



# New England Fishery Management Council

FOR IMMEDIATE RELEASE  
October 7, 2021

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## Atlantic Herring: Council Approves Stock Rebuilding Plan and Adjustments to Accountability Measures in Framework 9

During its [September 28-30, 2021](#) webinar meeting, the New England Fishery Management Council selected preferred alternatives for Framework Adjustment 9 to the Atlantic Herring Fishery Management Plan (FMP) and then voted to submit the framework to NOAA Fisheries for review and implementation.

The framework contains two components:

- A stock rebuilding plan for Atlantic herring; and
- Adjustments to accountability measures that are triggered when overages to catch limits occur in individual herring management areas.

**Stock Rebuilding Plan:** The Council received [a letter](#) from NOAA Fisheries on October 13, 2020 saying the agency “formally determined that the Atlantic herring stock is overfished based on the [best scientific information available](#).”

The Council was given two years from the date of the letter to develop a rebuilding plan that could be implemented by NOAA Fisheries within that timeframe, as required by the Magnuson-Stevens Fishery Conservation and Management Act.

The Council’s Herring Committee initially developed three rebuilding alternatives for this action, and the [Scientific and Statistical Committee](#) reviewed the technical basis of the projections that were prepared to evaluate the alternatives. In mid-September, the Herring Committee added [another alternative](#), known as 3A, for the Council to consider. The options presented to the full Council are summed up in the Framework 9 [Decision Document](#).

Aside from “no action,” which was not a viable alternative given the letter from NOAA Fisheries, the Council had two distinct paths to choose from: (a) use the acceptable biological catch (ABC) control rule that was developed under [Amendment 8](#) to guide the rebuilding program; or (b) go with a constant fishing mortality rate target that would remain fixed – regardless of increases or decreases in biomass – for seven or five years depending on which alternative was selected.



– Massachusetts Division of Marine Fisheries photo



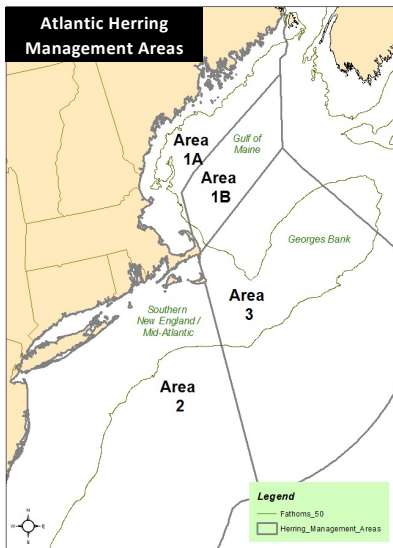
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After weighing the biological and human community impacts of the alternatives and following considerable discussion, the Council voted to use the ABC control rule as the basis for the rebuilding program.

## Accountability Measures

The Atlantic Herring FMP includes accountability measures (AMs) to address overages of the annual catch limit (ACL) and sub-ACLs, along with other measures to deal with underage and carryover.

The Council voted to modify one of the reactive AMs to address times when a sub-ACL for an individual herring management area is exceeded but the overall ACL for the fishery is not.



If approved by NOAA Fisheries, Framework 9 will specify that sub-ACL overages of less than 10% will not have a payback provision. Overages equal to or greater than 10% of a sub-ACL will be subject to a pound-for-pound payback of any catch that exceeds the 10%.

If the **total** ACL for the fishery is exceeded, then a pound-for-pound payback will be required for the full overage amount. Paybacks will be deducted from future specifications.

To prevent overfishing, this measure maintains the in-season AM that closes the directed fishery when catch reaches a sub-ACL or the total ACL.

➤ All meeting materials used during the Council's Framework 9 discussion are available [here](#). Also, visit the Council's [herring webpage](#).

## How Does the ABC Control Rule Work?



The Council conducted a Management Strategy Evaluation (MSE) to support the development of ABC control rule alternatives. This process involved upfront public input and technical analysis to weigh the tradeoffs of various herring control rules before the full range of alternatives was developed in [Amendment 8](#). The MSE process included two public workshops in 2016, a peer review of the MSE in 2017, and a [final debrief](#) of the process in 2019.

As a result of this process, the [Council selected](#) a new ABC control rule under Amendment 8. This control rule will be maintained for the rebuilding program in Framework 9. It works by allowing the fishing mortality rate to fluctuate with the highs and lows of the biomass. The control rule caps fishing mortality at 80% of the fishing mortality rate at maximum sustainable yield (MSY).

Because of this, the control rule:

- Has a low risk of overfishing and is expected to help stabilize the fishery in the long term; and
- Recognizes the important role of herring in the ecosystem as forage for predators and as an important source of revenue for fishing communities in the Northeast, including the lobster fishery that uses herring as bait.

When biomass is low, the allowable fishing mortality rate declines linearly.