



## New England Fishery Management Council

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

## MEETING SUMMARY

### Herring Committee

Webinar

June 9, 2020

The Herring Committee met on June 9, 2020 at 1:30 PM via webinar primarily to continue development of Framework 7 and Framework 8 and several other business topics.

**MEETING ATTENDANCE:** Peter Kendall (Chair), Rick Bellavance (Chair), Vincent Balzano, Peter deFur, Emily Gilbert (GARFO), Richie White, Melissa Smith, Melanie Griffin, Cheri Patterson, Scott Olszewski, John Pappalardo, Matthew McKenzie, Terry Stockwell, and Peter Hughes; Bert Jongerden (Advisory Panel Chair); Deirdre Boelke (PDT Chair), Rachel Feeney (NEFMC staff); Mitch MacDonald and Aly Pitts (GARFO staff). In addition, about 15 others attended.

#### **KEY OUTCOMES:**

- For Framework 8, develop alternatives
- For Framework 7, develop alternatives
- Other Business – introduction to NROC/MARCO/RODA fishery dependent data project and request for feedback
- Other Business - introduction of the Executive Order on Promoting Seafood Competitiveness and Economic Growth).

#### **OPENING REMARKS**

There were no changes to the agenda.

- **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/Griffin**

Recommend the Council include the same alternatives for management uncertainty options considered in Framework 6: No Action, 3-year average, 5-year average, and 10-year average of New Brunswick weir catch.

*Rationale: This range of options allowed for a full analysis of the data and to see changing trends. Replication of this work will update managers on any changes that may have occurred since 2018.*

Vote: 12:0:0, carries

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

**Motion 2: Smith/Patterson**

Recommend the Council include two alternatives for Border Transfer: Alternative 1 is no action (100 mt) and Alternative 2 is a range of 0 to 250 mt.

*Rationale: Allows for an update of activity. Can re-assess need.*

Vote: 13:0:0, carries

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

**Motion 3: Hughes/Balzano**

Recommend the Council include two alternatives in Framework 8 for Incidental Herring Catch Limit, Include Option A – No Action (2,000 lbs.) and Option B – 40,000lbs. herring trip limit. The increased possession limit would be limited to Areas 1B, Area 2 and Area 3 only. The possession limit would be triggered at the current thresholds of 92% of a sub-ACL or 95% of the total ACL. And when the herring fishery is estimated to catch 95% of a sub-ACL or 98% of the total herring ACL a 2,000 lb. incidental possession limit would be implemented in that area.

<b>Option B</b>	Sub-ACL	Total ACL
STEP 1	40,000 lb. poss limit at 92%	40,000 lb. at 95%
STEP 2	2,000 lb. poss limit at 95%	2,000 lb. at 98%

*Rationale: Other options presented by the PDT create unnecessary management complexity. With herring at low ACLs it is economically beneficial to manage the Area 2 ACL for incidental catch in the mackerel fishery. Increasing buffers for management uncertainty is impracticable for the volume nature of these fisheries. This option would better align measures with the mackerel plan.*

Vote: 11:1:0, carries

Peter Kendall (Chair)		Matt McKenzie, CT	Y
Rick Bellavance, RI (VC)	Y	Dan McKiernan/Melanie Griffin, MA	Y
Vincent Balzano, ME	Y	Scott Olszewski, RI	Y
Peter deFur (MAFMC)	Y	John Pappalardo, MA	Y
Emily Gilbert NMFS)	Y	Cheri Patterson, NH	Y
Peter Hughes (MAFMC)	Y	Terry Stockwell, ME	offline
Patrick Keliher/Melissa Smith, ME	N	Ritchie White, NH (ASMFC)	Y

**Motion 4: Smith/Patterson**

Recommend the Council include another alternative in Framework 8 for Incidental Herring Catch Limit: Implement a two-step incidental possession limit similar to the mackerel plan:

1. Step 1: When 90% of a herring sub-ACL is estimated to be caught, a herring incidental catch limit is established between a range of 5,000 lbs to 20,000 lbs.
2. Step 2: When 95% of a herring management area sub-ACL, or 95% of the total herring ACL is estimated to be caught, the herring incidental catch limit reduces to 2,000 lbs.

The increased possession limit would be limited to Areas 1B, Area 2 and Area 3 only.

*Rationale: The two step program model as implemented in the Mackerel FMP reduces risk of overshooting either sub-ACLs or total ACLs. Also, trips are executed by a variety of permits. Considering Category C permits have a 25 mt (about 55,000 lb) possession limit, an incidental limit of 40,000 lb. seems excessive. As mentioned today, 20,000 pounds would still allow for the completion of most trips after a directed herring fishery closure in step 1 (as described in the example for Area 2).*

Vote: 10:3:0, carries

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

**Motion 5: Hughes/Balzano**

Recommend the Council include two alternatives in Framework 8 under Seasonal Closures for Area 1B, include No Action (area closed Jan-Apr) and Eliminate seasonal closures in that Area.

*Rationale: The seasonal closure decision was based on more efficient utilization of the Area 1B sub-ACL. The primary management tool for conservation of river herring is the bycatch cap.*

Vote: 12:1:0, carries

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

**Motion 6: Hughes/Smith**

Request the PDT complete additional analyses to support analysis of Framework 8: 1) determine the frequency of use of VMS declaration codes (table 1, page 5 of PDT memo on Framework 8) for each year 2016-2019 individually; 2) determine the amount of herring landed in directed mackerel trips, for each year 2016-2019; and 3) evaluate RSA data for identifying herring incidental possession limits, to the extent possible.

*Rationale: Desire to better understand how much herring is being landed on mackerel trips.*

Vote: 13:0:0, carries

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

**Motion 10: Hughes/Bellavance**

Request the PDT investigate whether an option could be developed in Framework8 that would impose a herring possession limit potentially based on the VMS declaration code a vessel declares into.

Vote: 12:0:0, carries

Peter Kendall (Chair)		Matt McKenzie, CT	-
Rick Bellavance, RI (VC)	Y	Dan McKiernan/Melanie Griffin, MA	Y
Vincent Balzano, ME	Y	Scott Olszewski, RI	Y
Peter deFur (MAFMC)	Y	John Pappalardo, MA	Y
Emily Gilbert NMFS)	Y	Cheri Patterson, NH	Y
Peter Hughes (MAFMC)	Y	Terry Stockwell, ME	Y

Patrick Keliher/Melissa Smith, ME	Y	Ritchie White, NH (ASMFC)	Y
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- **Develop Framework 7 - protect spawning of Atlantic herring on Georges Bank**

**Motion 7: Hughes/Balzano**

Defer additional work on Framework 7 until the full suite of regulatory actions in the herring fishery are fully implemented (i.e. IFM Amendment and Amendment 8).

Vote: 2:10:1, fails

Peter Kendall (Chair)		Matt McKenzie, CT	N
Rick Bellavance, RI (VC)	N	Dan McKiernan/Melanie Griffin, MA	N
Vincent Balzano, ME	Y	Scott Olszewski, RI	N
Peter deFur (MAFMC)	N	John Pappalardo, MA	N
Emily Gilbert NMFS)	ABS	Cheri Patterson, NH	N
Peter Hughes (MAFMC)	Y	Terry Stockwell, ME	N
Patrick Keliher/Melissa Smith, ME	N	Ritchie White, NH (ASMFC)	N

**Motion 8: Smith/White**

Request the PDT continue working on Framework 7 alternatives with additional tasking items:

- 1) Recommend the PDT consider developing an alternative that would allow a tolerance of harvest of spawning fish;
- 2) PDT continue spatial analyses in Section 4.2.1 to include Options 1 and 2 only (See PDT memo of Framework 7 for more information).
- 3) To maintain closure length and default date options 1 and 2 in Framework 7 for further consideration.

Vote: 13:0:0, carries

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

**Motion 9: Smith/Hughes**

Support including an alternative in Framework 7 that would require a review of measures implemented by this action.

Vote: 13:0:0, carries

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

- **Other Business**

**No Motions**