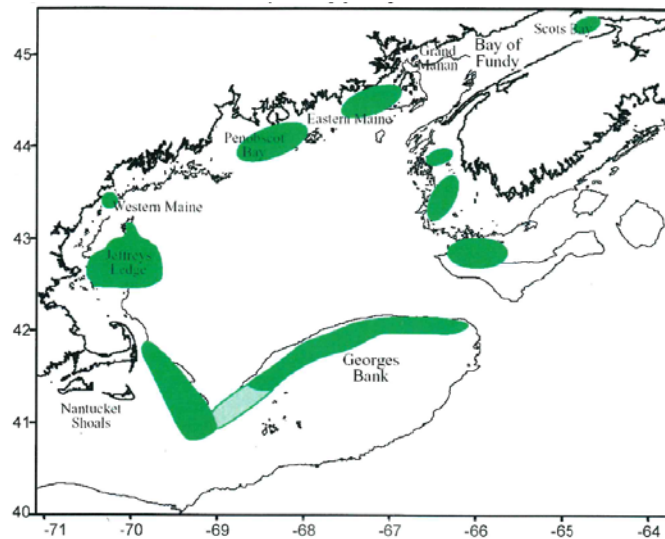


# Atlantic Herring Fishery Management Plan

## Framework Adjustment 7

Including an Environmental Assessment and  
Initial Regulatory Flexibility Analysis



**DRAFT – Under Development**  
**April 2020 Council Meeting**

Prepared by the  
New England Fishery Management Council  
In consultation with the  
National Marine Fisheries Service and the  
Mid-Atlantic Fishery Management Council



***Document history***

Initial Framework Meeting: September 2019  
Final Framework Meeting: January 2021  
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Final Submission: ???

***Cover image***

Generalized view of major herring spawning areas in the Gulf of Maine and Georges Bank (Overholtz et. al. 2004)



**FRAMEWORK ADJUSTMENT 7 TO THE  
ATLANTIC HERRING FISHERY MANAGEMENT PLAN**

**Proposed Action:** Propose measures to protect spawning of Atlantic herring on Georges Bank.

**Type of Statement:** Draft Environmental Assessment

**Responsible Agencies:** New England Fishery Management Council  
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**Abstract:** The New England Fishery Management Council, in consultation with NOAA National Marine Fisheries Service, has prepared Framework Adjustment 7 to the Atlantic Herring Fishery Management Plan, which includes a draft environmental assessment that presents the range of alternatives to achieve the goals and objectives of the action. The proposed action focuses on measures to protect spawning of Atlantic herring on Georges Bank. The document describes the affected environment and valued ecosystem components and analyzes the impacts of the alternatives on both. It addresses the requirements of the National Environmental Policy Act, the Magnuson Stevens Fishery Conservation and Management Act, the Regulatory Flexibility Act, and other applicable laws.

## 1.0 EXECUTIVE SUMMARY

This document contains the New England Fishery Management Council (Council) recommendations for protection of Atlantic herring spawning on Georges Bank, consistent with the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and the Atlantic Herring Fishery Management Plan (FMP), approved by the National Marine Fisheries Service (NMFS) on October 27, 1999. In addition, this document includes information and supporting analyses required under other applicable law, including the National Environmental Policy Act (NEPA) and Regulatory Flexibility Act (RFA).

### *Proposed Action*

The Council's preferred alternative includes ...

### *Affected Environment*

The Affected Environment for this action is in Section 6.0. The Affected Environment is described based on valued ecosystem components (VECs). VECs represent the resources, areas, and human communities that may be affected by the measures under consideration in this management action. VECs are the focus, since they are the "place" where the impacts of management actions are exhibited. The VECs for consideration in this action include: Atlantic Herring; Non-Target Species (focused on haddock and river herring/shad); Protected Resources; Physical Environment and Essential Fish Habitat (EFH); and Fishery-Related Businesses and Communities. Within the Atlantic herring resource there is additional information provided on spawning and herring egg mats since this action is focused on protection of spawning.

### *Impacts of the Alternatives*

The impacts of the alternatives considered by the Council on each VEC described in the Affected Environment are in Section 7.0 and summarized in Table 1. Overall, ....

**Table 1. Summary of potential impacts of the alternatives under consideration in Framework 7 across the valued ecosystem components**

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1. Spawning of Atlantic herring on Georges Bank Discussion Document

## 2.1 TABLES

Table 1. Summary of potential impacts of the alternatives under consideration in Framework 8 across the valued ecosystem components (*Preferred alternatives shaded*). ..... 5

## 2.2 FIGURES

## 2.3 ACRONYMS

ABC	Acceptable Biological Catch
ACL	Annual Catch Limit
ALWTRP	Atlantic Large Whale Take Reduction Plan
AM	Accountability Measure
AP	Advisory Panel
APA	Administrative Procedures Act
ASMFC	Atlantic States Marine Fisheries Commission
B <sub>MSY</sub>	Biomass that would allow for catches equal to Maximum Sustainable Yield when fished at the overfishing threshold (F <sub>MSY</sub> )
BiOp, BO	Biological Opinion, a result of a review of potential effects of a fishery on Protected Resource species
CEQ	Council on Environmental Quality
DFO	Department of Fisheries and Oceans (Canada)
DMF	Division of Marine Fisheries (Massachusetts)
DMR	Department of Marine Resources (Maine)
DPWG	Data Poor Working Group
EA	Environmental Assessment
EEZ	Exclusive economic zone
EFH	Essential fish habitat
ESA	Endangered Species Act
F	Fishing mortality rate
FEIS	Final Environmental Impact Statement
FMP	Fishery management plan
FW	Framework
FY	Fishing year
GARFO	Greater Atlantic Regional Fisheries Office
GB	Georges Bank
GIS	Geographic Information System
GOM	Gulf of Maine
HAPC	Habitat area of particular concern
HPTRP	Harbor Porpoise Take Reduction Plan
IFM	Industry-funded monitoring
LOA	Letter of authorization
MA	Mid-Atlantic
MAFMC	Mid-Atlantic Fishery Management Council
MMPA	Marine Mammal Protection Act

MPA	Marine protected area
MSA	Magnuson-Stevens Fishery Conservation and Management Act
MSY	Maximum sustainable yield
NEMAP	Northeast Area Monitoring and Assessment Program
NEFMC	New England Fishery Management Council
NEFOP	Northeast Fisheries Observer Program
NEFSC	Northeast Fisheries Science Center
NEPA	National Environmental Policy Act
NLSA	Nantucket Lightship closed area
NMFS	National Marine Fisheries Service
NOAA	National Oceanic and Atmospheric Administration
OBDBS	Observer database system
OY	Optimum yield
PDT	Plan Development Team
PRA	Paperwork Reduction Act
RFA	Regulatory Flexibility Act
RPA	Reasonable and Prudent Alternatives
SA	Statistical Area
SARC	Stock Assessment Review Committee
SAW	Stock Assessment Workshop
SIA	Social Impact Assessment
SMB	Squid Mackerel Butterfish FMP (MAFMC)
SNE	Southern New England
SNE/MA	Southern New England-Mid-Atlantic
SSB	Spawning stock biomass
SSC	Scientific and Statistical Committee
TEWG	Technical Expert Working Group
TRAC	Trans-boundary Resources Assessment Committee
VEC	Valued Ecosystem Component
VMS	Vessel monitoring system
VTR	Vessel trip report



## **3.0 INTRODUCTION AND BACKGROUND**

### **3.1 PURPOSE AND NEED**

*To be completed later as Council develops this action.*

### **3.2 GOALS AND OBJECTIVES (DRAFT – AS RECOMMENDED BY THE HERRING COMMITTEE – MARCH 3, 2020)**

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 that are 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 for adult herring or herring egg mats, the action could focus on just one. The intent of the broad goal of this action is to leave the door open in terms of which fisheries this action could include. For example, as the Council proceeds with this action it may develop alternatives that restrict other fisheries in the region, not just the herring fishery.

## **4.0 ALTERNATIVES UNDER CONSIDERATION**

### **4.1 NO ACTION**

This alternative would not implement any new measures to protect spawning of Atlantic herring. The measures that are currently in place are adequate.

### **4.2 SPAWNING CLOSURES**

#### **4.2.1 Area options**

##### **4.2.1.1 Option A**

##### **4.2.1.2 Option B**

##### **4.2.1.3 Option C – egg mat specific alternative (later season? Different gears?)**

## **4.3 SPAWNING CLOSURE SEASON (DEFAULT DATES)**

### **4.3.1 Option A**

### **4.3.2 Option B**

## **4.4 VESSELS PROHIBITED FROM FISHING IN SPAWNING CLOSURES**

### **4.4.1 Option A – herring vessels fishing above incidental catch limits**

### **4.4.2 Option B – all herring vessels**

### **4.4.3 Option C – all herring vessels and other vessels (which fisheries/gears?)**

#### **Still under consideration:**

ANY SPECIFIC MONITORING REQUIREMENTS?

SUNSET CLAUSE OR REQUIRED REVIEW?

## **5.0 ALTERNATIVES CONSIDERED BUT REJECTED**

## **6.0 AFFECTED ENVIRONMENT**

The Affected Environment is described in this action based on valued ecosystem components (VECs), including target species, non-target species, predator species, physical environment and Essential Fish Habitat (EFH), protected resources, and human communities. VECs represent the resources, areas and human communities that may be affected by the alternatives under consideration in this amendment. VECs are the focus, since they are the “place” where the impacts of management actions occur.

The Council recently completed Amendment 8 to the Atlantic Herring FMP that included a detailed Affected Environment. This action updates several key tables and figures with data through 2019, but for the most part references the information recently included in Amendment 8 (NEFMC, 2018). Because this action is considering several measures related to the mackerel fishery, this section of the Affected Environment has been expanded.

### **6.1 TARGET SPECIES (ATLANTIC HERRING)**

### **6.2 NON-TARGET SPECIES (BYCATCH)**

### **6.3 PROTECTED RESOURCES**

### **6.4 PHYSICAL ENVIRONMENT AND ESSENTIAL FISH HABITAT**

### **6.5 HUMAN COMMUNITIES**

## **7.0 ENVIRONMENTAL IMPACTS OF ALTERNATIVES**