

Atlantic States Marine Fisheries Commission

TECHNICAL ADDENDUM I

to

Amendment 2 to the Interstate Fishery Management Plan for Atlantic Menhaden



ASMFC Vision Statement:

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

May 2013

Introduction

Amendment 2 to the Interstate Fishery Management Plan for Atlantic Menhaden was approved in December 2012. Amendment 2 enables the Atlantic Menhaden Management Board to set aside 1% of the overall total allowable catch (TAC) for episodic events (*Section 4.2.1.8*). Episodic events are times and areas where Atlantic menhaden are available in more abundance than they normally occur. The set aside is designed to enable increased harvest of Atlantic menhaden during episodic events.

Statement of the Problem

At its December 2012 meeting, the Board set aside 1% of the 2013 TAC for episodic events (1% of 170,800 metric tons). As part of the episodic events set aside provision the Board must develop a mechanism for state(s) to use the set aside through Board action that includes a qualifying definition of episodic events, required effort controls to scale a state's fishery to the set aside amount, and a timely reporting system to monitor the set aside. At its February 2013 meeting, the Board noted that episodic events of Atlantic menhaden historically occur in the New England region and directed a subcommittee of those states to further develop the parameters for the episodic events set aside program. This Technical Addendum details an episodic events set aside program for the 2013 fishing year that was approved by the Board at its May 22, 2013 meeting.

Episodic Events Set Aside Program

Eligibility

1. New England states (Maine, New Hampshire, Massachusetts, Rhode Island, and Connecticut) are eligible to participate in the episodic events set aside program.
2. To participate in the episodic events program, a state must implement the following mandatory provisions and follow the procedures outlined below:

Mandatory Provisions

1. Participating states must implement daily trip level harvest reporting. Each state must track landings and submit weekly reports to ASMFC staff.
2. Episodic event harvests and landings must be restricted to state waters of the state that declares participation in an episodic event.
3. Participating states must implement a maximum daily trip limit no greater than 120,000 pounds/vessel.

Qualification Process

1. To qualify for participation in the episodic events set aside program, a state must demonstrate it has implemented the mandatory provisions through resubmission of its implementation plan by July 1, 2013. The Plan Review Team will verify compliance with the mandatory provisions of the episodic events set aside program. The ASMFC's Executive Director (or designee) will issue a letter to the Atlantic Menhaden Management Board identifying state(s) that qualify to participate in the episodic events set aside program.
2. States that qualify for the episodic events program do not forfeit their allocated state quotas as they will use their quota to determine if an episodic event has occurred as described below.

Declaring Participation

1. A state must declare participation in the episodic events program to the ASMFC prior to September 1. Notification must be sent to ASMFC that an episodic event has been triggered as defined below:
 - a. Episodic events shall be defined as any instances when a qualified state has reached its individual state quota, prior to September 1, and has information indicating the presence of unusually large amounts of menhaden in its state waters. For example, Maine has a quota of 66.58 metric tons. Should Maine landings reach 66.58 metric tons before September 1, and should Maine become aware of the presence of large amounts of menhaden in its waters, an episodic event will have been triggered specifically for that state, enabling it to begin harvesting from the set aside in accordance with the mandatory provisions herein.
2. States declaring participation in the episodic events program will not be eligible for *de minimis* status. If a qualifying state was previously granted *de minimis* status it will lose that status and will need to collect biological data and catch and effort data for an adult index as required by Amendment 2 (*Section 3.6.2.1 and 3.6.2.2*).

Procedure for Unused Set Aside

1. If an episodic event is not triggered by September 1 in any state, the unused set aside quota will immediately be rolled into the overall quota and redistributed to the states based on the historical allocation from 2009-2011.
2. If an episodic event is triggered, any unused set aside at the end of the calendar year will remain unused and will not be rolled over into the coastwide quota. The justification for this measure is that Amendment 2 does not currently allow for quota rollovers because Atlantic menhaden is experiencing overfishing.

Procedure for Set Aside Overages

1. If the episodic event set aside is exceeded, any overages will be deducted from the next year's episodic event set aside amount.

Set Aside Program Review

1. Participating states, acting through the Subcommittee, will review performance of the episodic events set aside program and report back to the Board at the fall ASMFC meeting. As part of this review, the Subcommittee will evaluate the effectiveness of timely reporting, and the appropriateness of effort controls, as implemented by states that participated in the program during 2013.
2. Upon review of the episodic events set aside program, the Board may develop additional criteria, or alter the existing program provisions through Board action or the adaptive management addendum process.