

# Atlantic States Marine Fisheries Commission

## Shad and River Herring Management Board

*October 23, 2024*  
*11:30 a.m. – 12:15 p.m.*

### Draft Agenda

The times listed are approximate; the order in which these items will be taken is subject to change; other items may be added as necessary.

1. Welcome/Call to Order (*L. Fegley*) 11:30 a.m.
2. Board Consent 11:30 a.m.
  - Approval of Agenda
  - Approval of Proceedings from August 2024
3. Public Comment 11:35 a.m.
4. Consider Updates to Shad and River Herring Sustainable Fishery Management Plans (SFMPs) (*W. Eakin*) **Action** 11:45 a.m.
  - New Hampshire River Herring SFMP and Proposal to Reopen Fishery
  - Maine River Herring SFMP
  - Massachusetts American Shad SFMP
  - Connecticut American Shad SFMP
5. Other Business/Adjourn 12:15 p.m.

The meeting will be held at The Westin Annapolis (100 Westgate Circle, Annapolis, Maryland; 888.627.8994) and via webinar; click [here](#) for details

# MEETING OVERVIEW

## Shad and River Herring Management Board Meeting

October 23, 2024

11:30 a.m. – 12:15 p.m.

Chair: Lynn Fegley (MD) Assumed Chairmanship: 2/23	Technical Committee Chair: Wes Eakin (NY)	Law Enforcement Committee Representative: Lt. Col. Jeffrey Sabo
Vice Chair: Phil Edwards (RI)	Advisory Panel Chair: Pam Lyons Gromen	Previous Board Meeting: August 7, 2024
Voting Members: ME, NH, MA, RI, CT, NY, NJ, PA, DE, MD, DC, PRFC, VA, NC, SC, GA, FL, NMFS, USFWS (19 votes)		

### 2. Board Consent

- Approval of Agenda
- Approval of Proceedings from August 2024

**3. Public Comment** – At the beginning of the meeting public comment will be taken on items not on the agenda. Individuals that wish to speak at this time must sign-in at the beginning of the meeting. For agenda items that have already gone out for public hearing and/or have had a public comment period that has closed, the Board Chair may determine that additional public comment will not provide additional information. In this circumstance the Chair will not allow additional public comment on an issue. For agenda items that the public has not had a chance to provide input, the Board Chair may allow limited opportunity for comment. The Board Chair has the discretion to limit the number of speakers and/or the length of each comment.

### 4. Consider Updates to Shad and River Herring Sustainable Fishery Management Plans (11:45 a.m.-12:05 p.m.) Action

#### **Background**

- Amendments 2 and 3 to the Shad and River Herring FMP require all states and jurisdictions that have a commercial fishery to submit a sustainable fishing management plan (SFMP) for river herring and American shad, respectively. Plans are updated and reviewed by the Technical Committee (TC) every five years.
- Massachusetts and Connecticut submitted updated SFMPs for American shad (**Briefing Materials**).
- Maine and New Hampshire submitted updated SFMPs for river herring (**Briefing Materials**).
- New Hampshire also submitted a proposal to reopen the river herring fishery, which has been closed since 2021 due to a failure to reach its fishery-independent sustainability metric in 2019 (**Briefing Materials**).

#### **Presentations**

- Shad and River Herring SFMP Updates for Board Consideration by W. Eakin

#### **Board actions for consideration at this meeting**

- Consider approval of updated SFMPs for Maine, New Hampshire, Massachusetts, and Connecticut, as well as approval of New Hampshire’s proposal to reopen the river herring fishery.

### 5. Other Business/Adjourn



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## MEMORANDUM

**TO:** Shad and River Herring Management Board

**FROM:** Shad and River Herring Advisory Panel

**DATE:** October 15, 2024

**SUBJECT:** Advisory Panel Review of 2024 River Herring Benchmark Assessment

The Shad and River Herring Advisory Panel (AP) met via conference call and webinar on Monday, October 7<sup>th</sup>, 2024 to review the results of the 2024 River Herring Benchmark Assessment.

**AP Members in attendance:** Pam Lyons Gromen (Chair), Byron Young (NY), Edward Hale (DE), Bill Lucey (CT), Deb Wilson (ME), Jerry Audet (MA), Mike Thalhauser (ME), Ray Brown (NC), Steve Gephard (CT), Thomas Rowe (SC)

**ASMFC Staff:** James Boyle, Katie Drew

**Other:** Margaret Conroy (SAS Chair), Matthew Jargowsky, Kevin Job, Jason Boucher, Emily Bodell, Jamie Cournane, Roger Fleming, Jaclyn Higgins

Margaret Conroy presented an overview of the 2024 River Herring Benchmark Stock Assessment, including a description of methods and results for each system. The presentation highlighted the newly incorporated regional stock structures and habitat model.

### AP Discussion

Overall, AP members were concerned that river herring populations are not recovering despite the actions taken through Amendment 2 that resulted in the closure of most state fisheries. Individual AP members provided several comments related to the assessment. First, Ray Brown expressed concern with the idea of increasing harvest for either species given the results of the assessment.

Steve Gephard wanted it noted for management and the public that the 2009 reference year represents a greatly depleted stock and comparisons to 2009 do not fully convey the losses that the stock has had over the full time series. Additionally, expressed concern that recent bycatch values are artificially low due to the lack of observer coverage and that the assessment does not adequately incorporate the Area 1a Atlantic herring spawning closures into its evaluation of the relatively positive trends seen in northern New England. He would recommend that the Commission draft a comment letter in support of time/area closures in Atlantic Herring Amendment 10 by the New England Fishery Management Council.

Jerry Audet noted that the lack of a significant positive trend coastwide since the moratorium in 2009 represents an emergency. Furthermore, he sought direction from the assessment data on the most critical areas of immediate concern to direct management efforts. It is unclear whether in-river or at-sea issues represent the most immediate threat to restoration.

Bill Lucey, through comments during and after the meeting, indicated support for exploring catch caps that are more responsive to existing river herring stock conditions by genetic sub-regions as defined by Reid et al. (2018), while also formulating time area closures based on bycatch probability such as those developed by Roberts et al. (2023). Furthermore, he advocated for the time-area closures to be more clearly defined than the rolling hotspot method but could incorporate information from that previous management effort. Finally, he emphasized that there should be a rapidly growing focus on funding in-river monitoring efforts along with any other herring specific surveys (e.g. acoustics, tagging) to look at population level responses to reduced herring and mackerel effort and evaluate fishing mortality through at-sea interception, or lack thereof due to reduced fishing effort.

Mike Thalhauser expressed concern that the assessment is not able to evaluate the stocks at small enough scales for suitable management and wishes for managers to adapt to considering individual river stocks and fisheries rather than coastwide trends. Additionally, he advocated for earlier involvement of the AP in the assessment process, including discussions with the Stock Assessment Subcommittee regarding incorporating systems that have had recent restoration efforts but do not have 10 years of data currently required for consideration.

Ed Hale emphasized the need for increased observer coverage to evaluate at-sea bycatch and for states to utilize a consistent method for ageing samples. Additionally, he spoke in support for recreational personal use harvest in state Sustainable Fishery Management Plans (SFMPs).

Paul Perra (MA) was unable to attend the meeting but sent comments in ahead of time to call for coastal buffer zones in the Atlantic herring and mackerel fisheries to reduce river herring bycatch and to express support for the research recommendations in the assessment to improve restoration efforts.

In addition to discussing the assessment, several AP members expressed disappointment with the frequency of AP meetings and requested that the AP meet more regularly to be more involved and effective as an advisory body. The last AP meeting was held after the most recent American shad assessment in January 2021.

Finally, the AP requested to convene for another meeting to further discuss recommendations and draft consensus statements for management in response to the assessment.