

2016-2018 Atlantic Herring Fishery Specifications

Action Plan

Council: New England Fishery Management Council

Fishery: Atlantic Herring Fishery Management Plan (FMP)

Title of Action: 2016-2018 Atlantic Herring Fishery Specifications Package¹

Scope: Atlantic herring fishery specifications and river herring/shad (RH/S) catch caps

Problem Statement/Objective of Action:

This action will set specifications and RH/S catch caps for the Atlantic herring fishery for the 2016-2018 fishing years (January 1, 2016 – December 31, 2018). The Atlantic Herring FMP requires the New England Fishery Management Council to develop annual specifications for the Atlantic herring fishery. The Herring FMP mandates that Atlantic herring sub-annual catch limits (sub-ACLs) be distributed among four herring management areas on an annual basis. Amendment 1 to the Herring FMP (2006) established a process that allows the Council to set multi-year (up to three fishing years) specifications. Amendment 4 (2010) modified and streamlined the specifications process and implemented provisions for annual catch limits (ACLs) and accountability measures (AMs). Framework 2 paralleled the 2013-2015 Atlantic herring fishery specifications and authorized the Council to split Atlantic herring sub-ACLs seasonally (by month) during the specifications process. It also establishes a general policy for authorizing annual carryover of unutilized sub-ACL (up to 10%) under specific conditions. Framework 3 (November 2014) authorized the Council to set annual area-based and gear-based catch caps for RH/S and to modify provisions related to the RH/S catch caps in the Atlantic herring fishery specifications package.

The need for this action is to specify the overfishing level and allowable biological catch for the Atlantic herring fishery, and to set specifications for the 2016-2018 fishing years consistent with the best available science and the requirements of the Atlantic Herring FMP, while promoting the full utilization of optimum yield (OY). The requirement to set multi-year specifications is also needed to prevent overfishing and, pursuant to the requirements of the MSA, ensure that the Atlantic herring management program addresses and minimizes bycatch to the extent practicable.

¹ Years TBD depending on resolution of Atlantic herring operational assessment issues.

Likely Range of Alternatives:

Atlantic herring fishery specifications for the 2016-2018 fishing years will include:

- Overfishing limit (OFL);
- Acceptable Biological Catch (ABC) for the 2016-2018 fishing years (based on recommendations from the Council’s Scientific and Statistical Committee);
- Specification of management uncertainty for the 2016-2018 fishing years;
- Stockwide Atlantic herring Annual Catch Limit (ACL)/Optimum Yield (OY);
- Domestic Annual Harvesting (DAH); Domestic Annual Processing (DAP); U.S. At-Sea Processing (USAP); Border Transfer (BT);
- Options for management area sub-ACLs and seasonal (monthly) sub-ACL splits;
- Research Set-Asides (RSAs); Fixed Gear Set-Asides (FGSAs); and
- Options for RH/S Catch Caps (area-based and gear-based).

Type of NEPA Analysis (CE/EA/EIS):

This action is expected to require an Environmental Assessment (EA). A formal determination will be made once the range of alternatives is identified and analyzed.

Type of ESA Consultation Expected (Informal/Formal):

This action is expected to have an informal ESA consultation.

Applicable Laws/Issues:

<i>Magnuson-Stevens Fishery Conservation and Management Act:</i>	Typical issues and analyses expected at this time
<i>Administrative Procedure Act:</i>	Typical issues and analyses expected at this time
<i>National Environmental Policy Act:</i>	Typical issues and analyses expected at this time
<i>Regulatory Flexibility Act:</i>	Typical issues and analyses expected at this time
<i>Paperwork Reduction Act:</i>	Typical issues and analyses expected at this time
<i>Coastal Zone Management Act:</i>	Typical issues and analyses expected at this time
<i>Endangered Species Act:</i>	Typical issues and analyses expected at this time
<i>Marine Mammal Protection Act:</i>	Typical issues and analyses expected at this time
<i>E.O. 12866 (Regulatory Planning and Review)</i>	Typical issues and analyses expected at this time
<i>E.O. 13132 (Federalism):</i>	Typical issues and analyses expected at this time

Herring Plan Development Team Membership and Other Individuals:

Herring PDT Chair/ NEFMC Project Manager: Lori Steele, NEFMC Staff

	Organization	Name	Responsibility
Plan Development Team	NEFMC	Lori Steele	Chair of Herring PDT, Herring FMP Coordinator Primary responsibility for development of document, EA, and other related documents
	NEFMC	Rachel Feeney	Assist with writing sections re. Fishery Impacts/Social Impact Assessment
	NMFS GARFO Sustainable Fisheries Division	Carrie Nordeen	Primary point of contact in NMFS for Herring FMP Identify potential policy, regulatory, and administrative issues during development and review Support with data needs and development of document
	NMFS GARFO Analysis & Program Support Division	Brant McAfee	Support Herring PDT data requests Provide catch data to develop options for herring ACLs and RH/S catch caps Identify potential monitoring issues during development and review
	NMFS GARFO NEPA	Tim Cardiasmenos	Review document for completeness in terms of NEPA requirements during development and review
	NEFSC Population Dynamics Branch	Jon Deroba	Technical work associated with stock assessment OFL/ABC projections Consultation on development of measures and assist in writing biological impact analyses
	NEFSC Social Sciences Branch	Min-Yang Lee	Complete fishery/economic data requests for the PDT Develop/write Economic Impact Analyses and impacts on fishery participants Provide RIR/RFA analyses incl. Summary of economic impacts
	Maine DMR	Matt Cieri	Provide State fishery and biological data as needed Consultation on development of measures and biological impact analyses
	Mass. DMF	Micah Dean	Portside sampling data assimilation/analysis Technical work for developing RH/S catch cap alternatives Consultation on development of measures and biological impact analyses
	NHFG	Renee Zobel	Provide State fishery and biological data as needed Consultation on development of measures and biological impact analyses
	MIT Sea Grant	Madeleine Hall-Arber	Consultation on socio-economic elements of document and fishery/social impact assessment
NEFSC Fisheries Sampling Branch	Sara Weeks	Complete observer program data requests Identify potential monitoring/observer program issues during development and review Consultation on development of measures and impact analyses	

	Organization	Name	Responsibility
Other Individuals	NEFMC	Michelle Bachman	Development of background information and analyses of impacts on the physical environment and EFH
	NMFS GCNE	Mitch MacDonald	Consultation on potential legal issues and questions
	MAFMC	Jason Didden	Consultation/coordination with Mid-Atlantic Council to address overlapping issues with mackerel fishery
	ASMFC	Melissa Yuen, Marin Hawk	Consultation/coordination with ASMFC for state-federal overlapping issues
	NMFS GARFO Protected Spec. Div.	Danielle Palmer	Consultation on background information and analysis of impacts on protected resources
	NMFS GARFO SFD	Carly Bari	Primary GARFO contact for MAFMC MSB FMP Consultation/coordination for overlapping issues with mackerel fishery
	Others TBD		

NMFS Implementation Team Membership:

Implementation Team Chair: Carrie Nordeen, GARFO Staff

Organization	Name	Responsibility
NMFS GARFO SFD	Carrie Nordeen	Implementation Team Chair; primary GARFO contact for 2016-2016 Atlantic herring specifications
NMFS GARFO Analysis & Program Support Division (APSD)	Brant McAfee	Tracks harvest of herring and river herring/shad against harvest limits
NMFS GARFO Information and Resource Mgmt. (IRM)	Dean Szumylo	Would assist with any changes to management area boundaries
Others TBD		

Implementation Team Issues:

- Enforcement:* TBD
- Information Resource Management (IRM):* TBD
- Statistics:* TBD
- Observer Coverage:* TBD
- Administrative issues/costs:* TBD
- Regulatory clarification/simplification:* TBD
- Data Requirements:* TBD
- VMS:* TBD
- Protected Resources:* TBD
- Plan for How to Measure the Effectiveness of the Action:* TBD
- Other:* TBD

Worksheet 1: Herring PDT Resources and Work Schedule

Note: These are the Herring PDT resources anticipated from January 1, 2015 forward.

2016-2018 Atlantic Herring Specifications Package	Specific Needs	Primary Herring PDT Participation	Start	End	Duration
RH/S Catch Caps	Compile catch, observer and portside sampling data through 2015; estimate recent RH/S catch	Dean, Cieri, McAfee, Weeks, Steele, Lee, Feeney, Hall-Arber	Jan 2015	Aug 2015	6-8 mos.* <i>*analyses of options may take longer (see below)</i>
	Develop 2016-2018 RH/S catch cap options				
	Analyze impacts of RH/S catch cap options				
Stock Assessment Results	Present stock assessment results to PDT/SSC, prepare report and projections/analyses	Deroba, Cieri, Dean, Steele	July 2015	Sept 2015	2 mos.
	Develop options for ACLs/sub-ACLs and related analyses	Deroba, Cieri, Dean, Steele, Zobel, other PDT	July 2015	Oct 2015	3-4 mos.
Sub-ACL Analysis	Develop analysis to compare impacts of sub-ACL options	Dean, Cieri, Zobel, Steele, other PDT	Aug 2015	Dec 2015	5 mos.
2016-2018 Specs Document/ EA Preparation	Develop draft specs document; develop background information and options for other specs	Steele, Nordeen, Cardiasmenos, other PDT	Aug 2015	Dec 2015	5 mos.
	Prep for PDT, AP, and Committee meetings	Steele	Aug 2015	Nov 2015	4 mos.
Biological Analyses	Develop analyses of impacts on herring resource (projections, catch levels)	Deroba, Cieri, Dean, Zobel, Steele	Aug 2015	Nov 2015	4 mos.
Impacts on RH/S	Develop analyses of impacts on RH/S (specs and catch caps)	Dean, Cieri, Deroba, Zobel, Steele	Aug 2015	Dec 2015	5 mos.
Fishery/Social and Economic Impacts	Impacts of specs on Fishery-Related Businesses and Communities	Lee, Feeney, Hall-Arber, Steele	Aug 2015	Dec 2015	5 mos.
Other Analyses for Specs Package	Impacts of specs on Non-Target Species, EFH, Protected Resources	Steele, Bachman, Palmer, Weeks, Nordeen	Oct 2015	Dec 2015	3 mos.
	Cumulative Effects Analysis	Steele, Nordeen, Cardiasmenos	Dec 2015	Jan 2016	1 month

2016-2018 Atlantic Herring Fishery Specifications Package – Work Schedule

JAN-JUNE 2015	
Jan-June	Herring PDT compiles fishery data – Atlantic herring catch, observer coverage, RH/S catch, etc. – to be utilized for development of alternatives/options and analyses in specifications package
Jan-June	Herring PDT provides input to EBFM PDT and SSC as needed to develop guidance re. Herring ABC CR Alts in Amendment 8
JUNE 2015	
June	Herring PDT reviews Atlantic herring operational stock assessment results and begins preparing for SSC discussion of 2016-2018 ABC specification ²
June 16-18	NEFMC – receive herring assessment results, EBFM Report, Risk Policy Working Group Report, and Amendment 8 scoping comments; discuss development of range of ABC CR Alternatives in Amendment 8 (and discuss 2016-2018 ABC specification)
JULY-AUGUST 2015	
July-August	Herring Committee/AP discuss ABC and management uncertainty, and develop alts/options for sub-ACLs and RH/S catch caps
Late Aug (or early Sept)	SSC reviews stock assessment and develops recommendations for 2016-2018 Atlantic Herring ABC specification
SEPTEMBER 2015	
Mid/Late Sept	Herring Committee/AP review PDT Report and SSC recommendations; develop recommendations re. ABC, management uncertainty, and range of options for sub-ACLs and catch caps
SEPT 29-OCT 1	NEFMC – review SSC recommendations for ABC, select Preferred Alternative for ABC, specify 2016-2018 management uncertainty, and identify range of options for sub-ACLs and RH/S catch caps
OCTOBER-NOVEMBER 2015	
OCT-NOV	Herring PDT develops analysis of sub-ACL options, RH/S catch cap options, and other specifications; prepares Draft 2016-2018 Specifications Package
Late Nov	Herring Committee/AP develop recommendations re. final 2016-2018 Atlantic herring fishery specifications
DECEMBER 2015	
DEC 1-3	NEFMC – select final 2016-2018 Atlantic herring fishery specifications, including sub-ACLs and RH/S catch caps
JANUARY-FEBRUARY 2016	
Mid-Jan	Preliminary submission of 2016-2018 Atlantic herring fishery specifications package
MARCH-APRIL 2016	
March	NEFMC staff receives NMFS' comments and makes revisions to specifications package
April	Final Submission of 2016-2018 Atlantic herring fishery specifications package
MAY 2016	
May	Proposed Rule for 2016-2018 Atlantic herring fishery specifications published
JULY 2016	
July	Final Rule for 2016-2018 Atlantic herring fishery specifications published
AUGUST 2016	
August	2016-2018 Atlantic herring fishery specifications implemented

² See Report from December 22, 2014 Assessment Oversight Panel Webinar.

Worksheet 2: Timeline for Development/Review/Implementation of 2016-2018 Atlantic Herring Fishery Specifications

*Includes development of Amendment 8 to the Atlantic Herring FMP, which will implement a long-term ABC Control Rule for Atlantic herring.

Herring Priorities	2015												
	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	
2016-2018 Atlantic Herring Fishery Specifications	Herring PDT compiles fishery data for 2016-2018 specs package and begins developing information for RH/S catch cap and herring sub-ACL options; Herring PDT provides input to EBFM PDT/CTE and SSC re. ABC CR alts for Amendment 8				Atlantic Herring Operational Stock Assessment (update) (Results presented to NEFMC in June)		Herring Committee/AP review assessment results, ID management uncertainty, develop alts/options for 2016-2018 specs/sub-ACLs and RH/S catch caps		NEFMC Mtg (late Sept) - SSC Report, Select 2016-2018 ABC, ID management uncertainty, ID options for sub-ACLs and RH/S catch caps		Herring PDT analyzes options for specifications, Herring Committee/AP develop final recs		NEFMC Mtg (Dec 1) - Select Final 2016-2018 specs
									*SSC Meeting (early Sept) - Develop recs re. 2016-2018 ABC/ABC CR				
AMENDMENT 8 Herring ABC CR	NEFMC Mtg - Approve Am 8 Scoping Document		Am 8 Scoping: March-May, once NOI is published				NEFMC Mtg (June 16) - Stock assessment Results, EBFM and RPWG Reports, review Am 8 scoping comments, preliminary discussion re. range of ABC CR Alts		Herring Committee/AP develop range of alts for Am 8 ABC CRs (as time permits, during development of specs)				NEFMC Mtg (Dec 1) - Approve range of ABC CR alternatives for further analysis in Am 8 (fallback Jan 2016)
	Herring PDT/EBFM PDT Planning Meeting (January 5)		EBFM PDT Meetings (January - April) RPWG Meetings (Feb. 9 and March/April)		EBFM Committee Meeting (mid/late May or early June) Review PDT Recs and SSC Feedback (possibly joint with Herring Committee)				Herring PDT Meetings - develop information/analyzes for 2016-2018 specifications package and support development of Am 8 ABC CR Alts				
					*SSC Meeting for input on EBFM and RPWG work (mid/late May)								
Herring Priorities	2016												
	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	
2016-2018 Atlantic Herring Fishery Specifications	2016-2018 Specs Package Preliminary Submission			2016-2018 Specs Package Final Submission	Proposed Rule for 2016-2018 Specifications			Final Rule for 2016-2018 Specifications	2016-2018 Specifications Implemented				
AMENDMENT 8 Herring ABC CR			Herring AP/Committee review Draft Am8/DEIS, recommend preferred alternative	NEFMC Mtg - Review Draft Am 8 and Select Preferred Alts (fallback June 2016)	Am8 DEIS submitted NEPA comment period begins	Public Comment period for Amendment 8		Herring AP/Committee develop final recs on Am8	NEFMC Mtg - Review public comments, Committee recs, and select Final Amendment 8 measures (fallback Nov 2016)	Amendment 8 preliminary submission		Amendment 8 Final Submission late 2016/early 2017	
	Herring PDT analyzes range of alts in Am 8 and develops Draft EIS						*Possible SSC Meeting for comments/input on Am 8 (TBD)		Herring PDT develops Final Am8 EIS				

Action Plan Versions:

Version	Date	Author	Change Description
1	November 7, 2014	Lori Steele	Initial Action Plan following Herring PDT (10/29/2014), prepared for NEFMC November 2014 meeting, following Herring AP/Committee review of 10/31/14 preliminary draft and discussion of 2015 management priorities (11/3/2014 and 11/4/2014)
2	January 5, 2015	Lori Steele	Action Plan redrafted to reflect Council's decision to address Atlantic herring ABC control rule separately through Amendment 8
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