



## 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*

# MEETING SUMMARY

## Herring Committee

Four Points – Wakefield, MA

September 14, 2017

The Herring Committee met on September 14, 2017 in Wakefield, MA primarily to review draft analyses of ABC control rule alternatives being considered in Amendment 8 and potentially identify preferred alternatives. In addition to Amendment 8, the AP and Committee will also discuss initial recommendations for 2018 work priorities for the Atlantic Herring FMP, as well as discuss if there are any regulations in the Herring FMP that could be eliminated, improved, or streamlined based on recent Executive Orders from President Donald Trump.

**MEETING ATTENDANCE:** Mr. Peter Kendall (Chairman), Mr. Vincent Belzano, Mr. Rick Bellavance, Mr. Peter Christopher (NMFS/GARFO), Dr. Cate O’Keefe, Mr. John Pappalardo, Ms. Melissa Smith, Mr. Peter Hughes, Dr. Matt Mckenzie, Mr. Scott Oslzewski, and Mr. Terry Stockwell. The Committee was supported by Council staff members Ms. Deirdre Boelke and Dr. Rachel Feeney; Ms. Carrie Nordeen (NMFS/GARFO); and Mr. Mitch MacDonald (NOAA General Counsel). In addition, about a dozen members of the public attended.

### **KEY OUTCOMES:**

- Staff reviewed the Affected Environment prepared for Amendment 8 as well as a list of outstanding issues related to Amendment 8 alternatives.
- Contractors presented the MSE results to the Committee.
- The group has an initial discussion of 2018 herring work priorities.
- Identified herring regulations that could potentially be eliminated, improved, or streamlined for recent Executive Orders.

### **Amendment 8 ABC Control Rule**

#### **1. Stockwell/Balzano**

Recommend to the Council that Amendment 8 be clarified so that future modifications to the herring ABC control rule could be made by framework action or amendment.

Modifications to the ABC control rule would be added to the list of frameworkable items.

***Vote: 9:1:0, carries***

## 2. Hughes/O'Keefe

For the ABC control rule timeframe, the Committee recommends the Council identify Alternative 1 as the preferred alternative; set ABC at the same level for three years at a time (Section 2.1.2.1).

**Vote: 9:0:1**

## 3. O'Keefe/Hughes

The Committee clarified the intent of many of the localized depletion measures; they are designed to restrict vessels fishing for herring with mid-water trawl gear.

**Vote: 7:0:3, carries**

### **Potential 2018 Herring Work Priorities**

## 4. Stockwell/Balzano

Committee recommends the Council consider Herring AP Motion #7 for potential 2018 Herring work priorities.

*“the Council consider adding an item to the list of potential work priorities for 2018 to complete an analysis of whether statistical area 521 should be stratified for estimating river herring bycatch catch caps. If this can be added to the 2019-2021 specifications that could be a possible vehicle.”*

**Vote: 9:0:1, carries**

### **Input on Executive Order to Reduce Federal Regulations**

## 5. O'Keefe/Pappalardo

Committee recommends the Council consider adding the items below to a list of potential regulations to reduce regulatory costs, which are a subset of recommendations developed by the Herring Advisory Panel:

- Pre landing VMS notification requirement 6 hours before landing  
*(AP Explanation: some trips are less than 6 hours and there seems to be very low enforcement at the dock anyway. While vessels fishing less than 6 hours from port just need to notify as soon as they are done fishing and heading back to port, this notification requirement seems to have low utility because it does not seem to generate much coordination with enforcement).*
- Prohibition on operational discards in GF closed areas  
*(AP Explanation: In many cases, operational discards are unavoidable; prohibiting operational discards is not practical because it is not possible to get every last fish out of the gear during fishing operations (i.e. a very small amount*

*of fish remain in the gear that are not landed). The prohibition on discards while in GF closed areas puts vessels in the position of being out of compliance on every trip).*

- *Herring possession limits on non-directed fishing trips limits the mackerel fishery (AP Explanation: The 2,000 pound limit on herring is not sufficient enough to prosecute mackerel).*

***Vote: 4:2:2, carries***