

*Atlantic States Marine Fisheries Commission*

**ADDENDUM VI TO AMENDMENT 2  
TO THE INTERSTATE FISHERY MANAGEMENT PLAN  
FOR ATLANTIC HERRING**

*Seasonal Splitting, Quota Rollover, Harvest Control Measures, and Specifications Process*



*ASMFC Vision Statement:*

**Healthy, self-sustaining populations for all Atlantic coast fish species or successful restoration well in progress by the year 2015**

**Approved August 2013**

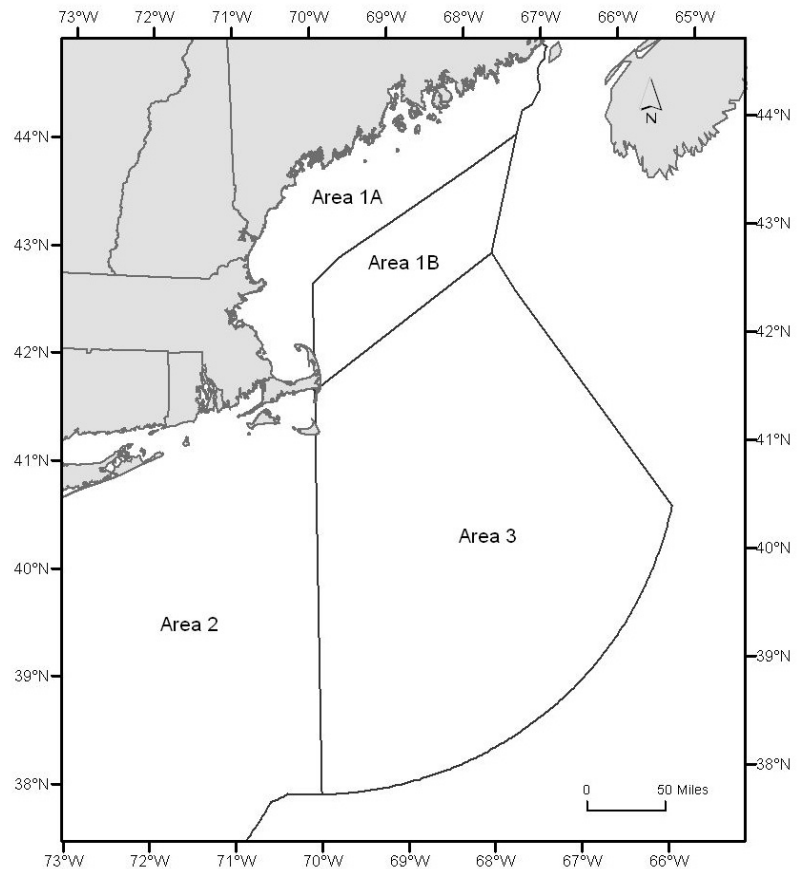
## 1.0 Introduction

Atlantic herring, also known as sea herring, is a schooling oceanic fish that is important to marine wildlife and the fishing industry. It is used as a food fish and provides an affordable source of bait for lobster and tuna. Since 1999, the fishery has been regulated by the Atlantic States Marine Fisheries Commission (Commission) in state waters (0 – 3 miles) and the New England Fishery Management Council (Council) in federal waters (3 – 200 miles) through complementary plans. This species is managed as one stock complex comprised of four inshore and offshore components in the Gulf of Maine and Georges Bank, referred to as management areas 1A, 1B, 2, and 3 (Figure 1). According to a benchmark stock assessment completed in June 2012 (SAW/SARC 54), Atlantic herring is not overfished and not experiencing overfishing; in fact, it is rebuilt.

Addendum VI approved the following measures:

- 1) Seasonal splitting of annual catch limit sub-components (sub-ACLs) for Areas 1B, 2, and 3;
- 2) Up to 10% carryover of a sub-ACL consistent with the provisions laid out in the New England Fishery Management Council's Framework Adjustment 2;
- 3) Establishment of triggers that close the directed fishery in a management area when 92% of a sub-ACL is projected to be reached. The stock-wide fishery closes when 95% of the total ACL is projected to be reached. A 2,000 pound bycatch allowance will continue for the remainder of the season; and
- 4) Directed fishery closure triggers to be set for sub-ACLs using the specification process.

Addendum VI is intended to compliment measures contained in the Council's Framework Adjustment 2 to the Atlantic Herring Fishery Management Plan (FMP).



**Figure 1. Map of Atlantic Herring Management**

## **2.0 Management Program**

### ***2.1 Statement of the Problem***

The Commission's Interstate FMP provides states with the flexibility to split the fishing season in order to save quota for the months of June through December, when herring can fetch a higher value. Prior to Addendum VI, the Interstate FMP had rules for splitting quota in Area 1A, but did not include provisions for splitting quota in Areas 1B, 2, and 3. Addendum VI expands the rules to include these three management areas.

The Commission complements the Council's annual specification process for the management of Atlantic herring. In August 2012, the Council developed Framework Adjustment 2 in response to a letter from NOAA Fisheries, which contained court-ordered remedial actions to address deficiencies in the FMP, such as bycatch and environmental impacts. Through Framework Adjustment 2, which was released as a proposed rule on August 2, 2013, the Council proposed to allow up to 10% of unused quota in a management area to carry over to the following fishing season for that same management area, while maintaining the total stock-wide quota as set through the specification process. Addendum VI allows a quota rollover of up to 10% to the following fishing year for all management areas, consistent with the provisions laid out in the Council's Framework 2. The harvest control measures in the form of triggers are intended to prevent overharvesting of the quota within individual management areas, as well as the overall coastwide quota. All of the management measures in this addendum reflect the NOAA Fisheries' proposed rule.

### ***2.2 Background of Relevant Atlantic Herring Regulations***

Amendment 2 to the Interstate FMP (2006) was developed in close coordination with the Council as it developed Amendment 1 to the Federal FMP for Atlantic Herring. The goal is to achieve optimum yield through coordinated management between federal and state waters. Amendment 2's measures included new management area boundaries, biological reference points, expansion on the specification process, spawning closures, and up to 3% research set-asides to be set through the specification process.

Addendum I (2009) to Amendment 2 was developed to control fishing effort in Area 1A using a combination of quotas, days-out restrictions, and weekly reporting requirements to effectively manage quota. Specifically, Addendum I allowed states to select bimonthly, trimester, or a seasonal quota, as best meets the needs of their fishery. States also have the option to split their quota, which reserves the annual catch limit (ACL) for the months of June through December, when demand and prices are higher for Atlantic herring.

Addendum II (2010) to Amendment 2 aligned the Commission's management processes with that of the Council. It modified the Commission process to set annual specifications and established harvest control measures for paybacks. In the event of an overage, when an ACL or sub-ACL has been exceeded, that excess amount will be deducted from the first year after final landings are available.

In February 2013, the Atlantic Herring Section set annual catch limits (ACLs) for 2013-2015 fishing seasons at 107,800 metric tons (mt), which is an 18% increase from 2010-2012 limits. This new stock-wide quota is identical to the ACLs recommended by the Council to NOAA Fisheries. The ACL is further subdivided into sub-ACLs for each of the four management areas as follows:

<b>2013-2015 Sub-ACLs for Atlantic Herring in Metric Tons</b>	
1A	31,200
1B	4,600
2	30,000
3	42,000
Fixed Gear Set-aside (1A)	295
Research Set-aside (2014-2015 only)	3% of each sub-ACL

For 2013, Area 1A’s sub-ACL was adjusted to 29,480 mt, which will be distributed seasonally, with 72.8% available from June 1 through September 30 (Trimester 2), and the remaining 27.2% available from October 1 through December 31 (Trimester 3). This adjustment accounts for the 1,425 metric tons exceeded in 2011 and the 295 mt fixed gear set aside.

### **3.0 Management Program**

Addendum VI to Amendment 2 of the Interstate FMP for Atlantic Herring establishes the following management measures:

#### ***3.1 Seasonal Splitting of Quota for Areas 1B, 2, and 3***

States are allowed to seasonally split the sub-ACLs in all management areas to maximize value to the Atlantic herring fisheries. The actual splits (amounts or percentages by months, trimesters, or seasons) would be set as part of the specifications process.

#### ***3.2 Quota Rollover for All Management Areas***

Allow for up to 10% of quota in a management area to carry over to the first fishing year after final landings data are available, within that same management area, provided that the ACL is not exceeded for the entire fishery. The stock-wide ACL is not be changed from the annual specification. This adjustment for areas with unused quota is intended to provide some flexibility to the fishing industry. Furthermore, unused quota in one period may be rolled over to the next period within the same fishing year.

**Under management measure 3.2, the following provisions would apply:**

- All harvest control measures continue to apply to stockwide and sub-ACLs.
- All carryovers are based on initial sub-ACL allocations for the fishery year.
- Sub-ACL underages are determined based on the same methodology used to determine sub-ACL overages.
- Sub-ACL carryovers are only authorized if the total ACL for the fishing year is not exceeded.
- Provisions for carryovers, including percentages/amounts, can be modified in the future through the herring fishery specifications process (in addition to framework adjustments and amendments).
- Unused quota may be rolled from one period to the next within the same year.

***3.3 Harvest Control Measures: Trip Limit Triggers***

For all management areas, directed fisheries in a management area will close when 92% of the sub-ACL is projected to be reached, and then the stock-wide fishery will close when 95% of the total ACL is projected to be reached. A 2,000 pound bycatch allowance will continue when the directed fishery is closed.

***3.4 Specification Process for Sub-ACL Triggers***

Sub-ACL triggers will be set using the annual specification process.

## **4.0 Compliance**

The Atlantic Herring Section designated the following schedule by which states will be required to implement the Addendum:

**January 1, 2014:** All states must implement Addendum VI through their approved management programs. States may begin implementing management programs prior to this deadline.