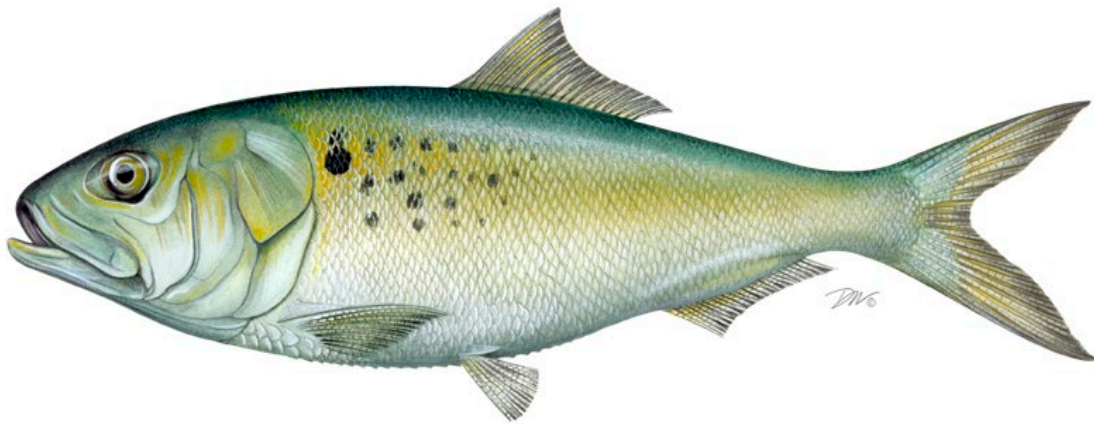


# Atlantic States Marine Fisheries Commission

Technical Addendum I  
to

## ADDENDUM I TO AMENDMENT 3 OF THE ATLANTIC MENHADEN INTERSTATE FISHERY MANAGEMENT PLAN



*Sustainable and Cooperative Management of Atlantic Coastal Fisheries*

February 2023

## INTRODUCTION

At the November 2022 Atlantic Menhaden Board (Board) meeting, the Board approved Addendum I to Amendment 3 to the Interstate Fishery Management Plan for Atlantic Menhaden, which allocates a baseline quota of 0.01% to Pennsylvania; 0.25% to South Carolina, Georgia, Connecticut, Delaware, North Carolina, and Florida; and 0.5% to Maine, New Hampshire, Massachusetts, Rhode Island, New York, New Jersey, Maryland, Potomac River Fisheries Commission, and Virginia; and then allocates the rest of the Total Allowable Catch (TAC) based on landings from 2018, 2019, and 2021. However, Addendum I inadvertently did not include text to amend the time period used to redistribute relinquished quota.

## STATEMENT OF THE PROBLEM

Section 4.3.2 (Quota Allocation) of Amendment 3 includes language which specifies how quota is distributed when a state relinquishes quota before the start of the fishing year. Specifically, it states:

*States, on an annual basis, have the option to relinquish part, or all, of their fixed minimum quota. States must declare, to the FMP Coordinator, any relinquished quota by December 1<sup>st</sup> of the preceding fishing year and the amount that is being relinquished. Any quota that is relinquished by a state will be redistributed to the other jurisdictions (i.e. those which have not relinquished quota) based on landings from 2009-2011.*

Section 3.1 (Commercial Allocation) of Addendum I replaces Amendment 3 Section 4.3.2, but inadvertently did not include language to update the time period used to redistribute relinquished quota from 2009-2011 to 2018, 2019, and 2021, as is the guidance in Amendment 3. The November 2017 Atlantic Menhaden Board proceedings, where Amendment 3 was approved, clearly state the Board's intention was for relinquished quota to be redistributed according to whichever timeframe was selected in section 4.3.2. The following motion was approved at that meeting:

*Move that states must declare any relinquished quota by December 1st of the previous year. States have the ability to declare how much of their quota to relinquish. Any quota that is relinquished by a state is redistributed to the other jurisdictions based on historic landings from the time period selected by the Board in this Amendment (Page 110). Motion by Pat Keliher; second by David Borden. Motion carried (Page 111).*

Because the Board did not consider a new method to allocate the relinquished quota in Addendum I, the time period used to redistribute relinquished quota should have automatically changed to the new timeframe approved by the Board in section 4.3.2.

## **MANAGEMENT MEASURES**

The following paragraph replaces the third paragraph in Section 3.1.2 of Addendum I to Amendment 3 (*Timeframe to base allocating the remaining TAC*):

*States, on an annual basis, have the option to relinquish part, or all, of their fixed minimum quota. States must declare, to the FMP Coordinator, any relinquished quota by December 1<sup>st</sup> of the preceding fishing year and the amount that is being relinquished. Any quota that is relinquished by a state will be redistributed to the other jurisdictions (i.e. those which have not relinquished quota) based on landings from 2018, 2019, and 2021.*

## **COMPLIANCE**

This Technical Addendum will be effective for the 2023 fishing year.