



Atlantic States Marine Fisheries Commission

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MEMORANDUM

TO: Atlantic Menhaden Management Board
FROM: Atlantic Menhaden Advisory Panel
DATE: October 13, 2016
SUBJECT: Review of the Amendment 3 Public Information Document

The Atlantic Menhaden Advisory Panel (AP) met via conference call on September 30th to review a draft of the Public Information Document (PID) for Amendment 3. The purpose of this call was to make sure no major issues or options were missing from the document. Preferred management alternatives were not discussed on this call. AP members in attendance included commercial harvesters, recreational anglers, and conservation coalition members. The following is a summary of the recommendations made by AP members on the call.

AP Members in Attendance:

Donald Swanson (NH)	Paul Eidman (NJ)
Patrick Paquette (MA)	John Dean (MD)
Bob Hannah (MA)	David Sikorski (MD)
David Monti (RI)	Jimmy Kellum (VA)
Meghan Lapp (RI)	Peter Himchak (VA)
Melissa Dearborn (NY)	Scott Williams (NC)
Jeff Kaelin (NJ, Chair)	Ken Hinman (GA)

Opening Purpose and Needs Section

- Several AP members felt the stated purpose of the PID focused too heavily on Ecosystem Reference Points (ERPs) and did not appropriately reflect the bait and reduction fisheries which menhaden also support. They recommended the status of the stock be included in the introduction, the human use of menhaden be recognized, and the scale of the menhaden fisheries (e.g. the percent of the annual stock used by humans) be represented. One AP member recommended a goal of the PID be to sustain human use coastwide.
- Other AP members were happy with the stated purpose of the PID. They felt it accurately portrayed the desire of the Board to develop ERPs and address allocation issues in the fishery.
- One AP member asked the standards by which the Commission creates regulatory measures and manages species be added to the document.

Reference Points

- Four AP members presented the following ERP for inclusion in the PID:
The Atlantic menhaden stock is managed under provisional ecological reference points (ERPs) that specify:
 - a stock biomass (B) target of 75 percent of virgin, unfished biomass ($B_{TARGET} = 0.75B_0$);
 - a stock biomass limit (aka threshold) of 40 percent of virgin, unfished biomass ($B_{LIMIT} = 0.4B_0$);
 - a fishing mortality (F) target determined to be consistent with achieving the target biomass (i.e., $F = 0.75B_0$); and,
 - a fishing mortality cutoff (aka threshold) (i.e., $F = 0$) when $B \leq 0.4B_0$.

The stated goal of this ERP is to ensure fisheries enjoy the benefits of high biomass while aggressively responding to population declines. Proponents of this proposal noted that, if implemented, the BERP should continue work on the menhaden-specific ERPs and upon completion, the Board should consider complementing, building upon, or replacing these provisional ERPs. AP members in favor of the proposed ERP stated the 75% virgin biomass target for forage fish species has been peer-reviewed and published by Smith et al. (2011) in the journal Science. Furthermore, the reference point is applicable to menhaden as it is intended for low-trophic level species, which are characterized as forage fish which feed on phytoplankton during a significant portion of their life, are present in high abundance, and form schools or aggregations.¹

- While not all members of the AP supported the new ERP proposal, there was no stated objection on the call to having the reference point analyzed by the PDT to determine its appropriateness for inclusion in the PID. Some members of the AP requested a technical review of the ERP.
- Another AP member asked that language be added to the PID which describes the ongoing work to develop management strategies for forage fish. An AP member noted that a paper on this topic is soon to be published by Hilborn et al.

Quota Allocation

- One AP member disagreed with the statement that the current allocation scheme “does not strike an equitable balance between gear types and regions”. He highlighted that the current allocation scheme is based on historic landings which represent a fair and equitable way to distribute quota and that if states want more quota, they should pursue an increase in the annual TAC. The AP member questioned what other method there could be, besides historical landings, to distribute quota.
- Several AP members recommended that in *Option G: Fleet Capacity Quotas*, the medium fleet be monitored with a hard quota as opposed to a soft quota.

¹ Anthony D.M. Smith, Christopher J. Brown, Catherine M. Bulman, Elizabeth A. Fulton, Penny Johnson, Isaac C. Kaplan, Hector Lozano-Montes, Steven Mackinson, Martin Marzloff, Lynne J. Shannon, Yunne-Jai Shin, and Jorge Tam. 2011. Impacts of Fishing Low-Trophic Level Species on Marine Ecosystems. *Science*, Vol. 333, Issues 6046: 1147-1150.

- One AP member asked that an example of a seasonal quota, such as a winter quota, be added to the document. This AP member noted a small winter fishery would allow for sampling of the adult population which has been available offshore for the last several years.
- Another AP member recommended all quota allocation options remain in the document presented during the public comment period.

Allocation Timeframe

- Several AP members highlighted the importance of a longer time-series average for the allocation timeframe since landings between 2009 and 2011 were relatively low, especially in the northeast. As a result, they recommended examples of longer time series be added to the document, such as 2006-2012 when only one reduction plan operated or 1985-2012, when accurate bait landings are available.

Quota Transfers and Overage Payback

- One AP member asked whether the Atlantic menhaden fishery has exceeded the coastwide TAC since it was implemented in 2013. He felt this information should be added to the document to provide further context on the discussion of quota reconciliation.
- Several AP members asked if quota reconciliation would encourage some states to continually exceed their allocation knowing that other states routinely underperform their quota. As a result, AP members requested a public comment question be added to the document which asks if there should be accountability measures for jurisdictions which repeatedly participate in quota transfers and quota reconciliation.

Quota Rollovers

- The AP felt the public comment questions included in this section were broad and appropriately addressed the issue.

Incidental Catch and Small-Scale Fishery Allowance

- The AP felt the management options included in this section were broad and appropriately addressed the issue.

Episodic Events Set Aside

- One AP member stated the issue of episodic events is intrinsically tied to re-allocation and asked this connection be made clear in the document.
- Another AP member asked if the current definition of an episodic event is appropriate given the geographic expansion of the stock over the last few years. As a result, the AP member requested a public comment question be added to the document which asks how the Commission should qualify an episodic event given the increase in biomass, especially in the northeast.
- One AP member asked that options be added to the PID which look at specific increases in the TAC (e.g. 2%, 5%, 10%) reserved for the episodic events program to see if small scale fishery needs could be met by increasing the set aside.

Chesapeake Bay Reduction Fishery Cap

- One AP member commented that the Chesapeake Bay reduction fishery continually under-performs its cap because the reduction fishery does not target ages-0's.
- Several AP members asked that a more detailed and historic review of the Chesapeake Bay reduction fishery be added to the document. Staff noted that much of this information is confidential.

Other Comments

- Two AP members requested that a section on research programs and priorities be added to the PID for public comment.
- One AP member asked that total landings per year be added as a column in Table 2 of Appendix 1.