

## Atlantic Herring Technical Committee Task List

Activity Level: Medium

Committee Overlap Score: Medium

### Committee Task List

- Evaluate methods to scale-up samples of spawning fish which are less than 100 fish (completed for Spring Section Meeting)
- 2018 Atlantic Herring Stock Assessment – While the assessment is not be conducted by the Commission’s Atlantic Herring SASC, TC members are participating in SARC 65 (June 26-29)
- Annual state compliance reports are due February 1

### TC Members

Renee Zobel (NHFG – Chair), Kurt Gottschall (CT DMF), Dr. Matt Cieri (ME DMR), Micah Dean (MA DMF), John Lake (RI DFW)



# Atlantic States Marine Fisheries Commission

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## MEMORANDUM

**TO:** Atlantic Herring Section  
**FROM:** Megan Ware, FMP Coordinator  
**DATE:** April 20, 2018  
**SUBJECT:** Update on River Herring/Shad Catch Caps, Accountability Measures in the Mackerel Fishery, and Potential Impacts on Atlantic Herring

In late February 2018, the river herring/shad catch cap in the Atlantic mackerel fishery was harvested, triggering the implementation of a 20,000 pound mackerel possession limit. Simultaneously, it was reported that the majority of the mackerel quota had been caught, raising questions about the accountability measures which result when 100% of the quota is harvested. Then, in March, the river herring/shad catch cap was harvested in the Southern New England/Mid-Atlantic (SNE/MA) mid-water trawl herring fishery, prompting closure of the directed midwater trawl herring fishery in the area. Given these accountability measures already have had, or are expected to have, impacts on the herring fishery, there have been several on-going discussions by the MAFMC and NEFMC.

This document synthesizes these recent discussions and provides an overview of actions taken to date. The memo first discusses accountability measures in the mackerel fishery and how they relate to the management of herring. Then, the document reviews the river herring/shad catch caps in the herring fishery.

### 1. Atlantic Mackerel Fishery

- On February 23<sup>rd</sup> it was determined that the 2018 river herring/shad catch cap for the Atlantic mackerel fishery (82 mt) had been harvested. As a result, effective February 27<sup>th</sup>, a 20,000 pound per trip/day limit was implemented in the Atlantic mackerel fishery.
- Concurrently, it was reported that 89% of the Atlantic mackerel quota had been caught, leaving roughly 2.2 million pounds for the remainder of the year. At present, regulations state that once 100% of the quota is projected to be reached, the mackerel fishery moves to a zero possession limit.
- There are two concerns if the mackerel fishery catches 100% of its quota and a zero possession limit is triggered.
  1. Mixing of mackerel and herring stocks, even at minimal levels, could hinder the operation of the herring fishery.
  2. Under current regulations, a fisherman cannot “take, retain, possess, or land” mackerel under a zero possession limit. Preliminary research by GARFO does suggest that an inadvertent ‘cleaning-up’ of regulations may have altered their intended meaning.

#### NEFMC Herring Committee and Advisory Panel Joint Meeting (April 4<sup>th</sup>)

- The NEFMC Herring Committee and Advisory Panel had a joint meeting on April 4<sup>th</sup> and discussed potential impacts of accountability measures in the Atlantic mackerel fishery.
- A series of motions were passed at the meeting, recommending action be taken to: 1) adjust the mackerel regulations to clarify the definition of ‘take’; and 2) modify the mackerel possession limit from zero pounds to 5,000 pounds when the full mackerel quota is projected to be harvested. Preliminary analysis suggests that a 5,000 pound trip limit for mackerel would appropriately address concerns about incidental catch in the herring fishery.

#### Mid-Atlantic Fishery Management Council Meeting (April 10<sup>th</sup>)

- The MAFMC, the management body responsible for the Atlantic Mackerel FMP, discussed both short-term (i.e. 2018) and long-term (i.e. 2019-2021) solutions to reduce impacts of a zero possession limit in the mackerel fishery. Initially there was consideration of emergency action; however, it was determined that there is enough time to develop action through the Council process.
- To address the remainder of the 2018 fishing year, the Council initiated a framework action to consider various possession limits in the Atlantic mackerel fishery once 100% of the quota is projected to be caught. At present, it appears that potential management options in the document will include status quo (zero possession limit), a 5,000 pound trip limit, and a 10,000 pound trip limit. Final action is expected in June 2018. Subsequent rule-making for this trip limit could also be used to correct the prohibition on take in the current regulations.
- A separate framework action has been initiated to set 2019-2021 specifications in the mackerel fishery. Included in this document will be the consideration of incremental trip limits that correspond to a percentage of the quota being caught. Briefing materials for the MAFMC meeting included a potential option in which a 40,000 pound trip limit in the mackerel fishery would be triggered when 80% of the quota is caught; at 95% of the quota, a 5,000 pound trip limit would be implemented for the remainder of the year. These incremental trip limits address the need for a limited amount of mackerel to be legally landed following the closure of the directed fishery. Final action on this framework is expected in August 2018.

#### New England Fishery Management Council Meeting (April 19<sup>th</sup>)

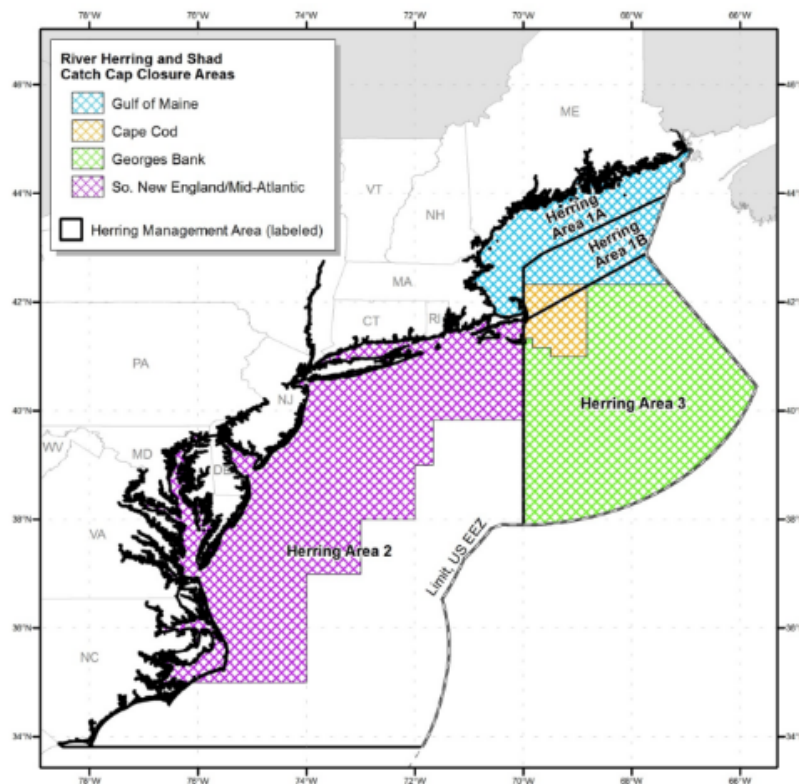
- Given action to address mackerel accountability measures was initiated at the MAFMC meeting, the NEMFC modified the Herring Committee motions to support the development of an action by the MAFMC to modify the mackerel possession limit when the full mackerel quota is projected to be caught.

## 2. River Herring and Shad Catch Caps in the Atlantic Herring Fishery

- On March 12<sup>th</sup>, the 2018 river herring/shad catch cap for midwater trawl vessels in the SNE/MA Area was caught in the Atlantic herring fishery. As a result, effective March 14<sup>th</sup>, vessels issued Federal Atlantic herring permits and fishing with midwater trawl gear may not fish for, catch, possess, transfer, or land more than 2,000 pounds of herring in or from the SNE/MA Closure Area.
- Other herring Catch Cap Areas have not yet caught their 2018 river herring/shad caps. Table 1 provides the current status of the catch caps, as of April 17<sup>th</sup>. In addition, Figure 1 shows the river herring/shad catch cap areas in the Atlantic herring fishery.

**Table 1:** River herring and shad catch caps in the Atlantic herring fishery, as of April 17, 2018. (Source: GARFO)

Area	Quota (mt)	Cumulative Catch (mt)	Percent Caught
Cape Cod Mid-water Trawl	32.4	4.8	15%
GOM Mid-water Trawl	76.7	0.0	0%
SNE Bottom Trawl	122.3	30.5	25%
SNE/MA Mid-water Trawl	129.6	137.9	106%



**Figure 1:** Map of the river herring and shad catch cap areas in the Atlantic herring fishery. (Source: GARFO)