

Atlantic States Marine Fisheries Commission

Atlantic Herring Management Board

February 2, 2021

4:15 – 5:15 p.m.

Webinar

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.

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| 1. Welcome/Call to Order (<i>C. Patterson</i>) | 4:15 p.m. |
| 2. Board Consent | 4:15 p.m. |
| • Approval of Agenda | |
| • Approval of Proceedings from October 2020 | |
| 3. Public Comment | 4:20 p.m. |
| 4. Set Sub-Annual Catch Limit for the 2021-2023 Fishing Years
(<i>K. Rootes-Murdy</i>) Final Action | 4:30 p.m. |
| 5. Update on Amendment 8 and Consider Impacts to Area 1A Fishery
(<i>K. Rootes-Murdy</i>) | 4:45 p.m. |
| 6. Update on New England Fishery Management Council and Commission
Coordination Discussions (<i>R. Beal</i>) | 5:10 p.m. |
| 7. Other Business/Adjourn | 5:15 p.m. |

MEETING OVERVIEW

Atlantic Herring Management Board
Tuesday, February 2, 2021
4:15 p.m. – 5:15 p.m.
Webinar

Chair: Cheri Patterson (NH) Assumed Chairmanship: 02/20	Technical Committee Chair: Renee Zobel (NH)	Law Enforcement Committee Representative: Delayne Brown (NH)
Vice Chair: Megan Ware (ME)	Advisory Panel Chair: Jeff Kaelin (NJ)	Previous Board Meeting: October 19, 2020
Voting Members: ME, NH, MA, RI, CT, NY, NJ, NMFS, USFWS (9 votes)		

2. Board Consent

- Approval of Agenda
- Approval of Proceedings from October 2020

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. Set Sub-Annual Catch Limit for the 2021-2023 Fishing Years (4:30-4:45 p.m.) Final Action

Background

- In October the Board set seasonal allocations for the 2020 Area 1A fishery but the sub-ACL specifications were not available at the time. The New England Fishery Management Council (Council) recommended specifications for 2021-2023 through Framework 8 to NOAA Fisheries in September 2020. **(Briefing Materials)**
- NOAA Fisheries is still reviewing Framework 8, therefore a proposed rule on 2021-2023 sub-ACL specifications has not been published yet. A final rule is expected to be published after the Board Meeting.

Presentations

- Overview of the 2021-2023 sub-ACL specifications by K. Rootes-Murdy

Board actions for consideration at this meeting

- Set the 2021-2023 sub-ACL specifications via Board motion, pending release of a proposed rule by NOAA Fisheries

5. Update on Amendment 8 and Consider Impacts to Area 1A Fishery (4:45-5:10 p.m.)

Background

- Amendment 8 was initiated by the Council in 2014. The Amendment specifies changes to Atlantic herring management including the establishment of a long-term acceptable biological catch control rule and the prohibition of midwater trawl gear inshore of 12-nautical mile from Canada to Connecticut and inshore of 20 nautical miles off the east coast of Cape Cod.
- NOAA Fisheries recently published a final rule on the Amendment, with an effective date of February 10, 2021 (**Briefing Materials**)

Presentations

- Update on Amendment 8 and Potential Impacts to Area 1A Fishery by K. Rootes-Murdy

6. Update on New England Fishery Management Council and Commission Coordination Discussions (5:10-5:15 p.m.)

Background

- Concerns have been raised in recent years that management alternatives considered by the Commission may have been inconsistent with the federal Atlantic Herring FMP and Council comments on specific measures may not be given appropriate consideration by the Commission.
- A technical work group of Commission Plan Review Team and Council Plan Development Team members, co-chaired by the Commission Herring Board and Council Herring Committee chairs, met in 2020 to discuss a proposed list of shared management responsibilities for review by Leadership.

Presentations

- Update by R. Beal

7. Other Business/Adjourn

Prowler Fisheries, Inc.

PO Box 385, Boothbay, ME 04537

207-633-2214

harborbait@outlook.com

January 25, 2021

ASMFC

Atlantic Herring Management Board

We support Amendment 8's prohibition of Midwater Trawl gear Inshore. MWT vessels original intent was to fish well offshore. Because there are no conservation measures in Areas 1B, 2, and 3, they have been over-fished, and MWT's have moved closer and closer to shore, further depleting the inshore biomass.

At the end of 2020, Area 1B was over-caught by 380 metric tons by MWT's. This should not be allowed to occur. However, because there are no conservation measures in place, once they begin catching, it is impossible to stop them quickly. Harvesting is allowed to occur 7 days a week 24 hours a day.

*Spawning closures need to be implemented in all the Areas – not just in Area 1A.

*A larger portion of the quota should be assigned to Area 1A **as was done in 2019** based on recent years' catch numbers.

The harvest in 1A has been consistent through the years specifically due to conservation measures implemented and supported by the purse seine fleet. If and when Areas 2 and 3 stocks improve then they can be assigned additional quota. Before the new cuts were instituted, the harvest in Area 2 was less than 50% of its allotted quota for many years. In 2020, only 11% of Area 2's tiny quota was harvested, because it has been consistently over-fished for many years - 7 days a week, 24 hours a day by large MWT's. Currently, and for many years over 70% of the quota is allotted to the Areas where MWT's fish (1B, 2, and 3).

*Since the 2021-2023 quotas are now even smaller, all harvesting in Area 1A should take place in Trimester 2.

It makes no sense to save that small amount for winter when demand for bait is low, the weather is no longer mild, and the herring tend to leave the area. The same *days' out and truck limit restrictions* that are currently implemented in Trimester 2, should also be mandated in Trimester 3. Not only should landing days be implemented in Trimester 3, but fishing days as well. Presently harvesters are allowed to fish multiple, extended days and hold the fish until the designated landing day(s). Basically the landing days are meaningless for quota control.

*Additionally, MWT's, currently prohibited from fishing in Area 1A in Trimester 2, should also be prohibited in Trimester 3.

We believe that the herring fishery has steadily been steered to promote the wishes of large boats which are MWT's, that can fish every square inch of the ocean, 24 hours a day. Purse seiners do not fish in 1B or 3. Seiners fish almost exclusively in Area 1A during the night only, targeting herring only, and catching a small scoop here and a small scoop there, rarely interfering with lobster trap gear.

In conclusion, the herring quota has been drastically cut and the fishing rules need to change along with it. The old methods no longer fit the new scenario we are in.

Respectfully submitted,

Jeanne Fuller