ASMFC Atlantic Herring Advisory Panel
Conference Call - October 23, 2015 – 10:00 AM
Issues and Options Draft Amendment 3 to the Atlantic Herring IFMP

Meeting Staff: Ashton Harp (ASMFC)

Advisory Panel (9): Jeff Kaelin (Chair - NJ), Greg DiDomenico (NJ), Philip Ruhle Jr. (RI), Shawn Joyce (NH), Stephen Weiner (MA), Patrick Paquette (MA), Jennie Bichrest (ME), Mary Beth Tooley (ME), Peter Moore (ME)

Public (2): Terry Stockwell (Section Chair - ME), Brad Schondelmeier (MADMF)

The Atlantic States Marine Fisheries Commission's Atlantic Herring Advisory Panel met via conference call on October 23, 2015 to discuss the issues and options in Draft Amendment 3. These reflect the guidance given to the Plan Development Team (PDT) at the August Section meeting—to, primarily, develop options that protect spawning fish in the Gulf of Maine. The Section will consider options for public comment when it meets on November 2, 2015.

Prior to considering the discussion document, an advisor voiced concern that the document provides no biological analysis or socio-economic analysis, so that weighing some of the spawning closure options becomes difficult. The January 2015 TC report was mentioned as helpful, relative to better understanding the forecasting system being recommended, but the AP, generally, had remaining questions about how the system would work.

It was also noted that the problem statement should include a discussion of the current status of Atlantic herring's spawning stock status and that Table 3 and Figure 2 of the Council's 2016-2018 Herring Specifications document could be included to provide this information. Some advisors suggested that any additional spawning protection in the Gulf of Maine should be tied to spawning stock status, coastwide, since extending the GOM closure period for an additional two weeks would have significant economic impacts on herring fisherman and the lobster fishery, where bait demand is high during the late summer and fall period.

Issue 1: Spawning Area Efficacy (Section 2.0)

2.1 *Spawning Area Closure Monitoring System*

There was consensus in support of *Option C, GSI_{30}-Based Forecast System*. Advisors supported the forecast system's likely ability to better target closures to periods of time when the majority of fish are spawning. Advance warning prior to a closure was voiced as a positive, which is provided by the forecasting system's announcing closures 5 days before the forecasted date. Advisors voiced concern about the fact that last week's opening and reclosing of the MA/NH spawning area all took place within 24 hours, which caused significant disruption to the fishery. Some advisors suggested that much of the fish in that area had already spawned and that the weather was better than it had been for a month. Advisors commented that the goal of this program should not be to save every spawning herring, particularly given the coastal spawning stock condition today. Advisor's also supported this option as it requires that projections would be based on a minimum of 3 samples. One advisor supported the status

quo, Option A.

REQUEST: The AP asked the TC why is the forecasting system standardized for larger fish (30 cm) when the current GSI (gonadosomatic index) is based on fish under 28 inches?

There was no consensus relative to which of the three *GSI_{30} Trigger Value* options should be chosen.

2.2 *Default Closure Dates*

As noted above, the AP could not come to a consensus on the appropriate GSI_{30} trigger value due to uncertainty of the outcome. Five people felt the 70^{th} percentile trigger value would provide additional protection so fishing just prior to spawning would not happen. One person was opposed to the 70^{th} percentile option, they felt the fishery would have to stay closed longer to accommodate maturing fish and spawners.

REQUEST: The AP asked, how do each of the percentile triggers compare or relate to the status quo approach?

2.3 *Spawning Area Boundaries*

There was a general consensus in support of *Option A, status quo,* which has the effect of maintaining the three spawning areas. The AP voiced concern and reluctance to combine the Western Maine and Massachusetts/New Hampshire spawning areas. Advisors felt Option B would likely result in a large coastal shutdown based on a few samples. In addition, the AP felt there was not sufficient biological evidence to support anything other than status quo.

REQUEST: The AP suggested that a chart depicting the spawning area boundaries would be helpful for the public and that the document should also reflect fishing effort in these areas over time; the NMFS should be able to supply VMS (vessel monitoring system) data

2.4 *Spawning Closure Period*

Closure Period

There were seven advisors in support of the status quo, Option A, a four week closure with the fishery being closed for an additional two weeks, if necessary, and three in favor of Option B, a six week closure. A participant commented they were not entirely in favor of a six week closure, but it was better than the status quo given the potential damage (i.e. fishing on spawners) that one herring boat can impose in just a couple of days. A participant in favor of status quo commented that there is not enough social and economic data to justify a six week closure and the document should outline the effects it could potentially have on lobster fishermen.

Re-closure Protocol

Three advisors were in favor of the status quo and two participants were in favor of option B, defined protocol. Those in favor of Option B liked that it only involved one sample to initiate a re-closure, which is why other advisors opposed it.

Issue 2: Fixed Gear Set-Aside Provision Adjustment (Section 3.0)

The AP was unanimously in favor of the *status quo, Option A.*

REQUEST: The AP asked that the document include historical landings in the fixed gear fishery. This information should also be available in the Council's specifications document.

Issue 3: Empty Fish Hold Provision (Section 4.0)

There was general support for an empty fish hold provision in the fishery and the issue has been addressed by the Council. Five advisors were in favor of Option E, an empty fish hold provision, limiting the requirements to vessels with the ability to pump fish, that is not contingent on federal adoption and two participants were in favor of Option B, an empty fish hold provision, with the pumping limitation, that is contingent upon federal adoption of the same provision.

Other Comments:

- The AP discussed the benefit of reinstating a tolerance for spawning fish in the fishery because it would provide the opportunity to regularly collect samples of herring for GSI analysis from vessels that are working in the area to be closed. REQUEST: The majority of AP members requested that the Section consider adding a tolerance option to draft Amendment 3. One advisor did not support this suggestion.
- Add information relative to current status of the fishery (i.e., SSB) in the introduction of the document.
- A participant said they were confused about the goals and objectives of the draft amendment, there should text added to the document that describes that protecting spawning fish is a goal, in addition to maintaining the fishery and markets. Protecting spawning fish exclusively is unrealistic.
- One participant noted that although the spawning stock biomass is above the target, there is still a need to update the spawning closure system. The spawning closure system is necessary irrespective of the status of the stock.

ACTION: The Chair suggested that the AP be polled to see who would like to continue being an AP member and re-populate the AP if necessary. Nine of sixteen members participated in the conference call.

The AP call ended at 12:00 PM