

Atlantic States Marine Fisheries Commission

Atlantic Herring Management Board

October 19, 2020

9:00 - 10:00 a.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>) | 9:00 a.m. |
| 2. Board Consent | 9:00 a.m. |
| • Approval of Agenda | |
| • Approval of Proceedings from August 2020 | |
| 3. Public Comment | 9:05 a.m. |
| 4. Set 2021 Fishery Specifications (<i>M. Appelman</i>) Final Action | 9:15 a.m. |
| • Set Quota Period for Area 1A | |
| 5. Update on New England Fishery Management Council and Commission Coordination Discussions (<i>T. Kerns</i>) | 9:45 a.m. |
| 6. Other Business/Adjourn | 10:00 a.m. |

MEETING OVERVIEW

Atlantic Herring Management Board Webinar
October 19, 2020
9:00 – 10:00 a.m.

Chair: Cheri Patterson (NH) Assumed the Chair: 2/20	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: August 5, 2020
Voting Members: ME, NH, MA, RI, CT, NY, NJ, NMFS, NEFMC (9 votes)		

Public Comment – For items not on the agenda, public comment will be taken at the end of the meeting. Individuals that wish to speak at this time should use the webinar raise your hand function and the Board Chair will let you know when to speak. 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 Board 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.

2. Board Consent

- Approval of Agenda
- Approval of Proceedings from August 2020

3. Public Comment (1:20-1:30 p.m.)

4. Set 2021 Fishery Specifications (9:15 – 9:45 a.m.)
<p>Background</p> <ul style="list-style-type: none"> • In September, the NEFMC set specifications for the 2021-2023 fishing years through Framework 8 (Briefing Materials) • Per Amendment 3, states annually set quota specifications, including the quota period system in Area 1A. • For the 2020 fishing year, the Board adopted a seasonal quota approach with 72.8% available June-September, and 27.2% available October-December. • The Board will consider approving sub-ACL for Area 1A for 2021-2023 after a final rule is published by NOAA Fisheries.
<p>Presentations</p> <ul style="list-style-type: none"> • Presentation of 2021 fishery specifications by M. Appelman
<p>Board Actions for Considerations</p> <ul style="list-style-type: none"> • Set quota periods for the 2021 Area 1A fishery

5. Update on New England Fishery Management Council and Commission Coordination Discussion (9:45 – 10:00 a.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 NEFMC comments on specific measures may not be given appropriate consideration by the Commission.
- Therefore, Council and Commission leadership (Leadership) met to discuss issues about shared Atlantic herring management and agreed to define the roles of each management body by identifying the measures that would be addressed by each.
- A technical work group of Commission Plan Review Team and NEFMC Plan Development Team members, co-chaired by the Commission Herring Board and Council Herring Committee chairs, was formed to prepare a proposed list of shared management responsibilities for review by Leadership.

Presentations

- Update by T. Kerns

7. Other Business/Adjourn (10:00 a.m.)

Atlantic Herring Technical Committee Task List

Activity Level: Medium

Committee Overlap Score: Medium

Committee Task List

While there are no Board tasks for the TC at present, there are several annual activities in which TC members participate, both through the Commission and NEFMC

- Participation on ASMFC PDT
- Participation on NEFMC PDT (currently working on Framework 7)
- Summer/fall collection of spawning samples per the spawning closure protocol
- Annual state compliance reports are due February 1

TC Members

Renee Zobel (NHFG – Chair), Kurt Gottschall (CT DMF), Dr. Matt Cieri (ME DMR), Micah Dean (MA DMF), Corinne Truesdale (RI DFW), Deirdre Boelke (NEMFC), Jonathan Deroba (NOAA NEFSC), Carrie Nordeen (NOAA)

**DRAFT PROCEEDINGS OF THE
ATLANTIC STATES MARINE FISHERIES COMMISSION
ATLANTIC HERRING MANAGEMENT BOARD**

**Webinar
August 5, 2020**

These minutes are draft and subject to approval by the Atlantic Herring Management Board.
The Board will review the minutes during its next meeting.

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INDEX OF MOTIONS

1. **Move to approve agenda** by Consent (Page 1).
2. **Move to approve proceedings of May 5, 2020** by Consent (Page 1).
3. **Move to elect Megan Ware as Vice-chair to the Atlantic Herring Management Board** (Page 8).
Motion by Dan McKiernan; second by Dennis Abbott. Motion carried (Page 9).
4. **Motion to adjourn** by Consent (Page 9).

ATTENDANCE

Board Members

Megan Ware, ME, proxy for P. Keliher (AA)	Matt Gates, CT, Administrative proxy
Cheri Patterson, NH (AA), Chair	Robert LaFrance, CT, proxy for B. Hyatt (GA)
G. Ritchie White, NH (GA)	Jim Gilmore, NY (AA)
Dennis Abbott, NH, proxy for Sen. Watters (LA)	Emerson Hasbrouck, NY (GA)
Dan McKiernan, MA (AA)	John McMurray, NY, proxy for Sen. Kaminsky (LA)
Raymond Kane, MA (GA)	Joe Cimino, NJ (AA)
Sarah Ferrara, MA, proxy for Rep. Peake (LA)	Tom Fote, NJ (GA)
Conor McManus, RI, proxy for J. McNamee (AA)	Adam Nowalsky, NJ, proxy for Asm. Houghtaling (LA)
Eric Reid, RI, proxy for Sen. Sosnowski (LA)	Allison Murphy, NMFS

(AA = Administrative Appointee; GA = Governor Appointee; LA = Legislative Appointee)

Ex-Officio Members

Renee Zobel, Technical Committee Chair	Delayne Brown, Law Enforcement Representative
Jeff Kaelin, Advisory Panel Chair	Jonathan Deroba, Technical Committee Representative

Staff

Robert Beal	Jeff Kipp
Toni Kerns	Sarah Murray
Maya Drzewicki	Kirby Rootes-Murdy
Max Appelman	Mike Schmidtke
Kristen Anstead	Deke Tompkins
Chris Jacobs	

Guests

Karen Abrams, NOAA	Monty Deihl, Ocean Fleet Svcs
Fred Akers	Russell Dize, MD (GA)
Rep. Thad Altman, FL (LA)	John Duane, Wellfleet, MA
Steve Atkinson	William Dunn
Jerald Ault, Univ Miami	Maddie Dwyer, MD DNR
Dave Bethoney, U MASS	Paul Eidman, Tinton Falls, NJ
Alan Bianchi, NC DENR	G. Warren Elliott, PA (LA)
Deidre Boelke, NEFMC	Lynn Fegley, MD DNR
Jason Boucher, DE DFW	Marianne Ferguson
Jeff Brust, NJ DEP	James Fletcher, Wanchese Fish Co
Mike Celestino, NJ DEP	Tony Friedrich, SGA
Benson Chiles, Chiles Consulting	Mel Gardner
Matt Cieri, ME DMR	Lacie Gaskins, Reedville, VA
Allison Colden, CBF	Pat Geer, VMRC
Caitlin Craig, NYS DEC	Emily Gilbert, NOAA
Jane Crowther, Omega Protein	Brooke Goggins
Jessica Daher, NJ DEP	Willy Goldsmith, SGA
Pamela D'Angelo	Zoe Goozner, Pew Trusts
Maureen Davidson, NYS DEC	Joseph Gordon, Pew Trusts
Justin Davis, CT (AA)	Zach Greenberg, Pew Trusts
Jeff Deem, Lorton, VA	Jon Hare, NOAA

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Draft Proceedings of the Atlantic Herring Management Board
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Guests (continued)

Pete Himchak	Eric Schneider, RI DEM
Kyle Hoffman, SC DNR	Bret Scholtes, Omega Protein
Rusty Hudson, DSF	Tara Scott, NOAA
Aaron Kornbluth, Pew Trusts	Alexei Sharov, MD DNR
Phil Langley, PRFC	Dave Sikorski, CCA
Thao Le, NOAA	Melissa Smith, ME DMR
Tom Little, NJ Legislature	David Stormer, DE DFW
Bob Lombardi	Helen Takade-Heumacher, FL FWS
Mike Luisi, MD DNR	Mary Beth Tooley, Lincolnville, ME
Loren Lustig, PA (GA)	Corinne Truesdale, RI DEM
Chip Lynch, NOAA	Sarah Vogelsong, <i>Virginia Mercury</i>
John Maniscalco, NYS DEC	Mike Waine, ASA
Nichola Meserve, MA DMF	Craig Weedon, MD DNR
Roy Miller, DE (GA)	Anna Weinstein, Audubon Society
Derek Orner, NOAA	Kelly Whitmore, MA DMF
Penelope Overton	Catlyn Wells, SC DNR
Patrick Paquette, MSBA	Kelly Whitmore, MA DMF
Olivia Phillips, VMRC	Chris Wright, NOAA
Mike Ruccio, NOAA	Erik Zlokovitz, MD DNR

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The Atlantic Herring Management Board of the Atlantic States Marine Fisheries Commission convened via webinar; Wednesday, August 5, 2020, and was called to order at 1:15 p.m. by Chairwoman Cheri Patterson.

CALL TO ORDER

CHAIRWOMAN CHERI PATTERSON: Good afternoon everyone, we will be starting the Atlantic Herring Management Board webinar now.

APPROVAL OF AGENDA

CHAIRWOMAN PATTERSON: I'm Cheri Patterson, the Chairperson, and I would like to move forward with asking if there are any changes to the agenda that any Board member would like to present. Please raise your hand.

MS. TONI KERNS: I see no hands, Cheri.

CHAIRWOMAN PATTERSON: Thank you, then the agenda is approved by consent.

APPROVAL OF PROCEEDINGS

CHAIRWOMAN PATTERSON: I would also like to approve the proceedings from the May 2020 meeting, or webinar. Is there any objection to this request for approval by the Board? Please raise your hand.

MS. KERNS: I see no hands raised.

CHAIRWOMAN PATTERSON: The proceedings are approved by consent.

PUBLIC COMMENT

CHAIRWOMAN PATTERSON: Next, we'll move to achieving some public comment for items that are not on the agenda, please. Please raise your hand so I can recognize you.

MS. KERNS: For those members of the public, just to make sure everybody knows how to raise your hand. You just click on that little hand

button on the webinar if you wanted to comment. Cheri, I do not see any hands raised.

MS. PATTERSON: Didn't we have somebody that wanted to?

MS. KERNS: I think that was (broke up) during the assessment.

MS. PATTERSON: Okay, thank you. No public comment.

REVIEW OF THE 2020 ATLANTIC HERRING MANAGEMENT ASSESSMENT AND PEER REVIEW REPORTS

CHAIRWOMAN PATTERSON: So, we will move forward with Reviewing the 2020 Atlantic Herring Management Assessment and Peer Review Reports. I would like to turn that over to Ms. Deroba, and the materials were sent out in the supplemental materials e-mail for everybody else. Thank you. Mr. Deroba, sorry about that.

MR. JONATHAN J. DEROBA: I was going to awkwardly just ignore it, but thank you. I will dive right in. A little bit of background. Prior to this year the herring was previously assessed October, 2018. It was a benchmark assessment. It is assessed using the assessment model typical of New England, the ASAP model of forward projecting statistical catch at age model. It has two fishing fleets, a mobile fleet, and a fixed-gear fleet. You'll see the fixed fleet is highlighted in bold there, noting that over 90 percent of that fleet is Canadian. Just keep that in the back of your mind. That will become important when we get to reference points.

It has four surveys, three NMFS bottom trawl surveys, and an acoustic time series that is collected during the fall bottom trawl survey. Natural mortality is constant at 0.35 among time and age. The model doesn't have any ability to estimate a stock recruit relationship, so MSY reference points were based on an F40 percent proxy.

I will go through the assessment term of reference by term of reference, as it was laid out during the review.

Term of Reference 1, estimate catch from all sources. I make a note there that discards have only been available since 1996, but they're generally less than 1 percent of landings, so kind of ignore that little hiccup.

There is the catch time series divvied out, color coded by each of those fishery fleets that I mentioned, mobile fleet in black, mobile fleet being trawls and purse seines for the most part. Then the purple is the fixed fleet, which again is largely Canadian. I would like to highlight one aspect of these catches, and that is if you look at the table on the right.

Typically, the fixed fleet is catching 1-7 percent of the total catch, except in the last two years, 2018, 2019, where it's catching 21 to almost 30 percent of the total. That is expressed graphically on the left with the purple bar representing the proportion of the fixed, and the black bar representing the proportion by mobile.

Again, I mention this because it's going to become important when we get to biological reference points. The proportion of the total coming from the fixed gear has increased quite a lot in the last two years. Term of Reference 2 is, evaluate indices of abundance. This is the spring NMFS Bottom Trawl Survey time series, at least over the range of years where we're using the Bigelow vessel, so 2009 through 2019.

Generally speaking, a decline. I won't say too much about these, as I like to let people interpret as they see fit. Here is the fall Bottom Trawl Survey time series, again for the Bigelow years. The anomalous blip there in 2016, I believe was the result of a few large catches. A couple tows caught a lot of herring, which is why you see this increased blip with increased uncertainty.

This is the Summer Time Bottom Trawl Survey, which the time series begins in 1983. This survey has used, I think it uses the Gloria-Michelle, but I can't remember for sure. But it

has used the same vessel throughout the entire time series, so there are no vessel effects here to worry about. This is the full time series for the Summer NMFS Bottom Trawl Survey.

This is the Acoustic Index time series. The Acoustic Index again is collected during the fall bottom trawl survey. The units of measure here on the vertical axis are acoustic backscatter, so it has no absolute biomass interpretation. Term of Reference 3 was to apply the ASAP model, so estimate the time series that we typically would. I made no changes to the ASAP configuration, other than to add two years of data. Here are the retrospective patterns. We're fortunate enough not to have a retrospective pattern to worry about in our management track. The fishing mortality rate retrospective pattern is in the top row. The left column is in absolute units of fishing mortality. The right is relative to the full time series estimates, and the lower row is spawning stock biomass.

Here are the time series of biomass estimates, so total biomass time series is reddish brown. Blue dash is spawning stock biomass, which is what we use for stock status determination, and exploitable biomass in green. The time series of fishing mortality, F, report is what we use for stock status determination, and that represents the average fishing mortality over ages 7 and 8.

We use those ages, because they are fully selected by the mobile fleet, which catches the majority of the total catch. Again, the black line is the one that is of greatest interest in what we use for a stock status. Here is the recruitment time series. Obviously, the elephant in the room is the last seven years have been well below average, including I believe the time series low somewhere in there.

Term of Reference 4 is the biological reference points. This is where we start to make some changes to what we did previously, and I'll get into why here in just a second. Previously what we would do to define biological reference points is premise your F40 percent and SSB40 percent on life history traits, such as weights at age averaged over the last five years.

To define selectivity for the biological reference points, we would take the total F at age, meaning the sum of fishing mortality at age, from each of those fleets that I mentioned, mobile and fixed. Average that over the last five years, and rescale it to have a maximum of 1. Another way to say this, it's not exactly equivalent, but it's essentially a catch-weighted mean selectivity.

Each fleet has a very different selectivity. The mobile fleet selectivity at age is on the left, the fixed fleet selectivity is on the right. If you take a sort of catch-weighted mean of these two things. The more catch comes from the mobile fleet, the more the combined selectivity will look like the selectivity on the left.

But if more catch comes from the fixed fleet, as I noted earlier, the greater that combined selectivity will look like the selectivity curve on the right. When we do long term projections, and for some of the short-term projection years, recruitment is sampled from the entire time series F above estimates, so from '65 to in this case 2017, because we exclude the last two years, because they are very poorly estimated.

Of importance here is in short term projections we would use this combined selectivity curve to define the reference points. We would use this combined single-selectivity curve in short-term projections, and use that to define an ABC and OFL. From the ABC we deduct a recent average fixed-gear catch.

Remember I said the fleet is largely Canadian. They don't have a formulaic approach to setting annual catch quotas, so in order to account for that they are catching fish from the same stock. We would take our ABC from short term projections, and take a recent average of fixed-gear catches, deduct that from the ABC to arrive at an ACL, as a way to account for that source of mortality. The implication here is that the combined selectivity that I described earlier includes just the right amount of fixed-gear catches, largely Age 2 fish is what that fleet

catches. The implication is that there is just enough Age 2 fish being caught that it equates to this recent average, and appropriately accounts for some anticipation of the fixed fleet catches, again largely Canadian catches.

This illustrates the problem we ran into. If you do the combined selectivity as I described, using sort of a catch weight and mean of the selectivity's from each of the fleets, the dash line in the graphic there is what you end up with for selectivity at age, which is this weird wonky shape that has an excessive amount of Age 2 selection.

The problem here is that the reference points are now being unduly effective by the catches of a foreign fleet that don't have a formulaic method for specifying annual quotas that we're able to anticipate. Also, a consequence of this sort of 2020 wonky looking combined selectivity is that if we were to do short term projections using the selectivity, any combined selectivity really.

The assumption is that the Canadian fixed gear fleet would adhere to the U.S. Harvest Control Rule, whatever that may be, and that is not true. If we were to use the combined selectivity there pictured with the dashed line, the short term projections would have far too many Age 2 fish being caught, and it would make the assumption that the Canadian fleet would respond to status changes in the same way that we would, and that is not true.

The solution was to base the biological reference points on the mobile fleet selectivity pattern only. The mobile fleet is a U.S. only fleet. It removes the effect of the Canadian foreign fleet. The graph there showed the difference between what we did in 2018, and the mobile fleet selectivity. You can see they are quite similar, because prior to 2018 and 2019, 95 plus percent of the catch was mobile fleet.

Given that that is no longer the case, we ran into those problems. I want to point out here though, the reference points are going to be based on the mobile fleet selectivity only. Reference points are just goalposts. I'll get into some more details about the

short-term projections, but the short-term projections will still include the Canadian fixed-gear catches.

It's just that the goalposts we're setting for ourselves are now premised on a mobile fleet selectivity pattern. Here are the previous biological reference points. F40 percent was 0.51, the SSB proxy, the corrected value you'll see a corrected value there in parentheses is 266,000 metric tons. In doing this management update, I found out that I flat out just screwed up somehow, and screwed up the SSB proxy in the last assessment.

The updated reference points using the mobile fleet selectivity are 0.54 for F40 percent, and 269 metric tons for SSB proxy, so quite similar, if I had gotten it correct the last time. Now even though the reference points and the goalposts, so to speak, that we have for the stock and fishing mortality are premised on a selectivity pattern that is only the U.S. mobile fleet.

The short-term projections will still explicitly include both fleets. Just as the ASAP Assessment model had two fleets, our short-term projections now have two fleets. Fixed catches are going to be set equal to a recent average, similar to before, except now then instead of taking that recent average after the projections are done, we take the recent average first, and plug that explicitly and directly into the short-term projections. The probability of overfishing will be based on comparing the mobile fleet fishing mortality rate to the reference points as I described, and that are premised on the mobile fleet selectivity.

But they will be explicitly responsive to any changes in Canadian catch. All else being held constant, if Canadian catches were to go up the probability of overfishing would also go up, and respond accordingly, and vice versa. The probability of overfished is based on comparing SSB to the SSB proxy as it always was.

Those are the only real changes to the projection methodology. In short, instead of using a combined selectivity to define the reference points, we're just using the mobile selectivity. Then instead of having this implicit amount of Canadian fixed fleet catches in the short-term projections, we're removing the fixed fleet explicitly, and having two fleets in the short-term projections, so that the effects of each fleet are carried forward separately and explicitly throughout the entire process.

Here is the stock status plot or Kobe plot. The vertical axis is fishing mortality rate in 2019 over the Fmsy proxy. The horizontal axis is SSB in 2019 over the SSB proxy, so the horizontal dash line of 1 would be where F equals FMSY. The vertical dash line is where SSB would equal half SSBmsy.

The crosshairs there, I believe are the 90 percent probability intervals from the stock assessment. There is a triangle just offset from the center of the crosshairs. Should a retrospective adjustment been necessary, that is what the adjustment would be. But obviously the retrospective wasn't severe enough to warrant that.

If this were to become official, the stock would be declared overfished, but overfishing would not be occurring. On to some short-term projection results. As I said, the fixed and mobile fleets are now both explicitly included. For these projections the fixed-gear catches equal their recent ten-year average in all years.

The exact values there are under the second bullet, and the mobile fleet fishing mortality rate is based on the New England Council's Harvest Control Rule that I believe has been finalized. I'll let that there a second, so folks can soak it in, or spit it back out if they choose. Term of Reference 6 was review research priorities from previous assessments and SSC discussions.

I pulled out those that were called the high priority research areas during the 2018 assessment, so the first line was further research on the use of acoustic technology. To my knowledge, no progress has been made there in the last two years. We don't have a

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dedicated acoustic program anymore at the Science Center, so advancing that one will be a bit rough.

Second bullet, at least major bullet is to evaluate the data collected in the study fleet program. I am working with the Cooperative Research Branch of the Science Center, to see if the depth preferences for Atlantic herring are systematically changing through time. For example, are they occupying benthic habitats more frequently than they use to? Then the last bullet was to evaluate the ability of state-space models to utilize in the region more generally. In the 2018 benchmark we had a state-space model, which even if you don't know exactly what that means, it's sort of the state of the art, next generation type of stock assessment model.

We had one available in 2018, but most of the Working Group members weren't comfortable with the statistics behind it, and weren't comfortable sort of diagnosing it, and so it wasn't adopted. But anyway, the recommendation was to do some follow up work on how state-space models function, and are they reliable, and so on and so forth.

That research recommendation is actually one that the ICES community that Europe is heavily involved with, Australia, most major regional management bodies are going this way. There is lots of local, national, and international projects going on in that research priority. Moving beyond the terms of reference here.

I don't actually know if the reviewer report has been made public yet. If it's not, it certainly will be, I would assume within days. The reviewer comments were largely positive. They only had one or two research recommendations. I believe one was about continued evaluation of acoustics.

The second was continued research on how to define reference points in a multi-fleet context, particularly when one of those fleets doesn't

have a formulaic way of setting annual quotas that you can anticipate, so how best to account for that mortality in determining reference points. That is all I had, and I'm happy to take some questions.

CHAIRWOMAN PATTERSON: Thank you very much. Are there any questions from the Board?

MS. KERNS: Cheri, you have Conor McManus.

CHAIRWOMAN PATTERSON: Conor, go ahead.

MR. CONOR McMANUS: Thank you, Jon for your presentation, really informative. I guess I was just curious. Is there any belief that the selectivity curves for the fleets are changing through time? I saw in the figure legend it said 1969. I wasn't sure if those are based off more historical information, or if there is evidence that the selectivity curves are rather stable.

MR. DEROBA: The 1960 whatever label you saw in the graph is a default label that is produced by an R package, which I should probably fix. It's not indicative of much. But to answer your question. No, there is no indication that selectivity of either fleet is shifting systematically through time. If it were, it would likely manifest in residual patterns in the age composition fits in the stock assessment, and the residuals are actually quite good in this stock assessment, at least for the age compositions. There are no obvious indications of time-bearing selectivity.

MR. McMANUS: Great, thank you.

CHAIRWOMAN PATTERSON: Anybody else from the Board before I go out to the public?

MS. KERNS: I don't see any hands, Cheri.

CHAIRWOMAN PATTERSON: Are there any questions for Mr. Deroba from the public?

MS. KERNS: We have a question from Jeff Kaelin, but Jeff, you somehow lost your audio. We need to send you a PIN. We're going to send you a PIN. Tina, can you do that?

MS. TINA BERGER: Just sent.

MS. KERNS: Okay, and perhaps we can come back to Jeff, or if you can text your question to somebody that would have audio ability, we could read your question off for you, Jeff.

MR. DEROBA: You can even e-mail me, Jeff, if you're able to do that from your truck with your phone.

MS. KERNS: Jon, just so you know, we can take control back from you if we need to. Cheri, I don't see any other hands raised for questions at this moment.

CHAIRWOMAN PATTERSON: Okay, is Jeff able to type in his question, maybe?

MS. KERNS: Well, Cheri, he's in his truck, because I think he had lost power. He is on his telephone. I think it's a lot harder to type in a question on your phone.

CHAIRWOMAN PATTERSON: Okay, Jon, are you going to be with us for the rest of this meeting, in case Jeff does come back to us?

MR. DEROBA: I can be if you think it imperative. I have a plumbing issue that has required me to shut water off for my entire house at the moment. I would prefer to go fix that. But if you would like me to hang out for a bit to see if Jeff can get online, I can do that.

CHAIRWOMAN PATTERSON: No, go ahead and fix your personal issues.

MR. DEROBA: Jeff knows how to find me, and he knows I'm happy to answer his questions at any time. I'm happy to do that, Jeff, if you can hear me, or anybody else for that matter.

CHAIRWOMAN PATTERSON: Thank you very much, Jon, good luck.

MR. DEROBA: Thank you, good luck to all those without power.

PROGRESS UPDATE ON THE 2020 AREA 1 FISHERY

CHAIRWOMAN PATTERSON: Okay, next I would like to go to looking at the Progress Update on the 2020 Area 1 Fishery. The Area 1A sub-annual catch limit is 2,957 metric tons after adjusting for the research set-aside. The 30-metric ton fixed-gear set-aside, and the fact that Area 1A closes at 92 percent of the sub-ACL.

In October 2019, the Board implemented seasonal allocations for this year's fishery, which the season was allocated between June through September at 72.8 percent of the ACL, and October through December was designated at 27.2 percent of the sub-ACL. Also, in May of 2020 the Board set effort controls for the Area 1 fishery, which is in your briefing materials, and the fishery did begin in mid-July. It started in Maine on July 19, and in New Hampshire and Massachusetts on July 20. If we could get an overview of the current Area 1A fishery, Renee, we can move on to your presentation.

MS. RENEE ZOBEL: Everybody can see the presentation. I will have staff help advance me through this. Cheri gave a little bit of an update of what this year has looked like thus far, so this is just a reminder. My very high tech, very flashy presentation you'll be seeing today looks very similar to the one that I gave (breaking up) recently.

Just as a reminder to the Board (breaking up) on Friday. We are currently sitting at four landing days for Category A vessels, and a six-truck limit, which is 240,000 pounds weekly per vessel, so there is a landing limit per vessel per week. For Category C and D small mesh bottom trawl vessels, (breaking up) five landing days.

Currently no use of carriers and harvester vessel to harvester vessel transfers only. As of this morning, the best available numbers that we have would be understanding that this fishery is still open for the week. We were sitting at about 872 metric tons taken for the week, which is 1,922,590 pounds. There were five vessels reporting to date this week.

We've had a range of 5-10 vessels participating thus far. I'm actually confirming something, bear with me

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one second to make sure. I understand what the state of Maine sent to me appropriately. Oh, can you guys hear me okay? I'm hearing that I'm breaking in and out.

CHAIRWOMAN PATTERSON: Yes, you are breaking in and out. If you want to come into my office and finish it up, you can.

MS. ZOBEL: Okay, bear with me one moment. All right, sorry about that. Am I a little bit clearer now? We've had 5-10 vessels participating per week. As Cheri stated earlier, the sub-ACL for Area 1A is a little bit higher than this. This is the June 1 through September 30th amount of that catch, which is 2,152 metric tons. With the value as of today that sets us at about 1,600 metric tons taken to date, with 540 metric tons remaining.

We will update again on Friday, as far as the catches overall for this fishery, and determination of whether the Board would like to decide to make a change headed into next week. This is just the visual through GARFO. Their last official quota monitoring update ran through the end of last Thursday, so last week's catches. We were sitting at about 738 metric tons total for the 1A fishery to date at that time. That is all I have; I am happy to take any questions.

CHAIRWOMAN PATTERSON: Toni, Renee and I are sharing a microphone, so if you can just guide us if there are questions.

MS. KERNS: Will do, Megan Ware has a question.

MS. MEGAN WARE: Can we go back maybe one or two slides. I'm still a little confused, one more slide. Is that 872 metric tons, is that landings cumulative over the three weeks we've been open, or just for this week?

MS. ZOBEL: Megan, I'm going to be honest. I worked up this presentation this morning, and this is the VMS, it was a little tricky earlier in the

year, so I was asking for information out of Maine, which you guys have been gracious to help with the reporting program. My understanding was, I was asking for the amount for this week. But I very well may have gotten the cumulative amount. As soon as I started this presentation, I realized we may have crossed paths. If you have information that says that this is the cumulative that would be helpful.

MS. WARE: Okay, give me a second here to do some messaging. I'm getting a message that it is cumulative, that information.

MS. ZOBEL: All right, so that made a lot more sense. As soon as I started into this presentation, and I apologize for the confusion to the Board members. We're juggling a lot of balls at once, and I asked for something and wasn't probably very clear about it, so we were both thinking we were asking for something else.

I'll give you, bear with me one second and I'll give you what remains for the period, which will be significantly more. My apologies on that. We have about 1,300 metric tons left in the fishery then. Everything else is true, but that was the cumulative value and not the weekly value, so my apologies for that confusion. We have caught less than half of what is available for June through September, currently.

MS. KERNS: We have Dennis Abbott with a question.

MR. DENNIS ABBOTT: I'm looking at the NOAA Fisheries report dated 7/31, which said that the cumulative catch at that point was 736 metric tons. Are we saying it's now, the total is 872, meaning we only caught 140 tons this week so far?

MS. ZOBEL: As of this morning that is correct.

MR. ABBOTT: They're still not catching many herring.

MS. ZOBEL: If anybody from the state of Maine or any industry can field that question. I'm hearing in general that the fish have still been difficult to find, but others may have better insight on that.

MS. KERNS: We have Megan Ware.

These minutes are draft and subject to approval by the Atlantic Herring Management Board.
The Board will review the minutes during its next meeting.

Draft Proceedings of the Atlantic Herring Management Board
August 2020

MS. WARE: Yes, Renee, I'm not sure I have better information than that, other than I think that the landings have continued to be on the pace that we've seen them so far this year. We haven't seen a spike in the landings yet.

CHAIRWOMAN PATTERSON: Are there any other questions from the Board for Renee or Megan?

MS. KERNS: I do not see any hands raised.

CHAIRWOMAN PATTERSON: Okay, thank you. We will be having a conference call on Friday, to see if we're going to need to do any further adjustments on the Days-Out meeting. I also wanted to remind the Board. I should say, thank you, Renee for that presentation. I wanted to remind the Board that Jon's presentation of the management track assessment was just keeping us up to date on the results of that assessment.

We're not looking to approve the assessment at this time, because the New England Fisheries Management Council hasn't seen it yet. Therefore, there is no formal recommendations to consider at this point in time. It was just informational.

MS. KERNS: Cheri, Ritchie had raised his hand. I don't know if he wanted to ask a question. There it is, his hand is up again.

CHAIRWOMAN PATTERSON: Go ahead, Ritchie.

MR. G. RITCHIE WHITE: I was just questioning the need for the Friday call, given the rate of harvest. It seems like another week there is no issue, then we're going another week.

CHAIRWOMAN PATTERSON: I would agree with that, but I'm Chair, so is there any other individuals on the Board that see a need to meet on Friday, and can we postpone it for another week?

MS. KERNS: We have Dan, then Megan, and then Ray Kane.

CHAIRWOMAN PATTERSON: Dan, go ahead.

MR. DANIEL MCKIERNAN: Yes, Cheri. I agree with Ritchie. We can postpone another week.

CHAIRWOMAN PATTERSON: Megan.

MS. WARE: I agree as well.

CHAIRWOMAN PATTERSON: Ray.

MR. RAYMOND W. KANE: I agree as well.

MR. ABBOTT: I do, Cheri.

CHAIRWOMAN PATTERSON: Thank you, Dennis. Is next Friday the 14th okay for people's schedule? The 8:30 to 10:00 o'clock slot, will that work, Max or Toni?
MR. MAX APPELMAN: Yes, that should be fine.

MS. KERNS: Yes, we'll send out a notification cancelling the call, and announcing the call for the following Friday.

CHAIRWOMAN PATTERSON: Thank you, Toni, and thank you Board members. Our presentations are done.

ELECTION OF VICE-CHAIR

CHAIRWOMAN PATTERSON: Information has been passed on, so if we could move on to the next agenda item on Election of a Vice-Chair. I believe we have Dan, who would like to make a motion.

MR. MCKIERNAN: Yes, thank you, I would like to nominate Megan Ware as the incoming Vice-Chair.

CHAIRWOMAN PATTERSON: The motion is to elect Megan Ware as Vice-Chair to the Atlantic Herring Management Board.

MR. ABBOTT: I'll second the motion.

These minutes are draft and subject to approval by the Atlantic Herring Management Board.
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CHAIRWOMAN PATTERSON: Seconded by Dennis, thank you.

MR. ABBOTT: And cast one vote for Megan Ware.

CHAIRWOMAN PATTERSON: Is there any opposition to this nomination? Please raise your hand if there is opposition.

MS. KERNS: I do not see any hands raised.

CHAIRWOMAN PATTERSON: Thank you, and congratulations, Megan.

CHAIRWOMAN PATTERSON: Is there any other business that the Board members would like to bring forward, please raise your hand?

MS. KERNS: I don't see any hands raised.

CHAIRWOMAN PATTERSON: Have we heard back from Jeff at all?

MS. KERNS: His hand is raised, but again he's still not connected.

MS. BERGER: He did reply in the question area that he was fine.

MS. KERNS: He did just raise his hand again though, so I feel bad about this. I'm so sorry, Jeff. We can send you an audio pin again. We'll see if we can work with you, so that you can be able to speak in time for the Menhaden Board meeting, and then if you do have questions, we'll try to answer those. You can always call me via the office line.

MS. BERGER: Jeff, your audio PIN number, if you can't retrieve it, is 27906.

MS. KERNS: Bear with us for one second, Cheri. We will try to make this technology work for everyone. I understand this is hard where people are having power outages and such. I think he's fine. He just said that he's all good. I think you're good to perhaps adjourn the meeting.

ADJOURNMENT

CHAIRWOMAN PATTERSON: Okay, thank you. Is there any opposition to adjourning this meeting? Please raise your hand if there is opposition, or if there is further business.

MS. KERNS: I don't see any hands raised.

CHAIRWOMAN PATTERSON: Okay, meeting is adjourned. Thank you everyone.

(Whereupon the meeting adjourned at 2:00 p.m. on August 5, 2020.)



New England Fishery Management Council

FOR IMMEDIATE RELEASE
September 30, 2020

PRESS CONTACT: Janice Plante
(607) 592-4817, jplante@nefmc.org

Atlantic Herring: Council Adopts 2021-2023 Specifications; Adjusts Herring Measures to Facilitate Mackerel Harvest

During the first day of its [September 29-October 1, 2020 webinar meeting](#), the New England Fishery Management Council took final action on Framework Adjustment 8 to the Atlantic Herring Fishery Management Plan. Next, the framework will be submitted to the National Marine Fisheries Service (NMFS/NOAA Fisheries) for review and final approval.

Framework 8 contains two parts:

- Specifications for the 2021-2023 fishing years for Atlantic herring; and
- Adjustments to measures in the herring plan that potentially inhibit the Atlantic mackerel fishery from achieving optimum yield (OY).

The Council based the 2021-2023 catch limits on the best scientific information available, which included:

1. Results from the [2020 Management Track Stock Assessment](#) for Atlantic herring;
2. Overfishing limit (OFL) and acceptable biological catch (ABC) [recommendations](#) from its Scientific and Statistical Committee (SSC), which followed the ABC control rule in [Amendment 8](#); and
3. Input from the Herring Plan Development Team.

The SSC initially considered a higher ABC for 2023 but ended up recommending that the Council maintain the 2022 ABC of

2021-2023 Atlantic Herring Specifications (in Metric Tons)			
Specification	2021	2022	2023
Overfishing Limit (OFL)	23,423	26,292	44,600
Acceptable Biological Catch (ABC)	9,483	8,767	8,767
Management Uncertainty	4,669	4,669	4,669
Optimum Yield / Annual Catch Limit (OY/ACL)	4,814*	4,098*	4,098*
Domestic Annual Harvest	4,814	4,098	4,098
Border Transfer	0	0	0
Domestic Annual Processing	4,814	4,098	4,098
U.S. At-Sea Processing	0	0	0
Area 1A Sub-ACL (28.9%)	1,391	1,184	1,184
Area 1B Sub-ACL (4.3%)	207	176	176
Area 2 Sub-ACL (27.8%)	1,338	1,139	1,139
Area 3 Sub-ACL (39%)	1,877	1,598	1,598
Fixed Gear Set-Aside	30	30	30
Research Set-Aside as % of Sub-ACLs	3%	0%	0%

* If the New Brunswick weir fishery catch through October 1 is less than the associated "trigger," then 1,000 mt of the management uncertainty buffer will be added to the Area 1A sub-ACL.



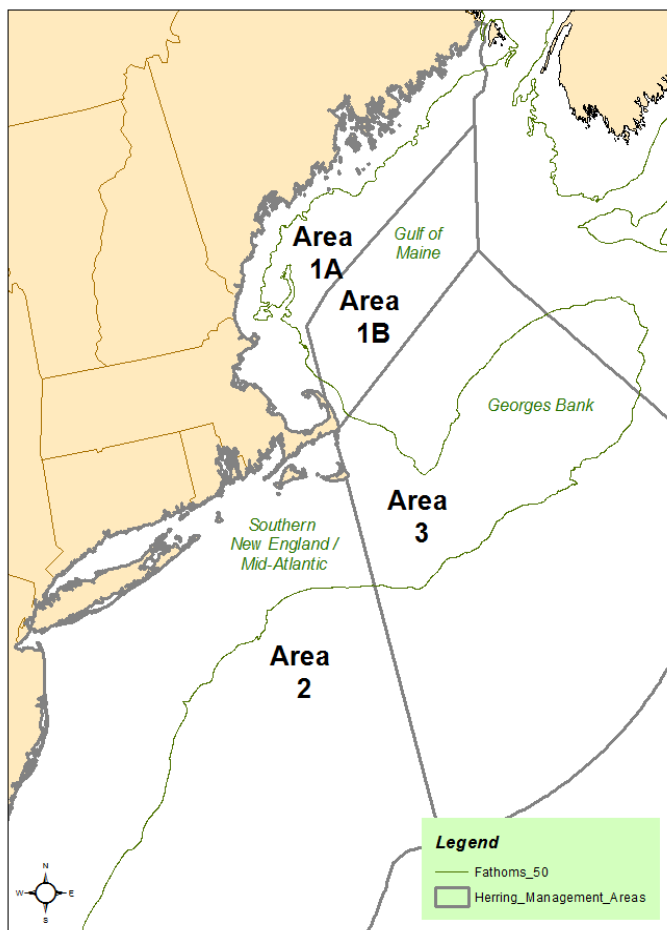
New England Fishery Management Council

8,767 metric tons (mt) in 2023 for this framework. The Council agreed to do so for two primary reasons:

- The lower ABC helps reduce scientific uncertainty, which the SSC deemed important, especially since the new assessment concluded that the resource is now overfished, even though overfishing is not occurring; and
- Both the SSC and Council viewed the 2023 ABC as a placeholder. A new management track assessment for herring is [scheduled for 2022](#), and the 2023 specifications will be updated based on the 2022 assessment results.

The Council takes into account management uncertainty when it sets specifications. While management uncertainty comes from several sources, the biggest one is the weir fishery in New Brunswick, Canada since the Council cannot control catches in that fishery. For the 2021-2023 specifications, the Council voted to set the management uncertainty buffer at 4,669 mt, which reflects the most recent 10-year catch totals from that New Brunswick fishery.

Given the low catch limits available to the U.S. fishery in the near future, the Council voted to set border



Atlantic Herring Management Areas 1A, 1B, 2, and 3. – NEFMC graphic

transfers at zero for the next three fishing years. Typically, the Council allocates a small percentage of fish to at-sea transfers from U.S. vessels to Canadian vessels, which buy herring from U.S. boats for the food-fish market. Border transfer activity has not occurred for the past several years, so the allocation has not been utilized since 2015.

While expressing strong support for the Atlantic Herring Research Set-Aside (RSA) Program, the Council determined that, given the current low quotas, 0% of the annual catch limit (ACL) should be reserved for the RSA program in 2022 and 2023. The Council approved a 3% set-aside for 2021 so that an ongoing project could be completed.

As a result of these decisions, the quotas for Herring Management Areas 1A, 1B, 2, and 3 flowed from there and are shown in the table on page 1.

CARRYOVER: Also related to catch limits, the Council agreed to allow 5% of unharvested catch from 2019 and/or 2020 from each management area – not 10% as would be allowed under “no action” – to automatically roll over to fishing years 2021 and/or 2022 respectively. The Council viewed this as a “balance” between addressing the



New England Fishery Management Council

needs of the fishery while maintaining protection of the resource. This balance was considered to be especially important in light of the current low biomass situation. The Council recognized that additional fish may be caught in one particular management area through the carryover allowance, but this also could lead to less fish being available in another area because the overall annual catch limit cannot be exceeded. Since near-term allocations for all areas will be extremely low, the Council determined that the 5% carryover was more appropriate than 10% and is expected to have lower risks of unintended distributional impacts on various segments of the fishery that access the resource in different areas and seasons.

RIVER HERRING/SHAD: The Council made no changes to the river herring and shad catch caps that currently apply to the Atlantic herring fishery.

Stock Status

Q: Why are herring quotas so low?

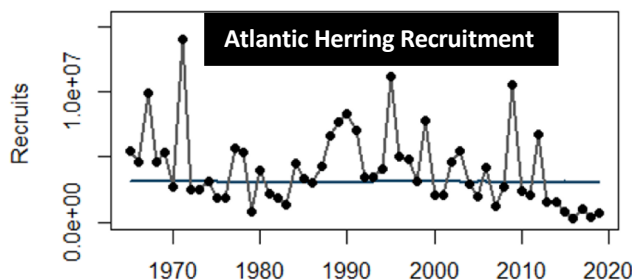
A: According to the new [management track stock assessment](#), the resource is at an extremely low level of spawning stock biomass (SSB). The Council is using a new ABC control rule to set catch limits. The control rule is applied to the estimate of SSB (see box at right). In 2020, the projection of SSB was 21% of the maximum sustainable yield (MSY) level for the herring resource. At this low level of biomass, the maximum fishing mortality rate (F) allowed is 24% of the fishing mortality rate estimated to produce MSY for the herring resource.

Q: What did the assessment peer review panel say?

A: The [peer review panel](#) said that trends in relative abundance of herring from all four surveys used in the assessment “indicate a substantial decline in stock abundance during the past few years.” The panel added, “Survey indices in 2019 were at or near record-low values.”

Q: Did the assessment show any signs of recent, improved recruitment?

A: No. Fishery and survey data have not yet detected improved recruitment, which has been at record low levels for the past seven years as seen in this graphic.



What Does the ABC Control Rule Do?

The Council adopted an ABC control rule for Atlantic herring as part of [Amendment 8](#) to better account for herring’s important role as a forage species. The amendment is under review by NOAA Fisheries. This relatively new control rule was used to develop the ABC recommendations for 2021-2023 and 2019-2021.

The control rule is biomass based. When biomass is greater than 50% of SSB at MSY, the maximum fishing mortality rate can be up to 80% of F at MSY. When biomass falls below 50% of SSB at MSY, then the allowable fishing mortality rate declines linearly. When SSB falls to 10% of SSB at MSY or lower, fishing mortality is set at zero, which means the ABC is zero.



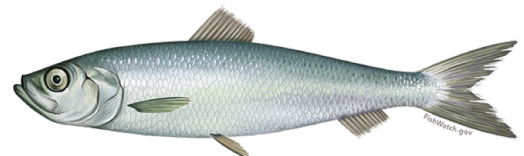
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MACKEREL-RELATED ACTIONS: The Council voted to adjust two measures in the Atlantic herring plan that potentially inhibit mackerel fishermen from being able to more fully utilize the mackerel quota.

- The Council voted to adjust the current 2,000-pound incidental possession limit of herring in the mackerel fishery in Herring Management Areas 2 and 3 as follows:
 - When 90% of each area’s sub-ACL is reached, the mackerel fishery’s incidental catch limit of Atlantic herring would be limited to 40,000 pounds;
 - When 98% of each herring management area’s sub-ACL is reached, the incidental catch limit of Atlantic herring would be 2,000 pounds; and
 - If the total ACL for the herring fishery is reached at 95%, then the incidental “backstop” catch limit for the mackerel fishery would be 2,000 pounds.
- In Area 1B, which currently is subject to a seasonal closure from January through April, the Council voted to eliminate the closure to potentially allow directed mackerel harvests during the early winter months when mackerel typically are present in the area.

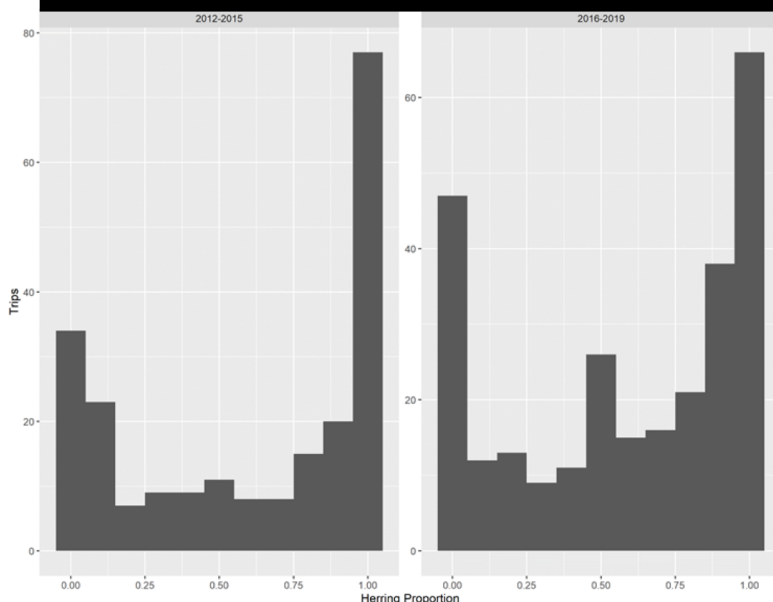


Mackerel and herring often intermix, and many of the region’s midwater trawlers target both species. When the incidental possession limit for Atlantic herring is 2,000 pounds, vessels generally find it challenging to fish for and target mackerel in certain areas and seasons when both species are present. Framework 8 to the herring plan includes two measures to help the mackerel fishery potentially better utilize its available quota.



– NOAA Fisheries graphics

Proportion of Herring Landed on Midwater Trawl Trips With > 1 Pound of Atlantic Mackerel: 2012-2015 Versus 2016-2019



What are These Bar Graphs Showing: The proportion of herring on midwater trawl trips landing mackerel has varied over time. The number of trips where midwater trawl vessels landed *primarily mackerel* are shown on the left side of each bar graph, while the trips where midwater trawlers landed *primarily herring* are depicted on the right side of each graph. The bars in the middle depict trips where mackerel and herring were intermixed.

Questions? Contact Deirdre Boelke, the Council’s Atlantic herring plan coordinator, at (978) 465-0492, ext. 105, email dboelke@nefmc.org.

- All herring documents and the presentation used during this meeting are available at [NEFMC September 29, 2020 Atlantic Herring Discussion](#).