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New England Fishery Management Council

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MEETING SUMMARY

Atlantic Herring Advisory Panel NOAA Fisheries/GARFO, Gloucester, MA & Webinar May 20, 2026

The Atlantic Herring Advisory Panel (AP) met on May 20, 2026, at 10:30 am in Gloucester, MA and via webinar to discuss: a 2026 action to include Atlantic herring specifications for 2027-2031, river herring and shad management measures, and other measures; recommendations to the Atlantic Herring Committee, as appropriate; and other business, as necessary.

MEETING ATTENDANCE: Meghan Lapp (Chair), Zack Klyver (Vice Chair), Patrick Feeney, Jeff Kaelin, Donald Lyons, David Mussina, Gerry O'Neill, Suzannah Raber, Dr. Tammy Silva, Mary Beth Tooley (Advisory Panel members); Dr. Jamie Cournane, Emily Bodell (NEFMC Staff); Peter Whelan (Committee Chair); Carrie Nordeen (GARFO Staff). In addition, about 22 other people attended.

KEY OUTCOMES

- The Advisory Panel received an update from the Herring Plan Development Team (PDT) on the 2026 management action.
- For carryover, the Advisory Panel recommended developing options 1 and 2 and moving option 3 to considered but rejected.
- The AP recommended to the Committee to recommend to the Council to prioritize the herring specifications package to meet the goal for implementation in January 2027.

The AP Chair opened the meeting and announced her resignation from the Herring AP after this meeting. Staff thanked Chair Lapp for her leadership of and contributions to the Herring AP over the years. There were no changes to the agenda.

AGENDA ITEM #1: MANAGEMENT UPDATES

Council staff shared the most recent GARFO quota monitoring data for Atlantic herring, river herring and shad catch caps, and Gulf of Maine and Georges Bank haddock catch caps. Staff also reviewed the 2026 Area 1A management measures for June 1 – September 30. Finally, staff provided an overview of the 2026 Atlantic herring outlook by quarter, as well as a brief summary of the upcoming management track stock assessment. There was a question about the rebuilding date, which is 2031.

AGENDA ITEM #2: UPDATE FROM PDT ON 2026 MANAGEMENT ACTION

Council staff provided an update on the 2026 management action, including the draft scope, likely range of alternatives, and timeline. Staff also reviewed Plan Development Team (PDT) work on the management action thus far.

Draft Scope, Alternatives, and Timeline

An Advisor asked whether the action could require an environmental impact statement (EIS) if it were an amendment. Staff explained that a streamlined specifications package may qualify for a supplemental information report (SIR), but including carryover and changing the specifications process puts the action more in line with a framework adjustment with an environmental assessment (EA). If the fishery management plan is modified more substantially, an amendment may be necessary. The Advisor felt that making changes via a framework would be slower than maintaining the current list of specifications items, noting that it is unlikely that 2027 will be on time as it is. An Advisor asked if the PDT had explored whether the current fishery is threatening river herring and shad conservation efforts given the small quota and suggested that the problem statement should be revisited. Staff explained that the river herring and shad problem statement was developed during the Amendment 10 process and came with a set of tasking that the PDT is working on completing. If the Council wants to include something different, it needs to clearly articulate the goal, which could lead to refining the problem statement.

Specifications Process and Items

An Advisor asked for clarification on what revisions to the regulations would entail. Council staff explained that the intent is to clean up the current text to reflect management changes made in recent years and did not anticipate this process delaying the specifications action. Another Advisor supported leaving the language about three-year specifications for herring in the regulations and expressed opposition to specifications up to five years. Staff explained that the Council could still opt to set three year specifications for herring and noted that NOAA Fisheries has been reviewing and confirming specifications annually in recent years, so there would be an annual review process.

1. MOTION: KAELIN/XX

To recommend to the Committee No Action in the Atlantic herring specifications process section.

MOTION 1 WAS WITHDRAWN BY ITS MAKER DUE TO THE LACK OF SECONDER.

An Advisor explained that they didn't second the motion because the specifications language is included in the Council's management flexibility action, which is currently out for public comment. Another Advisor was concerned about taking actions that could delay implementing specifications, noting that a recent mackerel action took months to implement and was not in place in time for the fishery to operate during the winter months when the fish were present.

Specifications for 2027-2031

An Advisor stated that the current Area 1A quota transfer process is not as timely as it could be, noting that in other regions the process is more streamlined, and asked if that would be considered in the Area 1A transfer analysis. GARFO staff explained that the transfer provision is included in the regulations using a notice in the *Federal Register*, which can complicate the timing. It could be worth considering processes used in other regions.

Carryover

An Advisor asked staff about the current carryover regulations. Council staff explained that the Council took action to suspend carryover for 2025 and 2026, but it will return to being automatic once the temporary provision expires. Another Advisor was hesitant to make any recommendations that would delay specifications and asked whether options 2 (flexible option) and 3 (stock status based) would include opportunities for AP input. Staff noted that option 3 would become an additional provision but would be discussed in each specifications cycle. Option 2 would streamline how carryover may happen in a given year, which would likely involve AP and Committee discussion. The Advisor supported no

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action, explaining that it took years to incorporate carryover provisions into the plan, and was opposed to making changes that could diminish AP input. Another Advisor felt that option 3 was not logical, noting that carryover does not change the ACL so it may not be linked to stock status. They also asked if option 2 is already possible, pointing to the in-season adjustment process used to suspend carryover in 2025 and 2026, and were unsure if changing carryover would solve some of the complications created by the timing of the specifications. Council staff explained that option 2 would allow the Council to notify NMFS via a letter as opposed to requesting an in-season action. Another Advisor felt that the flexibility should go both ways, pointing to the lack of carryover for 2025 despite there being fish available.

There was a question about when carryover would start again. The temporary suspension will lift in 2027, and carryover would be based on a final evaluation of FY 2025 catch data. An Advisor explained that carryover helps to catch more fish and can help offset overages. Because the ACL does not change with carryover, carryover may not have a substantial impact on the stock, but it can have a significant impact on the fishery. An Advisor asked if the flexible approach would include changing the percentage of carryover, which had not been discussed by the PDT. Council staff offered to bring preliminary information on the 2025 fishing year carryover for discussion at a future meeting.

2. MOTION: TOOLEY/KAELIN

The Advisory Panel recommends to the Committee that under the carryover section to analyze options 1 (no action) and 2 (flexible option) and move option 3 (stock status based) to considered but rejected.

Discussion: There was a question about the 10% carryover limit in the groundfish fishery management plan. Staff stated that the 10% carryover provision is the maximum carryover allowed in the groundfish fishery, though it is lower for some species. Staff also clarified the differences between options 2 and 3. Advisors noted the importance of having specifications in place as close to January 1 as possible to be able to fully prosecute the mackerel fishery this winter.

ROLL CALL VOTE:

YES: Feeney, Kaelin, Raber, O’Neill, Tooley

NO: None.

ABSTAIN: Klyver, Lyons, Mussina, Silva

MOTION 2 CARRIED 5/0/4.

3. MOTION: O’NEILL/KAELIN

The AP recommends to the Committee to recommend to the Council to prioritize the herring specification package to meet the goal for implementation in January of 2027.

Discussion: The makers of the motion were opposed to making many major changes to the specifications due to concerns that they would not be in place by January 2027. Another Advisor asked for additional context around these concerns and asked if Council staff had any concerns about getting the specifications in place on time. Advisors stated that delayed specifications have been a problem since the FMP started, but the delays are more impactful with smaller quotas when the fishery could exceed the rollover specifications or be shut down quickly. They also noted that the timing of the assessment relative to the January 1 start date for the fishing year was an underlying issue, but necessary to use the most recent data. Staff explained that typically, more complex actions take longer to review, though there have been some delays in simpler actions recently. An Advisor stated that impacts of delays are more acute now because

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the mackerel stock is rebounding, and herring quota is needed to fish for mackerel, particularly during the winter months when the fishery is active.

A Committee member asked Advisors whether they would prefer having new specifications in place on January 1 without the most recent year of data or having a slight delay but using the most recent science. An Advisor was not comfortable choosing one over the other but did note that the stock assessment is particularly important given herring is a shorter-lived species, and that the fishery has experienced delays in the past but kept operating since specifications do roll over until replaced. An Advisor felt that maintaining the January 1 start date was appropriate given the importance of the winter fishery.

MOTION 3 CARRIED BY CONSENSUS AND WITHOUT OBJECTION.

River Herring and Shad Management Measures

There was a question about the transition rate and combining data from the different gear types. Staff explained that the catch rates are calculated by stratification (catch cap area and gear type), but when the transition rate is required, data from adjacent catch cap areas may be needed. The PDT recommended maintaining separation by gear type when possible. There was a question about the ASMFC proof-of-concept catch caps. Council staff stated that the catch cap would require determining a reference period, then a multiplier (developed using ocean and river survey indices/catch data) is applied. An Advisor asked if the data included offshore herring and thought that the alewife are doing well in the offshore surveys while blueback herring are not. They also supported increased observer coverage, relaying that they have asked about reallocating SBRM days to cover active times in the fishery. MAFMC staff explained that there is a 3-year SBRM review occurring this year and noted that the Councils could consider changes in allocation in a future joint action.

Advisors asked for clarification on when other gear types are pulled into the transition rate as well as which areas data is pulled from for the transition rates. They pointed to a lack of observer coverage as contributing to data issues. Council staff stated that trips must be landing above a certain threshold to contribute to the catch rates, and there is data available to compare the in-season rates to global rates, but more data would have to be pulled to determine if other gear types were pulled into the transition rate. Bycatch rates can vary by stratification, year, and level of observer coverage. Combining the two gear types to calculate rates only occurs if a transition rate is needed at the start of the fishing year (not in-season), and data is pulled from adjacent catch cap areas if needed. An Advisor emphasized the challenges associated with a lack of data and felt that changes to SBRM coverage could help. An Advisor noted that the river herring and shad bycatch rates are very low compared to other bycatch rates in the region, while another relayed that adding river herring to the SBRM process as a bycatch species would not increase observer coverage because bycatch ratios are low. Another Advisor felt that there are some challenges with the bycatch rate data and noted that because the herring fishery is high volume, some catches may become significant when they are extrapolated. They also supported increased observer coverage, noting the alignment between conservation and industry on the subject. An Advisor stated that increasing observer coverage above a certain threshold (~20%) would not substantially increase accuracy and precision. A Committee member agreed that more observer coverage would be helpful, noting that the bycatch rates and measurements in metric tons translate to a substantial number of fish.

The AP had some questions about the next steps for the PDT, as well as if draft alternatives could be selected together (for example, draft alternatives 2 and 3 of the river herring and shad management measures). Staff noted that the Council will need to tie the alternatives in the document back to the goal of the action. An Advisor asked about impacts to the Mid-Atlantic Council, which also has river herring catch caps. Council staff noted that the Mid-Atlantic Council is not currently planning to modify the catch cap approach. Advisors noted the impacts of any action on those fishing in Area 2, which would impact Mid-Atlantic vessels.

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AGENDA ITEM #3: DEVELOP RECOMMENDATIONS TO COMMITTEE

The Advisory Panel developed recommendations to the Committee during their discussion of agenda item #2.

AGENDA ITEM #4: OTHER BUSINESS

Council staff noted that the Council's Executive Committee would discuss the recent correspondence regarding Industry-Funded Monitoring (IFM) on June 9th, and the Council will discuss the topic at the June Council meeting. An Advisor asked about the comment letter regarding an exempted fishing permit (EFP) for a herring genomics study. Staff explained that the study is related to Atlantic herring genetics, and the letter was in response to a request to continue sampling. Additional information on the EFP application is available in the *Federal Register*.

With no additional discussion, the Advisory Panel meeting adjourned at 3:08 pm.