



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*

Herring Committee Meeting

August 27, 2020

Develop Framework 8 – herring specifications for 2021-2023 and adjust measures in the Herring FMP that potentially inhibit the mackerel fishery from achieving optimum yield.

Motion 1: Smith/Patterson

Establish two alternatives under Section 3.1.1: Alternative 1, no action OFL/ABC for 2021-2023; and, Alternative 2, SSC recommendation for 2021-2023 OFL/ABC.

Rationale: This motion adopts already established procedures for setting catch limits (ABC control rule) that were developed and approved in Amendment 8. While the Council has not approved the SSC recommendation yet, it is expected to at the next Council meeting.

Vote: 11:0:0, 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	Y
Patrick Keliher/Melissa Smith, ME	Y	Ritchie White, NH (ASMFC)/ Toni Kearns (ASMFC proxy)	Y

Motion 2: Smith/Patterson

Establish two alternatives under RSA (Section 3.2.6): No Action (3% for 2021-2023) and a second alternative that would set RSA to 0% for 2022 only, maintain 3% of each sub-ACL for 2021; and 0% as a default for FY2023 to be revisited for 2023-2025 specifications.

Rationale: An RSA award has already been assigned for 2019-2021, RSA utilization data shows it is challenging to harvest herring RSA, the RSA program review may bring about modifications to this program, and the herring RSA program is out of sync with the herring specifications cycle. Taking a pause for one year will provide time to address these issues.

Vote: 11:0:0, 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	Y
Patrick Keliher/Melissa Smith, ME	Y	Ritchie White, NH (ASMFC)/Toni Kearns (ASMFC proxy)	Y

Motion 3: Smith/Hughes

Recommend the Council maintain the fixed-gear set-aside at 30mt (status quo).

Rationale: This fishery is tied to recruitment since it targets age2 fish, and with recruitment as low as it has been recently, this fishery is expected to be limited. Because this fishery targets young fish observation of this fishery can serve as an additional source of sampling recruitment trends. Maintaining some level of a set-aside recognizes the historical importance of this fishery in Maine.

Vote: 11:0:0, 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	Y
Patrick Keliher/Melissa Smith, ME	Y	Ritchie White, NH (ASMFC)/Toni Kearns (ASMFC proxy)	Y

Motion 4: Smith/Hughes

Establish three alternatives for carryover: Alternative 1, 10% automatic carryover (no action), Alternative 2, maintain the prohibition of automatic carryover of unharvested catch throughout the 2021-2023 specification package; and Alternative 3, allow for a 5% automatic carryover.

Rationale: The current prohibition on carryover approved in Framework 6 sunsets, so the no action option would revert to an automatic 10% carryover. Considering the status of the stock, finding a balance that allows for an increased contribution to the recovering biomass, but also benefit the depressed fishing industry, seeing rollover options for 5% and 10% would allow for a more informed decision. The intent of this motion is to cover fishing years 2019 and 2020 only, carryover into FY 2021 and FY2022.

Vote: 10:0:1, carries

Rick Bellavance, RI (Chair)		Matt McKenzie, CT	ABS
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	Y
Patrick Keliher/Melissa Smith, ME	Y	Ritchie White, NH (ASMFC)	Y

Motion 5: Griffin/Hughes

Add an alternative in Section 3.5 that would close the directed herring fishery at 90% of the Area 2 sub-ACL, with a 40,000 lb incidental limit until 98% of the herring sub-ACL in Area 2 has been reached. At 98% of the Area 2 sub-ACL, the incidental limit would revert to 5,000 lbs. This alternative would apply to Area 2 only.

Rationale: This motion was supported by the Advisory Panel and would add to the range of alternatives under consideration already. It includes a lower percent trigger (90%), and widens the range between triggers (90-98%), which is especially important under low quota conditions.

Vote: 7:2:0, carries

Rick Bellavance, RI (Chair)		Matt McKenzie, CT	N
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	Offline
Patrick Keliher/Melissa Smith, ME	N	Ritchie White, NH (ASMFC)/Toni Kearns (ASMFC proxy)	Offline

Motion 6: Smith/Gilbert

Develop an alternative in Section 3.5, for Areas 2 and 3 when estimated catch is 85% of a sub-ACL a herring possession limit is limited to 40,000 lbs., and at 98% of a sub-ACL the herring possession limit is reduced to 5,000 lbs for that area.

Rationale: This alternative was added to develop an alternative that adds more flexibility for nboth Area 2 and 3. This option also includes a wider range between triggers to provide more flexibility to access mackerel after the directed herring fishery is closed. The intent of this option would be to maintain the current possession limit trigger of 95% of the total ACL, if that is met a 2,000-pound possession limit would be implemented for all areas. This alternative could be selected with other alternatives in this section (Options A, B or C in Framework 8).

Vote: 5:4:0, carries

Rick Bellavance, RI (Chair)		Matt McKenzie, CT	Y
Vincent Balzano, ME	N	Dan McKiernan/Melanie Griffin, MA	N
Peter deFur (MAFMC)	Y	Scott Olszewski, RI	N
Emily Gilbert (NMFS)	Y	John Pappalardo, MA	Y

Peter Hughes (MAFMC)	N	Cheri Patterson, NH	Offline
Patrick Keliher/Melissa Smith, ME	Y	Ritchie White, NH (ASMFC)/Toni Kearns (ASMFC proxy)	Offline

Other Business

Melissa Smith asked NOAA Fisheries if Area 1A would reopen later in 2020 if it is determined that 1,000 mt of the management uncertainty buffer is available to revert back to Area 1A because catch in the New Brunswick weir fishery in Canada is less than the buffer considered. NOAA Fisheries is working with Canada to confirm landings and will respond as soon as possible.



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Herring AP Meeting

August 25, 2020

- **Develop Framework 8 – herring specifications for 2021-2023 and adjust measures in the Herring FMP that potentially inhibit the mackerel fishery from achieving optimum yield.**

Motion 1: Kaelin/O'Neill

Recommend the fixed-gear set-aside should be status quo for Framework 8, 30 mt.

Vote: 6:2:1, motion carries

JP Bilodeau	N	David Mussina	Y
Beth Casoni	Y	Gerry O'Neill	Y
Jeff Kaelin	Y	James Ruhle	absent
Ray Kane	Y	MaryBeth Tooley	N
Zach Klyver	Y		
Megan Lapp	abstain	<i>Bert Jongerden (if needed)</i>	

Motion 2: Lapp/Kaelin

To add an alternative for Area 2 only, that would close the directed herring fishery at 90% of the Area 2 sub-ACL, with a 40,000 lb incidental limit until 98% of the herring sub-ACL in Area 2 has been reached. At 98% of the Area 2 sub-ACL, the incidental limit would revert to 5,000 lbs.

Rationale:

The rationale would be to align the mackerel and herring fisheries (mackerel closes at 90%, with a 40,000 lb trip limit thereafter until 98% of the quota is reached, when the incidental limit drops to 5,000 lbs). Consistency is important and having a 40,000 lb limit for a longer period of time in the season would help continue the mackerel fishery for a longer period of time.

Vote: 9:0:0, motion carries

JP Bilodeau	Y	David Mussina	Y
Beth Casoni	Y	Gerry O'Neill	Y
Jeff Kaelin	Y	James Ruhle	absent
Ray Kane	Y	MaryBeth Tooley	Y
Zach Klyver	Y		
Megan Lapp	Y	<i>Bert Jongerden (if needed)</i>	

Motion 3: Kaelin/

Maintain the research set-aside at 3% of each sub-ACL for 2021-2023 in Framework 8.

Motion failed for lack of a second.

Motion 4: O'Neill/Tooley

Support automatic carryover of up to 10% of each sub-ACL for Framework 8.

Rationale: When the Council suspended carryover in 2018 the total ACL was going from large annual quotas to much lower quotas, now the situation is different, and the carryover is a much lower proportion of the total quota. The concerns that were present before about exceeding ACLs are not the case now.

Vote: 6:2:1, carries

JP Bilodeau	Y	David Mussina	N
Beth Casoni	Y	Gerry O'Neill	Y
Jeff Kaelin	Y	James Ruhle	absent
Ray Kane	abstain	MaryBeth Tooley	Y
Zach Klyver	N		
Megan Lapp	Y	<i>Bert Jongerden (if needed)</i>	

- **Other Business**

The state of Massachusetts is also sending correspondence to NOAA Fisheries about declaring the herring fishery a disaster, due to recent assessment results and reductions in quota.