



# **Public Comment Summary on Draft Addendum I to the Interstate Atlantic Herring FMP**

Presented to the Atlantic Herring Section  
May 2017

# Agenda



## Part I. Addendum I

- Review public hearing comments on the 6 management options
- LEC public comment
- AP public comment

## Part 2: Scoping Questions

- Review sentiments from the public hearings
- AP public comment

# Addendum I Timeline



<b>October 2016</b>	Atlantic Herring Section initiates Draft Addendum I
<b>January 5</b>	Working group meeting in NH
<b>January 31</b>	Section reviews Draft Addendum I and considers its approval for public comment.
<b>March-April 2017</b>	Section solicits public comment on Draft Addendum I (and scoping questions). States conduct public hearings.
<b>May 8, 2017 1 – 2:30 p.m.</b>	<ul style="list-style-type: none"><li>- Section reviews public comment, selects management options and considers final approval of Addendum I.</li><li>- Section reviews public comment on the scoping questions.</li></ul>
<b>June 2017?</b>	Provisions of Addendum I are implemented by states

# Statement of the Problem



- In recent years, the Area 1A Trimester 2 (June – Sept) fishery has harvested herring at a rate that if left unrestricted would exceed the seasonal quota in weeks, not months.
- Increase in fishing effort and vessel capacity
- Decrease of readily available herring in Area 3
- Attempts to spread the Trimester 2 quota have proved to be ineffective.
- Maine implemented more restrictive measures in 2016

# Purpose



The intent of this addendum is to develop additional management measures to ensure the seasonal quota is spread throughout the entirety of Trimester 2, are consistent between the states, and address excessive capacity.

# # of Participants



## Public Hearings

- Maine: 42
- New Hampshire: 28
- Massachusetts: 15
- New Jersey: 5

## Written Comment: 18

National Marine Fisheries Service  
NEFMC  
FV Western Sea  
Shaun Rockett, FV Western Sea  
Paul Axelsson, FV Opportune  
Peter Mullen, FV Western Wave  
Ryan Raber, FV Providian  
Lund's Fisheries Inc  
Maine Lobstermen's Association, Inc.  
Massachusetts Lobstermen's  
Association (MA-MLA)  
Maine Lobstering Union (IMLU)  
Julie Eaton  
William Coffin  
Atwood Lobster LLC  
Jim Higgins  
Anonymous  
J. McLean

# For Consideration



1. Implement State Vessel Landing Reports
2. Prohibit Landings of Herring Caught in Area 1A During a Day Out of the Fishery
3. Weekly Landing Limit Per Vessel
4. Landing Restrictions on Transfers At-Sea
5. Small Mesh Bottom Trawl Fleet Days Out
6. Clarify Days Out Procedure

*To improve the stability of the fishery and stabilize the rate of harvest during the fishing season the adoption of all six is not necessary.*

# 1. State Vessel Landing Reports

## Option A: Status Quo

## Option B: Implement State Landing Reports

- Required for harvesters that land herring caught from Area 1A AND land at a Maine, New Hampshire or Massachusetts port
- Submitted in 24-hr intervals for each day and must be submitted by 9:00 a.m. of the following day.
- The reporting system will likely be through eTrips

*NMFS has responded to the Commission's request for access to daily catch data for select state staff. NMFS is actively working to support this data request.*



# 1. State Vessel Landing Reports

	ME	NH	MA	NJ	WC
Option A. Status Quo			11		2
Option B. Implement State Landing Reports	Majority		1	5	7
Exclude Category C & D SMBT vessels from requirement		Multiple			

There is reluctant support for Option B; all stakeholders who spoke in favor of this option would prefer the Commission work with NMFS to garner access to the data that is already provided.

## 2. Modify Days Out Program

**Option A: Status Quo.** Harvesters are prohibited from landing herring during a 'day out'.

**Option B:** Harvesters are prohibited from landing or possessing herring caught from Area 1A during a day out of the fishery.

**Option C:** Vessels with a Category A Limited Access Permit are prohibited from landing or possessing herring caught from Area 1A during a day out of the fishery.

## 2. Modify Days Out Program

Option B & C: Prohibit landing & possession of herring caught from Area 1A during a Day Out of the fishery

	ME	NH	MA	NJ	WC
Option A. Status Quo	Majority	1	-	5	3
Option B. Apply to all harvesters			-		1
Option C. Apply to Category A	1	2	-		5
Not administer or abolish the days out program (if weekly landing limits are enforced)		1	-	5	

### 3. Weekly Landing Limit (per vessel)

**Option A: Status Quo.** No weekly landing limit

**Option B:** Weekly harvester landing limit (in pounds) for vessels with a Category A federal permit

**Option C:** Weekly harvester landing limit (in pounds) for vessels with a Category A or C federal permit

*Vessels must notify states of their intent to fish in Area 1A and the gear type they will be using 45 days prior to the start of the fishing season.*

# 3. Weekly Landing Limit (per vessel)

	<b>ME</b>	<b>NH</b>	<b>MA</b>	<b>NJ</b>	<b>WC</b>
Option A. Status Quo			<b>1</b>		
Option B. Apply to Category A		<b>1</b>			<b>3</b>
Option C. Apply to Category A & C	<b>Majority</b>	<b>1</b>	<b>1</b>	<b>5</b>	<b>6</b>

## 4. Landing Restriction on Transfers At-Sea

**Option A: Status Quo.** A vessel with the proper permits can transfer or receive Atlantic herring at-sea.

**Option B:** Herring caught in Area 1A can only be landed by the respective harvester vessel (i.e. no carrier vessels)

**Option C:** Herring carrier vessels are limited to receiving at-sea transfers from one harvester vessel per week; 1 landing per 24 hour period (*Maine implemented in 2016*)

- Requires states to develop a reporting mechanism to report transfers at sea and/or develop a carrier permit.

## 4. Landing Restriction on Transfers At-Sea

	<b>ME</b>	<b>NH</b>	<b>MA</b>	<b>NJ</b>	<b>WC</b>
Option A. Status Quo				<b>5</b>	<b>2</b>
Option B. No carrier vessels	<b>2</b>	<b>2</b>			<b>3</b>
Option C. Carriers can receive transfer from one harvester/week; 1 landing/day	<b>4</b>		<b>2</b>	<b>Reluctant support</b>	<b>5</b>

## 5. Small Mesh Bottom Trawl Days Out

**Option A: Status Quo.** Days Out program applies to all herring harvesters.

### **Option B: SMBT Days Out Program for Category C and D Permits**

- Harvesters must notify states 45 days prior to the start of the fishing season.



# 5. Small Mesh Bottom Trawl Days Out

	ME	NH	MA	NJ	WC
Option A. Status Quo	1				
Option B. SMBT with Category C/D permit	1	All + petition	All + petition	5	9

**Petition: 82 signatures;** paraphrased below:

We (MA & NH fishermen and lobstermen) are very concerned with the unavailability of herring to our area of southern Area 1A during July – September. There is a small but important traditional whiting fishery that takes place in our area from July – October that only catches 1% of the sub-ACL. Due to the more restrictive landing days being proposed, we support Option B.

# 6. Clarification of the Days Out Procedure

## Option A: Status Quo

### Type of Agreement

- **Option B1:** Voting
- **Option B2:** Consensus

### Default Landing Days

- **Option C1:** 7 landing days; but if it is a mid-season decision then the previously agreed upon number of landing days would roll over
- **Option C2:** Zero landing days until an agreement is reached

## 6. Clarification of the Days Out Procedure

	ME	NH	MA	NJ	WC
Option A. Status Quo					
<b>Option B1. Voting</b>	<b>3</b>	<b>1</b>	<b>All</b>		<b>3</b>
Option B2. Consensus				<b>2</b>	<b>8</b>
<b>Option C1. Rolled over or 7 days</b>	<b>3</b>	<b>1</b>	<b>3</b>		<b>3</b>
Option C2. 0 days	<b>1</b>	<b>2</b>		<b>1</b>	<b>2</b>

# Questions





# SCOPING QUESTIONS for a tiered weekly landing limit

# Tiered Weekly Landing Limit



- **Maine**
  - Majority were in favor
- **New Hampshire**
  - Multiple people said it was hard to comment on an issue with no options; 1 person opposed and 1 person was in favor (both were from Maine); 2 other participants spoke generally about how the system could be tiered.
- **Massachusetts**
  - Participants were not in favor, except for one Maine fisherman
- **New Jersey**
  - No participants were in favor
- **Written comment**
  - 4 in favor; 6 opposed

# Written Comment



- **In Favor**
  - Preference for a three-tier system, whereby Tier 1 includes only those Category A vessels that have fished in the last 10 years.
  - Preference for a three-tier system based on permit category and harvester landing history.
- **Opposed**
  - “It will only limit or eliminate competition for a public resource which will cause price increases. The quota, and therefore the resource, is not and will not be affected by the number of boats in the fishery...” – Anonymous
  - “Any future consideration of tiering access to the 1A fishery should take place in sync with the NEFMC, federal plan, and the Council should take the lead in a trailing action.” – Lund’s

# Addendum Timeline



<b>October 2016</b>	Atlantic Herring Section initiates Draft Addendum I
<b>January 5</b>	Working group meeting in NH
<b>January 31</b>	Section reviews Draft Addendum I and considers its approval for public comment.
<b>March-April 2017</b>	Section solicits public comment on Draft Addendum I (and scoping questions). States conduct public hearings.
<b>May 8, 2017 1 – 2:30 p.m.</b>	<ul style="list-style-type: none"><li>- Section reviews public comment, selects management options and considers final approval of Addendum I.</li><li>- Section reviews public comment on the scoping questions.</li></ul>
<b>June 2017?</b>	Provisions of Addendum I are implemented by states





# Atlantic Herring Spawning Area Closure Monitoring System *Pilot Program*

Presented to the Atlantic Herring Section  
May 8, 2017

# Amendment 3



Upon approval of Amendment 3 the Atlantic Herring Section granted a one-year pilot of a new method, known as the **GSI30-Based Forecast System**, to be tested in the 2016 fishing season.

The Section can:

1. Permanently implement the forecast system
2. Revert back to the length-based closure system (from prior years)

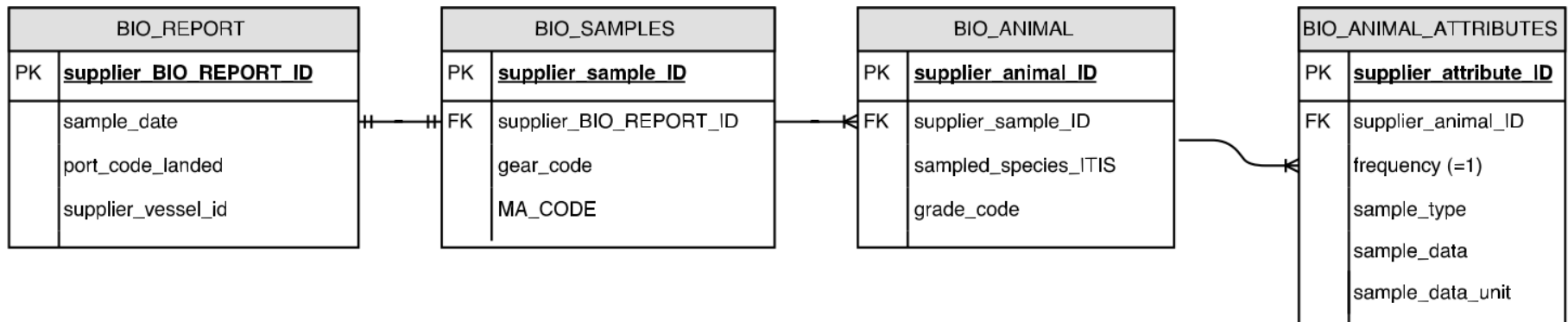
# ACCSP Partnership



- Formal coordination
- Central database for all herring spawning samples utilizing pre-existing biological module
- All states have access
- Allowed for standardized methods and results



# Developing the Biological Module



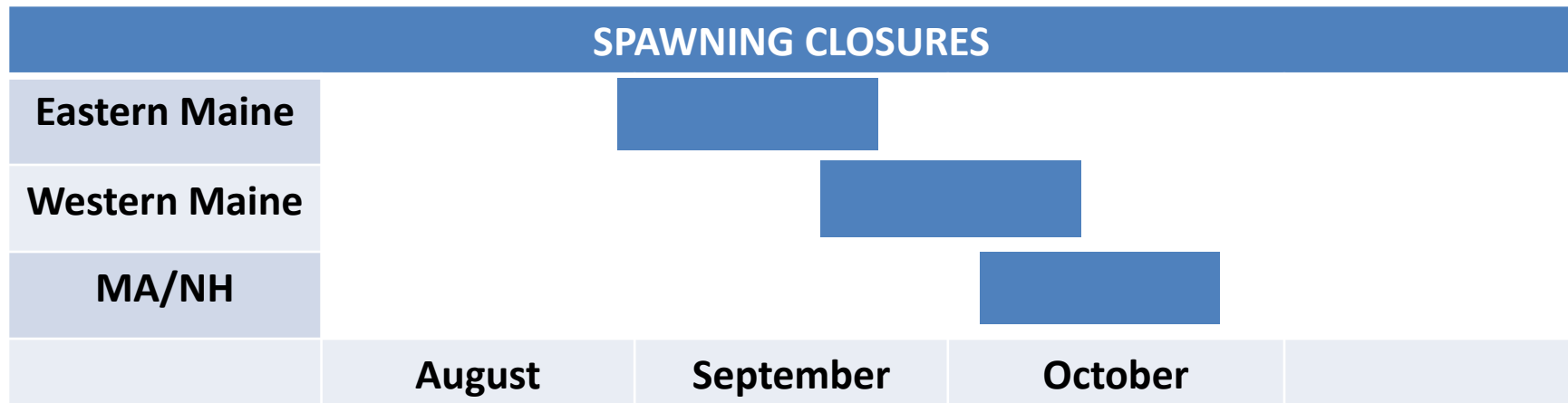
- MA\_CODE ~ spawning areas (EM, WM, MANH)
- grade\_code ~ fresh vs frozen
- sample types:
  - total length (cm)
  - sex (M or F)
  - maturity (1 through 7)
  - gonad wt (g)
  - whole wt (g)

# Implementation



- Data housed by ACCSP are run through R script and refreshed every two hours
- Results are displayed on a webpage for each spawning closure area
- Relies upon three samples each containing *at least* 25 female herring in gonadal stages III-V, to trigger a spawning closure
- Once three samples are collected, closure dates are forecasted
- Closure dates are set and notifications are made 5 days prior to closure
- Closures occur on default dates if three samples are unavailable

# 2016 Timeline

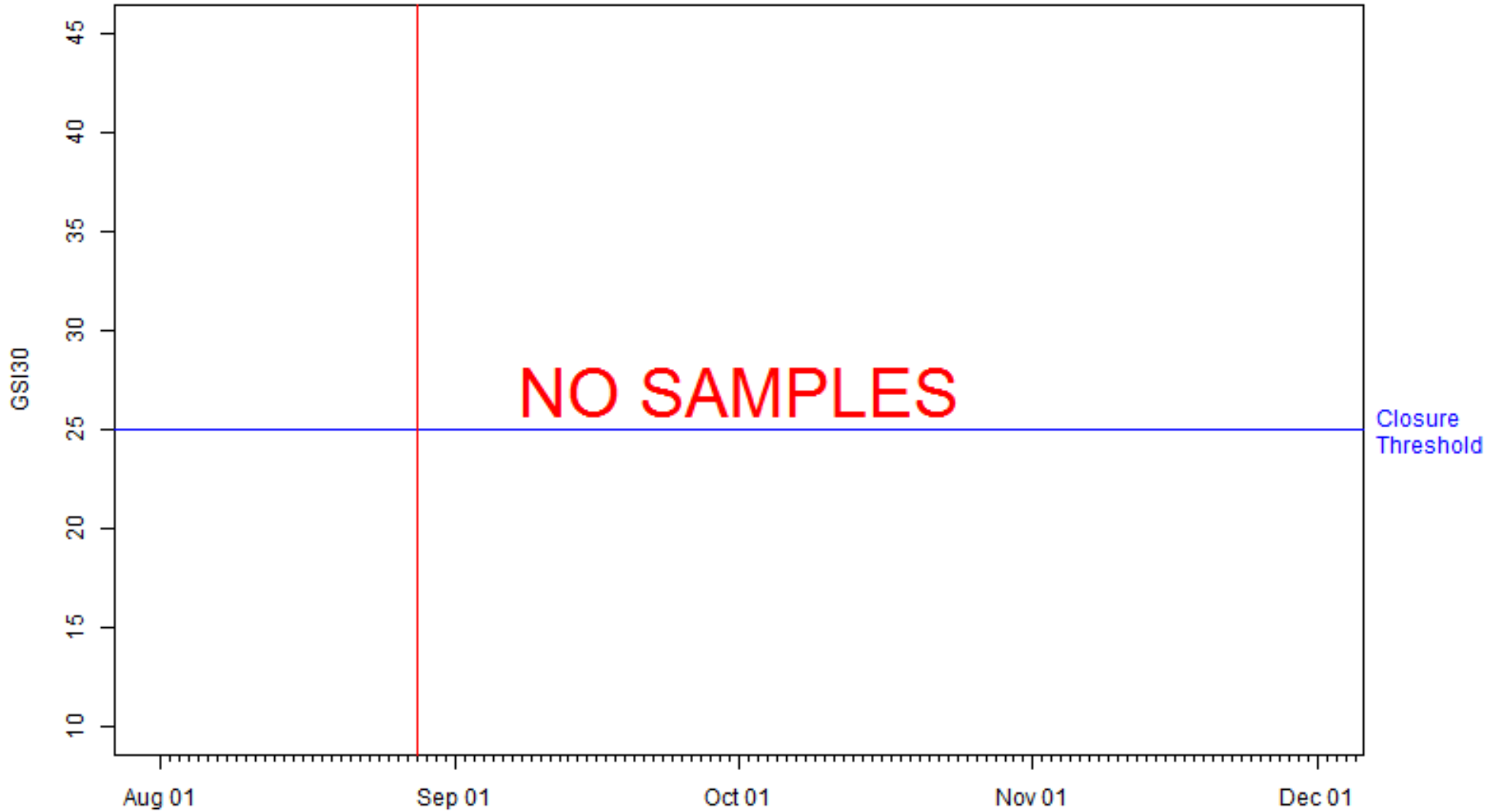


- Eastern Maine: August 28-September 24 (Default)
- Western Maine: September 18-October 15 (Forecast)
- MA/NH: October 2-October 29 (Forecast)

# Eastern Maine



**EM Spawning Area**  
as of March 31, 2017 08:00 **Closure**



# Western Maine

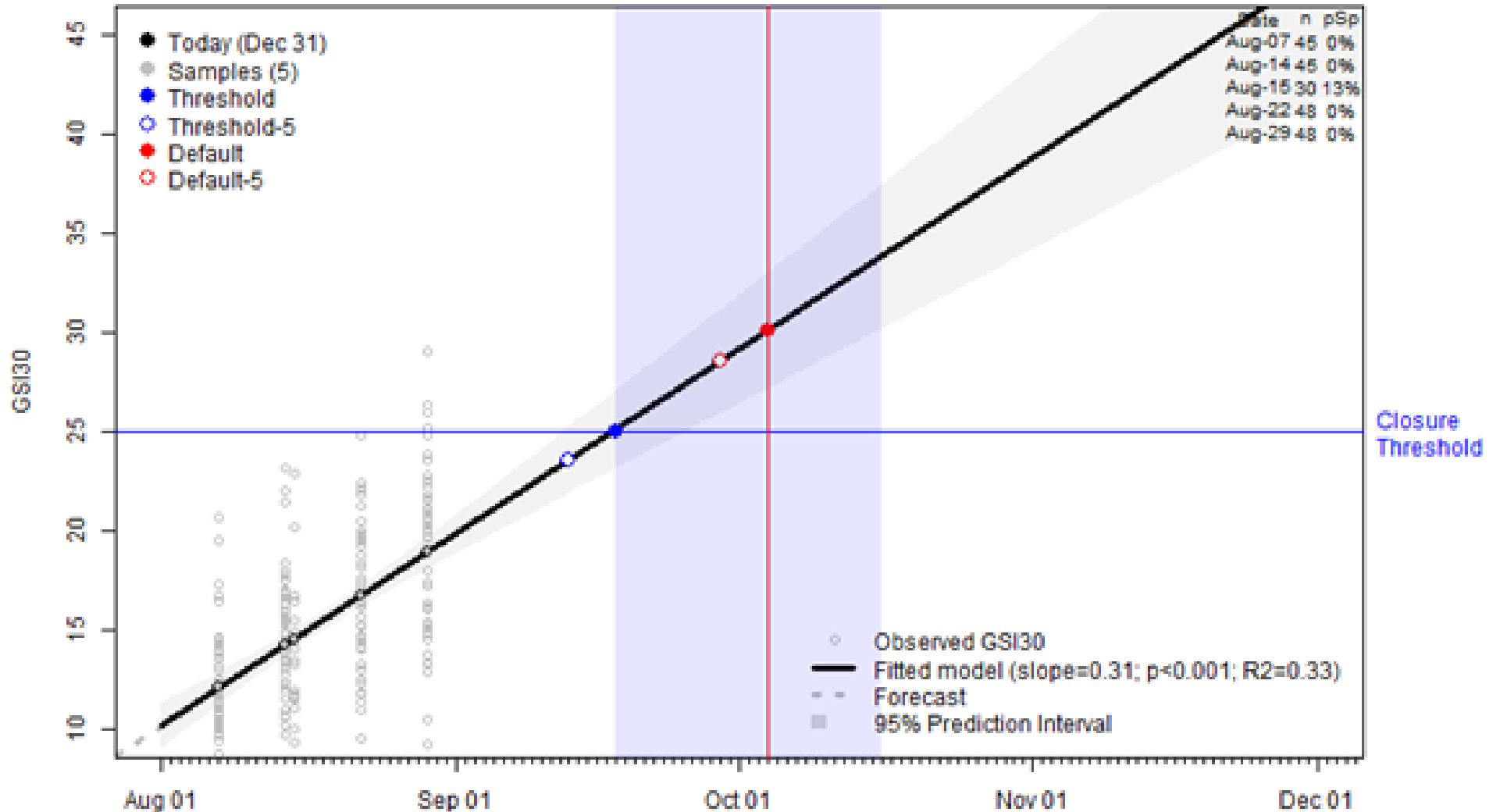


## WM Spawning Area

as of December 31, 2016 22:00

Default  
Closure

Closure: Sep 18  
Notify: Sep 13





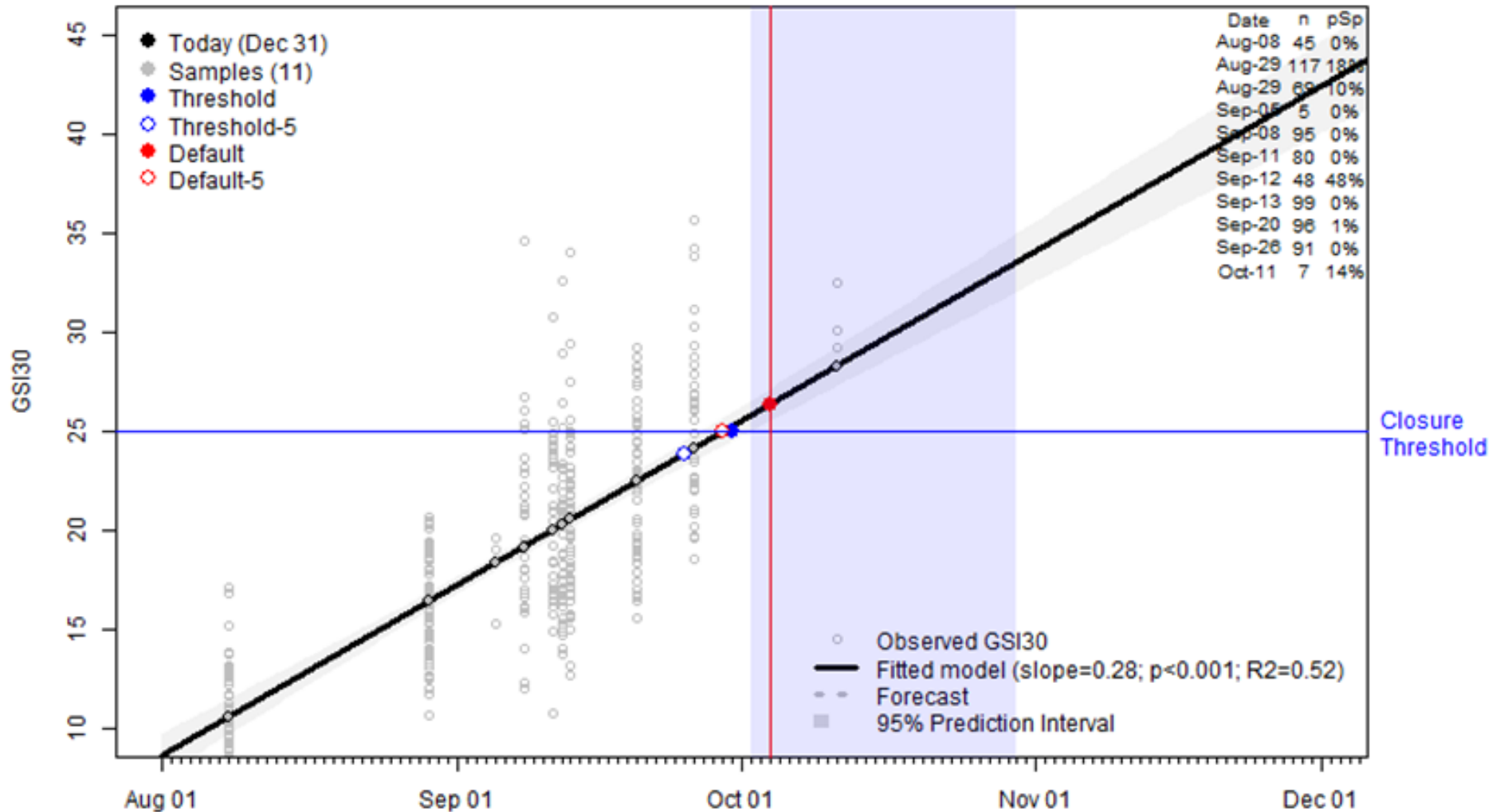
# MA/NH



## MANH Spawning Area as of December 31, 2016 22:00

Default  
Closure

Closure: Oct 02  
Notify: Sep 27



# Evaluation



- 92% of the Area 1A sub-allocation was taken and the area was closed effective October 18; prior to the opening of the spawning closure in MA-NH
- Some RSA samples in MA-NH the week after it re-opened; 6% were in spawning condition (well below 25%)
- Personal correspondence with industry members indicated the timing of the closures seemed to line up with what was observed on the water

# Next Steps



TC is comfortable sharing the link with managers and public in 2017 pending the inclusion of caveats

- Data are refreshed every two hours
- The fewer the samples, the greater the changes in forecasted dates as new samples are added
- The closure date is not fixed and can change until 5 days prior to the closure

# TC Recommendation



The TC believes the forecast system was successful tested and recommends the Section permanently implement the **GSI30-Based Forecast System** for spawning closures in Area 1A.



# Questions



# **Review of the Atlantic Herring FMP and State Compliance for the 2015-16 Fishing Years**

Presented to the Atlantic Herring Section  
May 2017

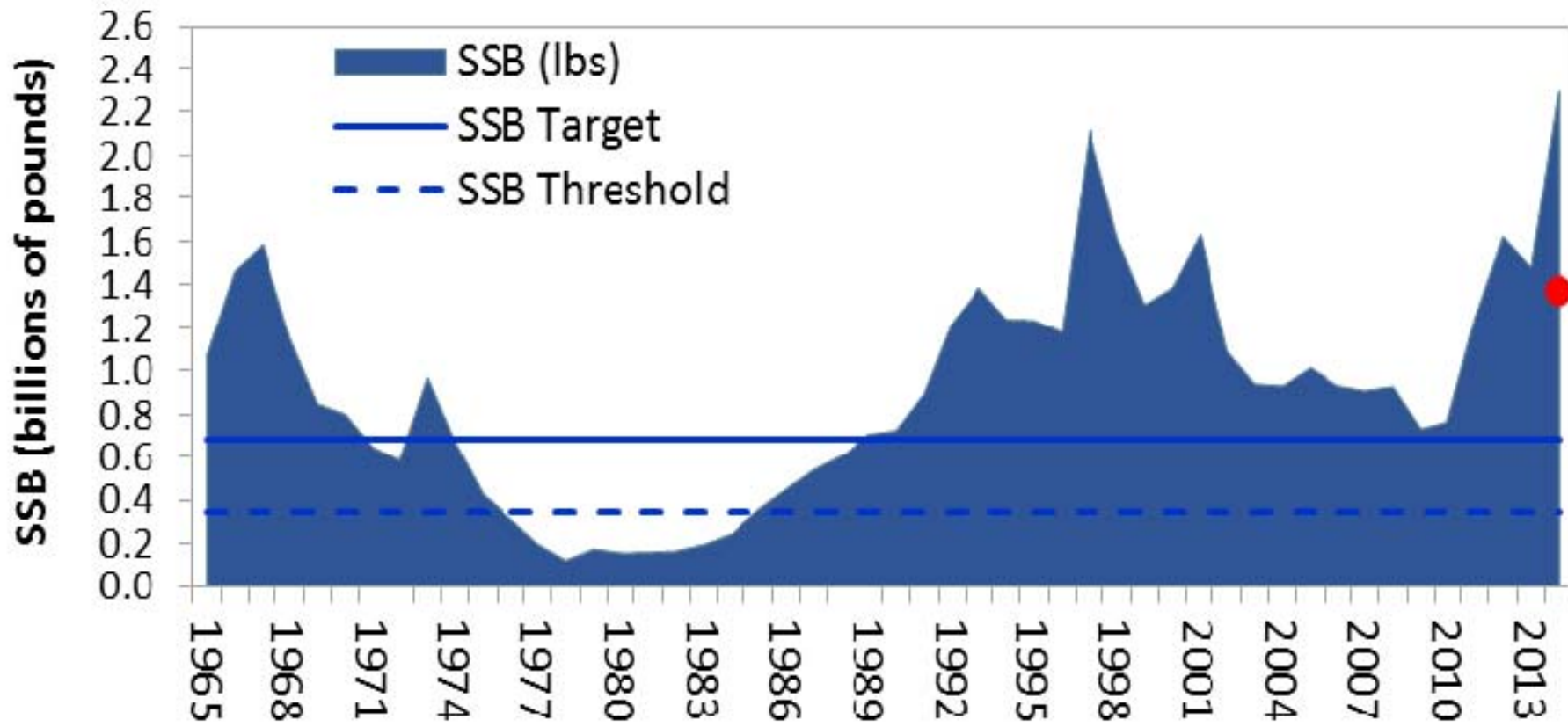
# SSB



## Atlantic Herring Spawning Stock Biomass (SSB)

Source: Northeast Regional Stock Assessment Update, 2015

The red dot represents the 2014 retrospective adjusted value, retrospective adjustments are not applied to the entire time series.

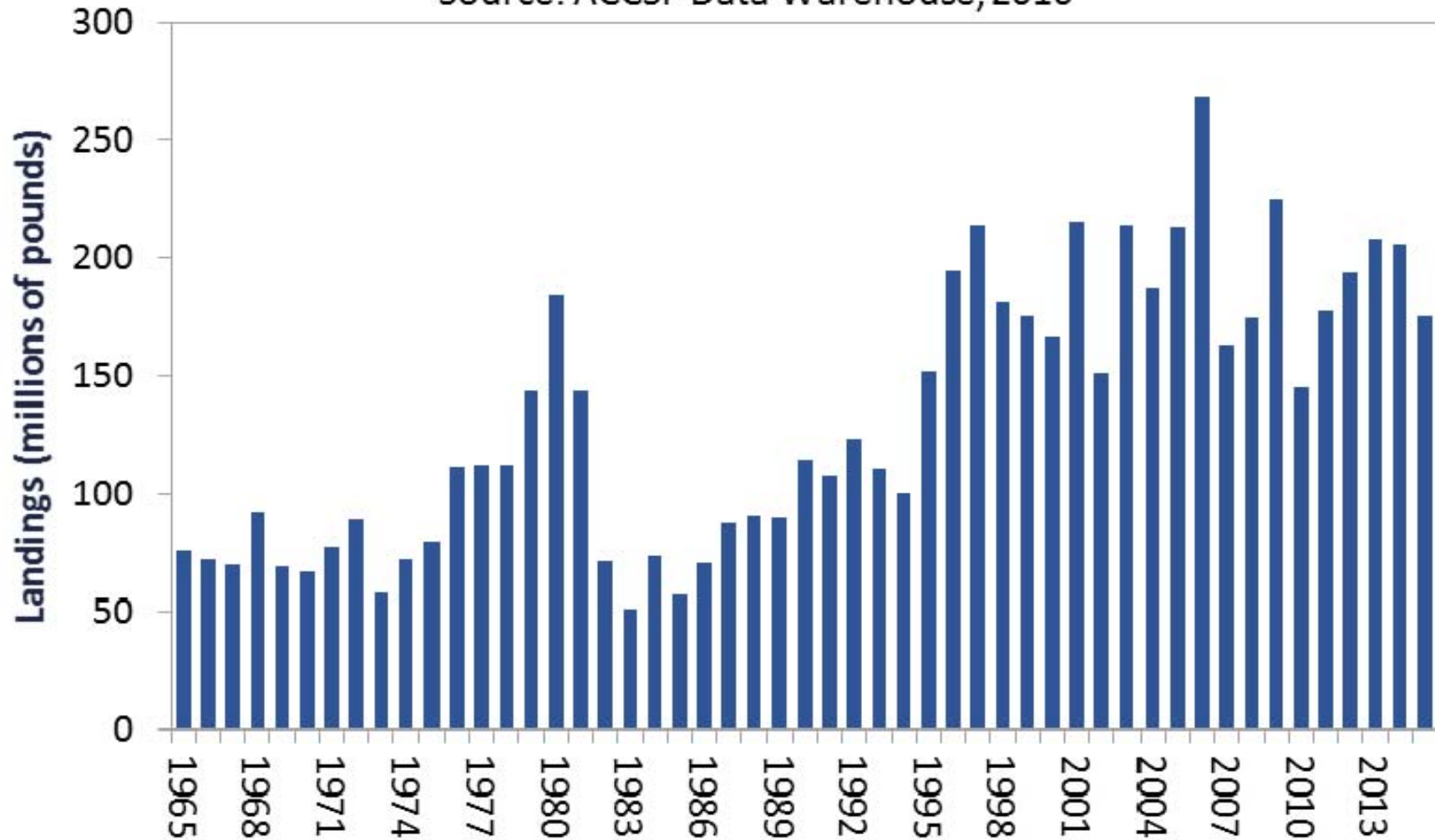


# Status of the Fishery



## Atlantic Herring Commerical Landings

Source: ACCSP Data Warehouse, 2016





# Fishing Effort - Landings



**Overall Atlantic herring landings (mt) by fishing gear type and year in Area 1A**

<b>Gear Type</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>% of overall total landings</b>
<b>Bottom Otter Trawl</b>	356	106	100	117	1%
<b>Single Midwater Trawl</b>	270	998	1,164	2,224	4%
<b>Midwater Pair Trawl</b>	3,716	5,504	4,534	4,155	15%
<b>Purse Seine</b>	19,191	23,125	27,151	23,007	80%
<b>Other</b>	4	8	10	28	0%
<b>Total</b>	<b>23,546</b>	<b>29,741</b>	<b>32,957</b>	<b>29,531</b>	

# Status of Management in 2017



**1993: FMP**

**1999: Amendment 1**

**2006: Amendment 2**

**2009: Addendum I to Amendment 2: Seasonal Quotas and Allocation**

**2010: Addendum II: Specifications Process**

**2012: Addendum V: Comprehensive Spawning**

**2013: Addendum VI: Seasonal Splitting and Triggers**

**2016: Amendment 3: Spawning Closure Protocol**

**2017: Draft Addendum I: Days Out Program**

# PRT Review



## **Focus of the FMP Review was to ensure states implemented Amendment 3**

- ✓ Plan Review Team finds all states have regulations in place that meet or exceed the requirements of the Interstate Fisheries Management Plan for Atlantic herring as described in Amendment 3.

# Request for *De minimis* Status



**Criteria:** Combined average of the last 3 years of commercial landings constitute less than 1% of the coastwide commercial landings for the same 3-year period.

## New York requests *de minimis* status

- Landings have averaged 0.06% of the coastwide landings since 2014. New York landed 116,982 lbs in 2014; 128,596 lbs in 2015; and 72,538 lbs in 2016.
- **PRT recommends granting *de minimis* status**