



# New England Fishery Management Council

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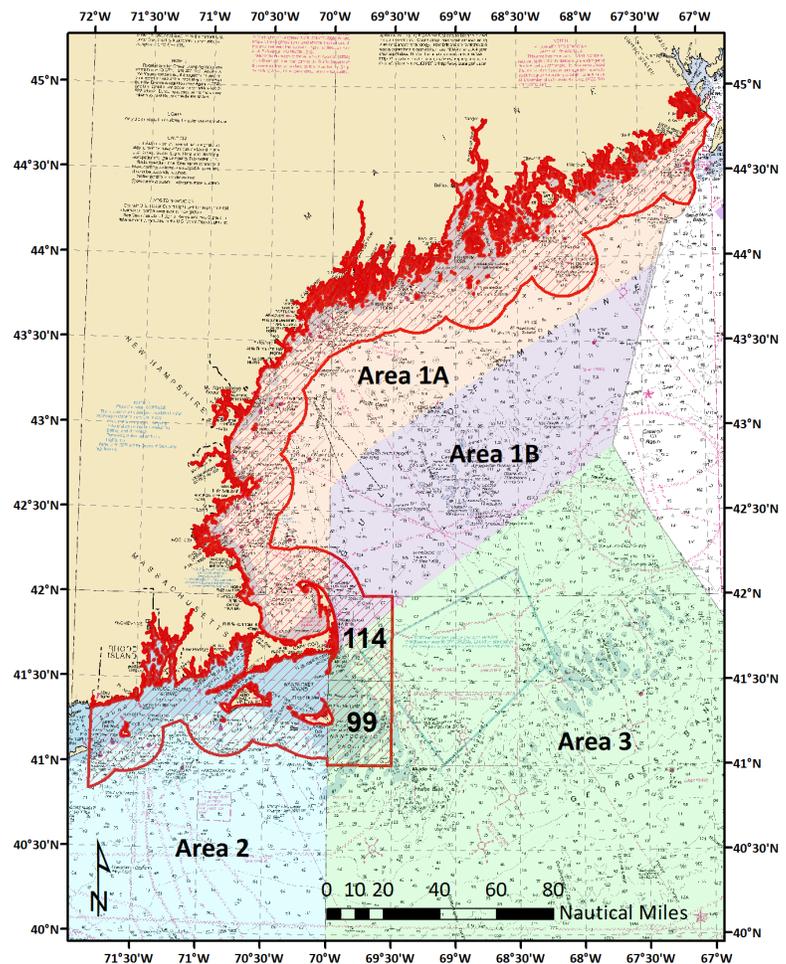
## Atlantic Herring: Council Approves Amendment 8 With New ABC Control Rule, Buffer Zone; Asks NMFS to Set 2019 Specs

On September 25 during its meeting in Plymouth, MA, the New England Fishery Management Council approved Amendment 8 to the Atlantic Herring Fishery Management Plan. The Council also asked the National Marine Fisheries Service (NMFS, NOAA Fisheries) to develop an in-season action to set 2019 specifications for the herring fishery.

### Amendment 8

Here are the two measures the Council approved for Amendment 8:

- **ABC Control Rule:** The acceptable biological catch (ABC) control rule is a formula that will be used to set annual catch limits. The Council considered close to a dozen alternatives that would allow different levels of fishing mortality depending on the estimated level of herring biomass in the ecosystem. In the end, the Council adopted a control rule that balances many objectives by capping overall fishing mortality at 80% of sustainable levels. Previously, fishermen were allowed to harvest up to 100% of sustainable catch levels. Under the proposed control rule, a portion of the available catch would be set aside to explicitly account for the important role of Atlantic herring as forage within the ecosystem. The new control rule also will better address uncertainty in year-to-year variation in biomass estimates. While the control rule will reduce catches in the near term, it has a lower probability of resulting in overfishing than previous methods used to set catch limits.



*The 12-nautical-mile buffer zone adopted by the Council runs from the Canadian border to Connecticut and includes blocks 114 and 99 eastward of Cape Cod. If approved by NMFS, midwater trawling would be prohibited inside this zone year-round. – NEFMC graphic*



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- **Potential Localized Depletion and User Conflicts – Buffer Zone:** The Council also considered numerous alternatives to address potential localized depletion and user conflicts in the Atlantic herring fishery. After carefully weighing all public comment and thoroughly debating the issue before a large crowd of stakeholders, the Council approved a blend of two modified alternatives, which resulted in the following. If approved by NMFS:
  - Midwater trawling would be prohibited year-round within 12 nautical miles of the territorial sea baseline from Maine to the 71° 51' W longitude line off Connecticut. The outer boundary of this “buffer zone” is the same as the territorial sea limit; and
  - Midwater trawling also would be prohibited year-round within two 30-minute squares eastward of Cape Cod, which are known as blocks 114 and 99. This second step essentially expands the width of the buffer zone to roughly 20 nautical miles east and southeast of the Cape (see map on previous page).

## What’s Next?

**Q:** Will Amendment 8 go into place immediately?

**A:** No. Even though the Council has cast its final votes on Amendment 8, Council staff and the Herring Plan Development Team need to finalize the document and submit the amendment to NMFS/NOAA Fisheries for review and potential approval.

**Q:** When will NMFS implement the amendment?

**A:** NMFS first will publish a proposed rule, and the public will have another opportunity to provide comments. The agency then will review those comments, approve or disapprove the amendment, and, if approved, publish a final rule. Timing for implementation of the final rule is uncertain but is expected sometime in 2019.



*The New England Council had a full house of stakeholders on hand during its deliberations in Plymouth, MA on September 25, 2018 on Amendment 8 to the Atlantic Herring Fishery Management Plan. – NEFMC photo*

## Amendment 8 goals

1. To stabilize the fishery at a level designed to achieve optimum yield;
2. To account for the role of Atlantic herring in the ecosystem, including its role as forage; and
3. To address potential localized depletion and potential user conflicts in the fishery, a goal that was added to Amendment 8 following the initial scoping period.

*Visit the Council’s Atlantic Herring Amendment 8 [webpage](#).*



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## Stock Status and 2019 Catch Limits

Before it began discussing Amendment 8, the Council received a [presentation](#) on the results of the new [benchmark stock assessment](#) for Atlantic herring. The assessment concluded that overfishing was **not** occurring, and the stock was **not** overfished.

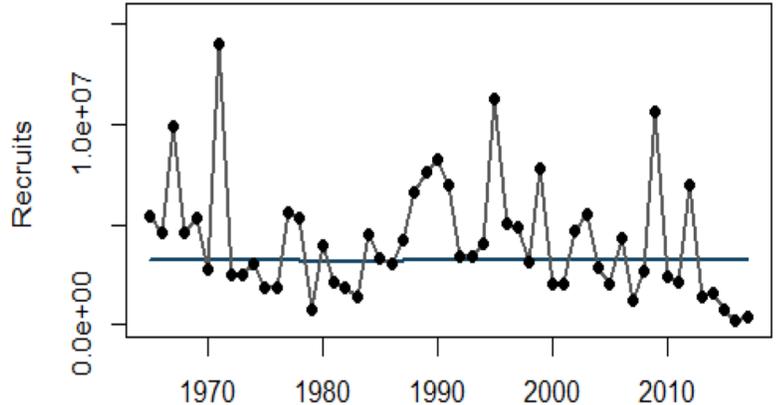
However, assessment scientists found that recruitment of age-1 fish “has been below average since 2013,” and four of the lowest recruitment estimates on record occurred in 2013, 2015, 2016, and 2017. Assessment scientists concluded, “If the recent estimates of poor recruitment are confirmed and continue into the future, projected stock status will continue to decline.”

The Council weighed this sobering information and then voted to ask NMFS to develop an in-season action to set 2019 catch limits. Although the Council is developing a new specifications package for 2019-2021, the Council recognized that NMFS may be able to act more quickly for fishing year 2019 and reduce the probability of overfishing.

Given the Council’s request, NMFS now will have the final say on how the 2019 catch limits are set. The Council asked the agency to:

- Use the most recent assessment and projections;
- Use the ABC control rule approved by the Council in Amendment 8;
- Maintain the sub-annual catch limits for herring management areas based on the same proportions as the 2016-2018 specifications package:
  - Area 1A = 28.9%
  - Area 1B = 4.3%
  - Area 2 = 27.8%
  - Area 3 = 39%
- Proportionally reduce the fixed gear set-aside for the weir fishery west of Cutler, ME, which is a very small fishery; and
- Set the border transfer at 0 mt. This provision allows U.S. vessels to transfer herring to Canadian vessels to be processed as food.

Atlantic Herring Recruitment 1975-2017



**ABOVE:** Recruitment of age-1 fish has been below average since 2013. For reference, the record high in the time series occurred in 1971 when the population contained an estimated 1.4 billion age-1 fish. Record lows were estimated for 2016 and 2017, when estimates were 1.7 million and 3.9 million age-1 fish respectively.

– NEFSC, SAW/SARC graphics



Atlantic Herring (*Clupea harengus*). – NOAA Fisheries graphic

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The Council will continue working on specifications for fishing years 2020 and 2021.