



New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492 | FAX 978 465 3116

John F. Quinn, J.D., Ph.D., *Chairman* | Thomas A. Nies, *Executive Director*

DRAFT MEETING SUMMARY

Herring Committee Meeting

Webinar
June 4, 2021

The Herring Committee met on June 4, 2021, from 9:00 AM to about 12:45 PM via webinar primarily to continue development of 2021 work priorities: rebuilding plan and potential adjustments to herring AMs combined into Framework 9, and Framework 7 (GB spawning action).

MEETING ATTENDANCE: Rick Bellavance (Chair), Vincent Balzano, Peter deFur, Emily Gilbert (GARFO), Toni Kearns (proxy for Ritchie White), Cherie Patterson, Melissa Smith, Melanie Griffin, Scott Olszewski, John Pappalardo, Matthew McKenzie and Peter Hughes; Megan Lapp (Advisory Panel Chair) and several other AP members; Deirdre Boelke (PDT Chair), Rachel Feeney (NEFMC staff); Mitch MacDonald, Carrie Nordeen, and Allison Murphy (GARFO staff). In addition, a handful of other PDT members, and 5-10 other members of the public attended.

KEY OUTCOMES: The Committee developed a consensus statement related to research priorities and passed one motion related to Framework 7. Under Other Business Brett Alger (NMFS) presented draft policy guidance on how information law will be applied to data collected by electronic monitoring.

INTRODUCTIONS, OPENING REMARKS, AND AGENDA REVIEW

Ms. Lapp gave the AP report at the start of the meeting reviewing input from the advisory panel meeting held on June 2, 2021, preceding this meeting. Mr. Kaelin from the AP elaborated that the research priority item on potential genetic sampling by portside samplers was an ASMFC research priority identified by the RH/S Board. He added that there may be a way to expand the current IFM sampling protocols to collect much more data than is currently being collected. Ms. Gilbert from GARFO gave an update on the disaster relief requests from ME, MA, RI, NH and NJ on behalf of the herring fishery. She explained it is a slow process; the requests have been batched together and the package is still under review.

DISCUSS FRAMEWORK 9 ALTERNATIVES DEVELOPED TO DATE

After the staff presentation the Committee asked a handful of questions, mostly about process and how a rebuilding plan fits in with future assessments and specification packages. One Committee member explained that there are probably two ways to account for the uncertainty in these projections when defining the rebuilding plan: 1) use the fishing mortality rate defined by plan but reduce the ABC lower than the associated projections; or 2) use the fishing mortality

rates and projected ABC values in the projections but extend the timeline of the rebuilding plan to recognize it may take longer than expected if biomass does not increase as projected. The white hake rebuilding plan was cited as an example when the projections estimated rebuilding in 5-7 years, but the Council extended the length to 10 years to account for other factors. It was explained that MSA regulations require the rebuilding timeframe be as short as possible considering other factors like the biology of the stock, needs of fishing communities, and ecosystem interactions. Another Committee member asked how the ACLs under the A8 ABC CR would differ from the ACLs recently allocated under Framework 8 (2021-2023 specifications), and staff explained that they are very similar.

The Committee also discussed what happens to this rebuilding plan if reference points and/or projection parameters change in the next assessment. Staff responded that most likely this rebuilding plan would be implemented before the next assessment scheduled for June 2022, with a final report likely available in Fall 2022. If the assessment modifies the status of the resource or the reference points, the rebuilding plan would need to be updated. The herring specifications process is biennial at this point, set for two-years at a time with default Year 3 measures. Therefore, a trailing action could be developed in 2023 after the 2022 management track assessment with updated specifications for FY2024 and 2025, and default specifications for FY2025, which would be replaced by updated projections following the 2024 management track assessment.

Another participant asked about the difference between short- and long-term projections related to fishery impacts as well as what is meant by near term recruitment patterns compared to longer-term recruitment patterns. The document will include more detailed analyses of the short and long term impacts as well as projections for more positive near-term recruitment (average) as and lower near-term recruitment (autoregressive recruitment or AR). One member of the public spoke in favor of the Committee discussion of possibly extending rebuilding timeframes to address uncertainty as well as impacts on fishing communities. Another added that the new metric, P fishery closure, is helpful, but, a fishery is essentially closed much earlier than $F=0$. The speaker explained that some vessels in the fleet are deciding not to fish under the current low quotas, so adding the actual fishery allocations, rather than just the ABC to the analyses would be useful.

Individual Committee members shared ideas about how figures should be developed to present the projection results and the PDT will take these into consideration as the final analyses are completed this summer.

The Committee did not discuss the AM alternatives included in Framework 9 in detail. Ms. Gilbert wanted to clarify that the carryover measures would be moved to the considered and rejected section. Staff will work with GARFO to identify the best section for that issue.

REVIEW HERRING RESEARCH PRIORITIES FOR 2021-2025 AND PROVIDE INPUT

Dr. Rachel Feeney presented the current research priorities for the herring plan including new PDT input (in green). She also reviewed the AP input from earlier in the week. The Committee had limited conversation about research priorities and supports the current list with PDT updates.

By consensus, the Committee supports the PDT recommendations for updating the research priority list for 2021-2025 for Atlantic herring.

CONTINUE DEVELOPMENT OF FRAMEWORK 7 ALTERNATIVES

Staff presented a status update of Framework 7 alternatives developed to date explaining that a major hole in the document is defining a “spawning tolerance” or “spawning possession limit” alternative. The Committee has provided some guidance, but more detail is needed. The PDT has discussed the idea of an individual spawning tolerance of 20% per trip like the previous measure in place by ASMFC. However, many concerns were raised about the feasibility of this approach. The Committee also asked the PDT to explore the idea of an in-season spawning monitoring system that would trigger a pre-defined closure. This approach may be more feasible, but the specific in-season monitoring system is still uncertain; could the IFM program be expanded to include more vessels and biological sampling, could the NMFS federal biological sampling program be expanded to include herring port samples, etc. Is a federal biological sampling program like the ASMFC system in the GOM really feasible for the offshore fishery in the near term?

Ultimately the Committee discussed that more time is needed to explore these complex questions. They suggested a joint meeting of the AP and PDT with some additional invited participants may help identify what is feasible and practical. With low quotas expected in the near term there will likely be very little fishing activity offshore, especially later in the year during spawning season. Therefore, it may be more valuable to take more time now to develop an alternative to default closures that can have negative economic impacts and predetermined closure dates may not overlap with spawning seasons that fluctuate year to year.

One Committee member shared some brainstorming ideas about a possible in-season program that would require vessels carry an observer if they want to fish in areas known to have spawning adults. And during the fishing season if a specified number of trips are observed over the acceptable tolerance level then those areas would close to the fishery for the remainder of the spawning season. The Committee first discussed a motion to remove the individual spawning tolerance alternative because many concerns have been raised about that approach, but that motion was withdrawn. Instead, a motion was passed requesting a joint meeting to keep working on this topic and hopefully address some of the outstanding questions. The Committee recognized a joint meeting would extend the overall timeline of this action. The Committee suggested that this meeting should be in-person, if possible, again recognizing that may delay when a meeting like this could be scheduled.

1. Smith/Griffin

Remove the individual herring spawning tolerance possession limit per vessel alternative from Framework 7 (Section 4.2.2).

Without objection the motion was withdrawn.

2. Motion: Smith/Griffin

Task staff to hold a joint meeting of the Herring PDT and Herring AP to discuss feasibility of in-season monitoring as it relates to development of a potential spawning tolerance alternative for consideration in Framework 7.

Vote: 10:0:0, carries

Rick Bellavance, RI (Chair)		Matt McKenzie, CT	Y
Vincent Balzano, ME	Y	Dan McKiernan/Melanie Griffin, MA	Y
Peter deFur (MAFMC)	Y	Scott Olszewski, RI	Y
Emily Gilbert (NMFS)	Y	John Pappalardo, MA	Y
Peter Hughes (MAFMC)	Y	Cheri Patterson, NH	Abs.
Patrick Keliher/Melissa Smith, ME	Y	Ritchie White, NH/ Toni Kearns (proxy)(ASMFC)	Y

Rationale: An in-season approach with an observer allows fishing opportunities to occur in a more cautious way reducing fishery impacts of costly, broadscale default closures. Monitoring the level of spawning fish as it comes onboard enables Captains to change fishing behavior and potentially move to a different area to stay under spawning tolerance limits. Requiring observer coverage will provide more data in this fishery, which is critical right now considering low herring biomass levels. Many details still need to be sorted out but including an alternative to large default closures is supported by the Committee at this time. An approach like this could be more balanced – the increased costs of monitoring could be offset by the benefits of collecting more data and maintaining controlled fishery access during spawning season.

OTHER BUSINESS (NMFS DRAFT PROCEDURAL DIRECTIVE ON APPLYING INFORMATION LAW TO ELECTRONIC DATA IN US FISHERIES)

Brett Alger gave an overview of the EM programs in place in the US and the draft policy under consideration. There were no Committee comments; the full Council will consider this draft policy at the June Council meeting.