



Public Comment Summary

Draft Amendment 3



Presented to the ASMFC Atlantic Herring Section
February 2, 2016



Timeline

- **August 2015:** Board tasks the PDT with revising the spawning area efficacy options
- **November 2015:** The Section approved a public hearing document (shortened version of Draft Amendment 3) and it was released for public comment.
- **December 2015 – January 2016:** Public comment/ hearing period for the Draft Amendment 3
 - Four public hearings (Maine through Rhode Island)
 - 9 written comments
- **February 2016:** Draft Amendment 3 submitted in Supplemental materials is the complete Amendment; all sections were reviewed and/or edited.
- *The Decision Document in Briefing Materials is a summary of this presentation.*



Draft Amendment 3 Overview

- **Issue 1: Spawning Area Efficacy**
 - 1.1 Spawning area monitoring system
 - 1.2 Default closure dates
 - 1.3 Spawning area boundaries
 - 1.4 Spawning closure period and re-closure
- **Issue 2: Fixed Gear Set-Aside**
- **Issue 3: Empty Fish Hold Provision**



1.1 Spawning Area Closure Monitoring System

- **Option A: Status Quo**
Two commercial catch samples (taken within seven days) and above size class triggers initiates a spawning area closure. **(2)**
- **Option B: Status Quo with Adjustments**
Samples from fishery independent or dependent sources; fishery will remain open if sufficient samples are available, but they do not contain ripe female herring. **(1)**
- **Option C: GSI30-Based Forecast System**
At least three samples to assess GSI30 and forecast a closure date; standardized to a large size class (30 cm). **(8)**

Full text starting on page 55



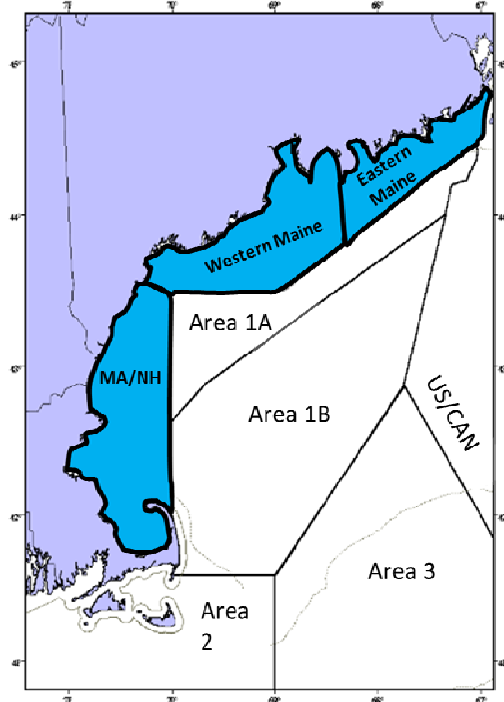
1.2 Default Closure Dates

Spawning Area	Option A: Status Quo (1)	Option B: Status Quo with Adj.	Option C: Default Dates Associated with GSI30 Trigger Values		
			Sub-Option C1 (2)	Sub-Option C2 (2)	Sub-Option C3 (17)
Eastern Maine (EM)	Aug 15	Aug 15	Aug 28	Aug 28	Aug 28
Western Maine (WM)	Sept 1	Sept 1	Sept 25	Oct 4	Oct 17
MA/NH	Sept 21	Sept 21	Sept 25	Oct 4	Oct 17
Tri-State (WM-MA-/NH) If Option 1.3B is chosen	Sept 21	Sept 21	Sept 25	Oct 4	Oct 17
			Earlier closing; Protection for maturing fish; 70 th percentile	Later closing; Protection in the later stages of maturity; 80 th percentile	Latest closing; Protection for spawning fish; 90 th percentile
			GSI30 Trigger = 23	GSI30 Trigger = 25	GSI30 Trigger = 28

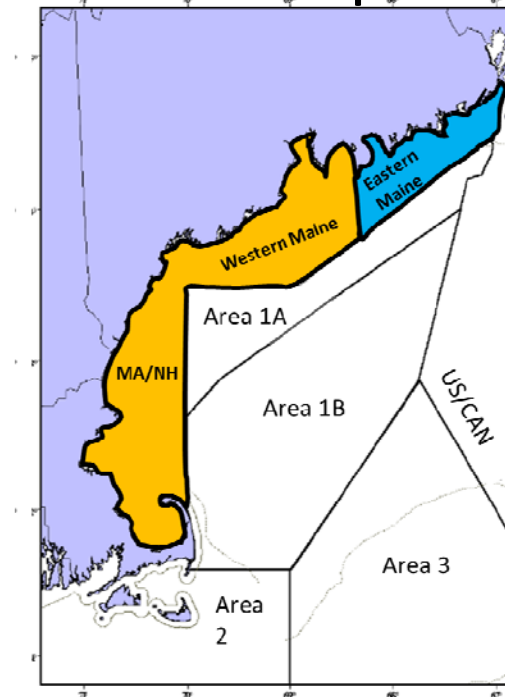
Full text starting on page 57

1.3 Spawning Area Boundaries

**Option A: Status Quo:
Maintain the current
spawning area
boundaries (20)**



**Option B: Combine the WM
and MA/NH spawning areas:
GSI analysis suggests WM and
MA/NH do not have significantly
different spawning times (2)**



Full text on page 59



1.4 Spawning Closure Period

- **Option A: Status Quo: Four weeks (19)**
- **Option B: Six weeks (3)**
Literature review suggests the typical duration of herring spawning is approximately 40 days.

Full text starting on page 63



1.4 Spawning Re-Closure Period

- **Option A: Status Quo (2)**

Sampling for two weeks after an area is re-opened; 25% or more mature herring initiates a re-closure

- **Option B: Defined Protocol (18)**

One sample in the last week or after an area is re-opened; minimum of 100 adult sized fish and 25% or more mature herring initiates a re-closure

- **Option C: No Re-Closure Protocol (1)**

This option would only be suggested if linked with the 6 week initial closure timeframe

Full text starting on page 63



Issue 2 Fixed Gear Set Aside Rollover

Option A: Status Quo, 295MT is rolled into Area 1A sub-ACL after Nov 1, if unused **(1)**

Option B: Remove the rollover provision, 295MT will not rollover into Area 1A sub-ACL regardless of utilization **(4)**



Issue 3 Empty Fish Hold Provision

Option A: Status Quo, no empty fish hold provision

Full text starting on page 70



Issue 3. Empty Fish Hold Provision

Empty Fish Hold Provision

Mirrors provision in NEFMC Framework 4

This option would require that fish holds on Category A/B Atlantic herring vessels are empty of fish before leaving the dock on any trip when declared into the Atlantic herring fishery.

Empty Fish Hold Provision for Select Vessels

Only applies to vessels with the ability to pump fish

This option would require that fish holds on Category A/B Atlantic herring vessels with ability to pump fish are empty of fish before leaving the dock on any trip when declared into the Atlantic herring fishery.

Full text starting on page 70



Issue 3. Empty Fish Hold Provision

Contingent on Federal Adoption

The empty fish hold provision would only be implemented if Framework 4 is approved. There would be federal assistance to ensure the empty fish hold provision is adhered to.

Implemented solely by state agencies

If Framework 4 is not approved, then states would still move forward with the empty fish hold provision. Federal assistance would not be provided, the states would have to ensure the empty fish hold provision is adhered to.

Full text starting on page 70



Issue 3. Empty Fish Hold Provision

- **Option A: Status Quo**, no empty fish hold provision **(2)**
- **Option B1: Federal/State Empty Fish Hold Provision (1)**;
Contingent on federal adoption, mirrors Framework 4
- **Option B2: State Empty Fish Hold Provision (~8)**;
NOT contingent on federal adoption, mirrors Framework 4
- **Option C1: Federal/State Empty Fish Hold Provision for Select Vessels (3)**;
Contingent on federal adoption, only applies to vessels with the ability to pump fish
- **Option C2: State Empty Fish Hold Provision for Select Vessels (3)**;
NOT contingent on federal adoption, only applies to vessels with the ability to pump fish



Other Comments

- Fixed gear fishery should be opened in April-May time period; June is seen as too late
- 20% spawning tolerance should be re-instated; if not for the entire fishing year then until October 1



Questions



Advisory Panel Summary

Draft Amendment 3



Presented to the ASMFC Atlantic Herring Section
February 2, 2016



Advisory Panel – Spawning Area Efficacy

- Spawning Area Monitoring System
 - General consensus in favor of Option C. GSI30 Based Forecast System
 - 1 in favor of Option A. Status Quo
- Default Closure Dates
 - 5 in favor of Option C1. 70th percentile
- Spawning Area Boundaries
 - Option A. Status Quo
- Spawning Closure Period
 - 7 in favor of Option A. Status Quo
 - 3 in favor of Option B. Six Weeks
- Spawning Re-Closure Period
 - 3 in favor of Option A. Status Quo
 - 2 in favor of Option B. Defined Protocol



Advisory Panel Summary

- Fixed Gear Set-Aside
 - Unanimously in favor of Option A. Status Quo
- Empty Fish Hold Provision
 - 5 in favor of Option C2. State Empty Fish Hold Provision for Select Vessels, not contingent on federal adoption
 - 2 in favor of Option C1. Federal/State Empty Fish Hold Provision, contingent on federal adoption



Questions