe, Mr. Vincent Balzano, Dr. Peter deFur, Mr. Peter Hughes, Ms. Melissa Smith, and Mr. Ritchie White; one member was absent.

ADVISORY PANEL: Mr. John-Paul Bilodeau, Mr. Jeff Kaelin, Mr. Ray Kane, Mr. Zack Klyver, Mr. Gerry O’Neill, and Mr. Bert Jongerden (Chair); eight members were absent. Because there was not a quorum at this meeting no motions were made, but the group developed a number of “statements” to provide input from the members in attendance.

The Committee was supported by Council staff members Ms. Deirdre Boelke, Dr. Rachel Feeney; Mr. Daniel Luers, and Ms. Carrie Nordeen (NMFS/GARFO); and Mr. Mitch MacDonald (NOAA General Counsel). In addition, about 10 members of the public attended the Committee meeting including several additional NOAA staff.

**COMMITTEE MOTIONS:**

**FRAMEWORK 6**

**SPECIFICATIONS**

*By consensus, the Committee recommends the Council use the draft Purpose and Need language provided in Framework 6 (Section 1.1).*

*By consensus, the Committee recommends the Council include the two alternatives drafted for overfishing definition (Section 2.1).*

1. Grout/O'Keefe

Recommend the Council include Alternative 2 (original) for setting OFL/ABC in Framework 6 (Section 2.2.1).

1a. Move to amend  
Stockwell/Smith

Committee recommends the Council include Alternatives 1, 2 (original) and Alternative 3 for OFL/ABC in Framework 6 (Section 2.2.1). Alternative 3 is a placeholder and will be developed later by the PDT.

*Motion withdrawn*

Main motion:

Recommend the Council include Alternative 2 (original) for setting OFL/ABC in Framework 6 (Section 2.2.1).

Vote: 11/0/0, carries

2. Grout/O'Keefe

Recommend the Council include Alternative 1 and Alternative 3 for OFL and ABC only as outlined in Table 4 in the draft Framework 6 document.

Vote: 9:0:2, carries

3. McKenzie/DeFur

Recommend the Council include for consideration Alternative 2 (updated), Table 3 in the PDT memo, as it reflects the most accurate catch data for 2018.

Vote: 12:0:0, carried

4. Smith/Stockwell

Recommend the Council not include alternatives for border transfer in this specification package, and set it at 0mt for FY2019-2021.

4a. Substitute motion: Hughes/Pappalardo

Recommend the Council set border transfer at 250mt for this specifications package.

Vote: 7:6:0, carries

Main motion: 7:6:0, carries

5. Grout/Hughes

Recommend the Council set US At-Sea Processing (USAP) at 0mt for this specifications package.

Vote: 12:0:0

6. O'Keefe/Stockwell

Recommend the Council set research set-aside (RSA) at 3% of each sub-ACL in this specification package.

Vote: 12:0:0, carries

7. Stockwell/Grout

Recommend the Council set the fixed-gear set-aside (FGSA) at a level that is equivalent to the same proportional reduction from 2019 to 2020 as the total fishery reduction.

Vote: 12:0:0, carries

8. Grout/Smith

Recommend the Council include three separate options for management uncertainty in this specification package: 3-year, 5-year, and 10-year averages. One-thousand metric tons would still rollback and be added to the ACL on October 1 if the New Brunswick weir fishery has not landed more than the trigger value (in mt) by that date.

The trigger values (in mt) associated with each of the management uncertainty buffer options would be reduced proportionally less than the current trigger of 4,000 mt. The Committee recommends the new trigger values be proportionally similar to the ratio of 6,200 mt to 4,000 mt (ratio of the management uncertainty buffer to the trigger value for a rollback).

Vote: 11/0/1, carries

*By consensus, recommend to the Council that the purpose and need for RH/S catch caps be modified to strike the purpose: 2) enhance coordination with MAFMC to address overlapping fisheries.*

*By consensus, recommend to the Council that sub-ACL % allocations not be included in Framework 6.*

### **FIVE-YEAR RESEARCH PRIORITIES**

*By consensus, recommend to the Council that the PDT recommendations for modifying the 5-year research priorities be approved.*

### **OTHER BUSINESS**

#### 9. Pappalardo/Hughes

Recommend the Council consider the following topic when it discusses potential 2020 work priorities for the herring plan: consider modifying measures in the herring plan that that potentially inhibit optimizing yield in the mackerel fishery (i.e. modify the relatively low 2,000 pound incidental possession limit that is implemented after directed herring fisheries are closed, and modify the seasonal closure of Area 1B that is currently closed January-April).

Vote: 11:0:1, carries

### **ADVISORY PANEL STATEMENTS:**

The panel developed the statements below because there was not a quorum at this meeting, only 6 of the 14 AP members were in attendance. Unless noted, these were consensus statements.

### **FRAMEWORK 6**

#### **SPECIFICATIONS**

1. Members of the AP in attendance questioned the use of the term “providing flexibility” in the Draft Purpose and Need, and requests the Committee clarify what is meant by that term.
2. Members of the AP in attendance do not support consideration of the updated projection completed by the PDT in Framework 6 as an alternative for OFL/ABC (Table 3 in PDT Memo). It provides too much credibility that there is a stock recruit relationship, which the recent assessment did not support.
3. Members of the AP in attendance support including consideration of Alternatives 1, Alternative 2 (original), and Alternative 3 for OFL/ABC in Framework 6, as drafted.
4. Members of the AP in attendance support setting border transfer at 1,000 mt in this specification package.

*(There was not full support of this statement by all six members in attendance; some support setting border transfer at zero to maintain all herring in the US for bait).*

5. Members of the AP in attendance support setting USAP at 0mt for this specification package, to be revisited in the future.
6. Members of the AP in attendance support setting RSA at 3% for each sub-ACL in this package, especially under reduced quotas because RSA would be more valuable for compensation fishing under low sub-ACLs.
7. Members of the AP in attendance support setting FGSA at a level that is equivalent to the same proportional reduction as the total fishery from 2019 to 2020 (i.e. if the 2018 FGSA is 39mt, and the 2020 total ACL is expected to decline 25%, the FGSA for 2020 should be  $39 \times 0.25$ ).

#### **MANAGEMENT UNCERTAINTY**

8. Members of the AP in attendance support including the 3-year, 5-year and 10-year options for management uncertainty in the 2019-2021 specifications package. They further recommend the PDT develops an appropriate level for when catch would revert back to Area 1A; it is currently at 4,000 mt but that should be reduced if the total buffer is lower than 4,000 mt.

## RH/S CATCH CAPS

9. Members of the AP in attendance support using No Action allocations for RH/S catch caps for this specifications package because it is essentially a one-year action.
10. Request that the Committee and Council task the PDT with developing a mortality matrix, which compares fishing mortality of RH/S in the herring and mackerel fisheries with other sources, including other commercial and recreational fisheries and striped bass and seabird predation, with the intent of developing biologically-based river herring and shad caps in the Atlantic herring and Atlantic mackerel fisheries. This exercise would require input and resources from MAFMC, TWEG, ASMC, etc.

## SUB-AREA ALLOCATION

11. Members of the AP in attendance do not support including alternatives for sub-ACL % allocations in this specifications package; the members in attendance support maintaining the current sub-ACL allocations for 2020 and 2021.

*(There was not full support of this statement by all six members in attendance; some expressed concerns that we do not have enough info to do this appropriately).*

12. Members of the AP in attendance request that the Committee and Council task the PDT with analyzing an increase in the post-closure incidental possession limit of Atlantic Herring (now 2,000 pounds), in all areas to maximize the potential to harvest the Atlantic mackerel ACL on an annual basis. This request is not for inclusion in this specification package, but a longer term idea that should be evaluated for a future action.

Note - It is anticipated that an earlier closure of the Area 2 herring fishery would occur. Alternative possession limits to be analyzed include at least a 10,000 and 20,000 pound post-closure possession limit. This change would be consistent with the MAFMC's recent action to liberalize the post-closure possession limit for mackerel, to the benefit of the herring fishery north of Cape Cod, and other fisheries in the region. These changes reflect the fact that herring and mackerel are often mixed in the winter herring and mackerel fisheries.

## **FIVE-YEAR HERRING RESEARCH PRIORITIES**

13. Members of the AP in attendance support all the PDT recommendations for adjusting the Herring 5-year research priorities.

## **OTHER BUSINESS**

14. Members of the AP in attendance recommend that the Committee include an alternative in Framework 6 that would reconsider the seasonal closure in Area 1B (currently closed Jan-April). It was explained that 2,000 pounds of herring bycatch is not feasible to target mackerel during the winter and could reduce pressure on RH in other areas during that time of year (Area 2).

*(There was not full support of this statement by all six members in attendance; some expressed concerns about low observer coverage in the fishery that are inadequate to monitor the potential bycatch impacts of this measure).*