



New England Fishery Management Council's Framework 4 to the Atlantic Herring FMP

Presented to ASMFC Atlantic Herring Section
May 12, 2014

Background



Framework 4 was developed to address disapproved measures from Amendment 5:

- Dealer Weighing/Reporting Requirements
- Net Slippage

Adopted Alternatives



Dealer Weighing/Reporting Alternative 2.1.2

➤ Option C

- Fish holds on limited access herring vessels are required to be empty before leaving the dock when declared into the herring fishery.
- A waiver may be issued for instances when there are fish in the holds after inspection by an appropriate law enforcement officer.
- Applies to Category A and B boats only

Adopted Alternatives



Dealer Weighing/Reporting Alternative 2.1.3

- Third-Party Catch Verification (Vessel-Level)
 - Vessels required to certify capacity of fish holds and provide information to NMFS
 - Vessels retain customized measuring stick (weighted) on board
 - NMFS-approved observer dips stick at first point of landing to estimate weight of total catch on board for volumetric conversion for pounds of Atlantic herring

Adopted Alternatives



Slippage

- Alternative 4: Move Along Miles Away:
 - Move 15 nautical miles for the remainder of a trip for slippage due to safety, mechanical failure, and spiny dogfish.
 - Option B: Trip termination for all other observed slippage events to apply to Category A and B permits
 - Gear damage would be part of mechanical failure

Adopted Alternatives



Slippage

- Catch not brought on board due to falling out/off of gear would not be subject to additional slippage measures.
- VMS notification of slippage events would be required to facilitate enforcement for A and B vessels.



Questions?



Atlantic Herring Draft Public Information Document for Amendment 3

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May 12, 2014

Background



In February 2014, the Section initiated an amendment for four issues:

1. Spawning Area Efficacy (Area 1A)
2. Fixed Gear Set Aside
3. Gear Declaration
4. Empty Fish Hold Provision

Timeline



February 2014

Section tasks the Plan Development Team to develop Public Information Document



May 2014

Section receives the PID and considers approval for public comment

May – July 2014

Public Comment on the PID

August 2014

Management Board reviews PID for public comment, considers initiation of Draft Amendment

October 2014

Management Board reviews Draft Amendment for public comment

November 2014
– January 2015

Public comment on Draft Amendment

February 2015

Management Board reviews and approves Amendment

Corrections to Draft PID



➤ Page 4: “Management Issues”

*To better inform management of fishing effort, the draft amendment would propose an option requiring vessel owners to declare the intended gear before **the start of a season**.*

➤ Page 13: “Considerations by the PDT”

*Table **2***

Issue 1: Spawning Area Efficacy



Spawning Area	Sampling Date	Default Closure Date
Eastern Maine	Aug 1	Aug 15
Western Maine	Aug 1	Sept 1
Massachusetts/ New Hampshire	Sept 1	Sept 21

Issue 1: Spawning Area Efficacy



Statement of Problem

- Analysis of commercial samples in recent years suggests different patterns in spawning activity
 - **Eastern Maine:** only juvenile and non-mature adult sea herring based on appropriate sampling
 - **Massachusetts-New Hampshire:** Anecdotal information suggested disparity in the spawning season of fish collected from the northern portion versus southern

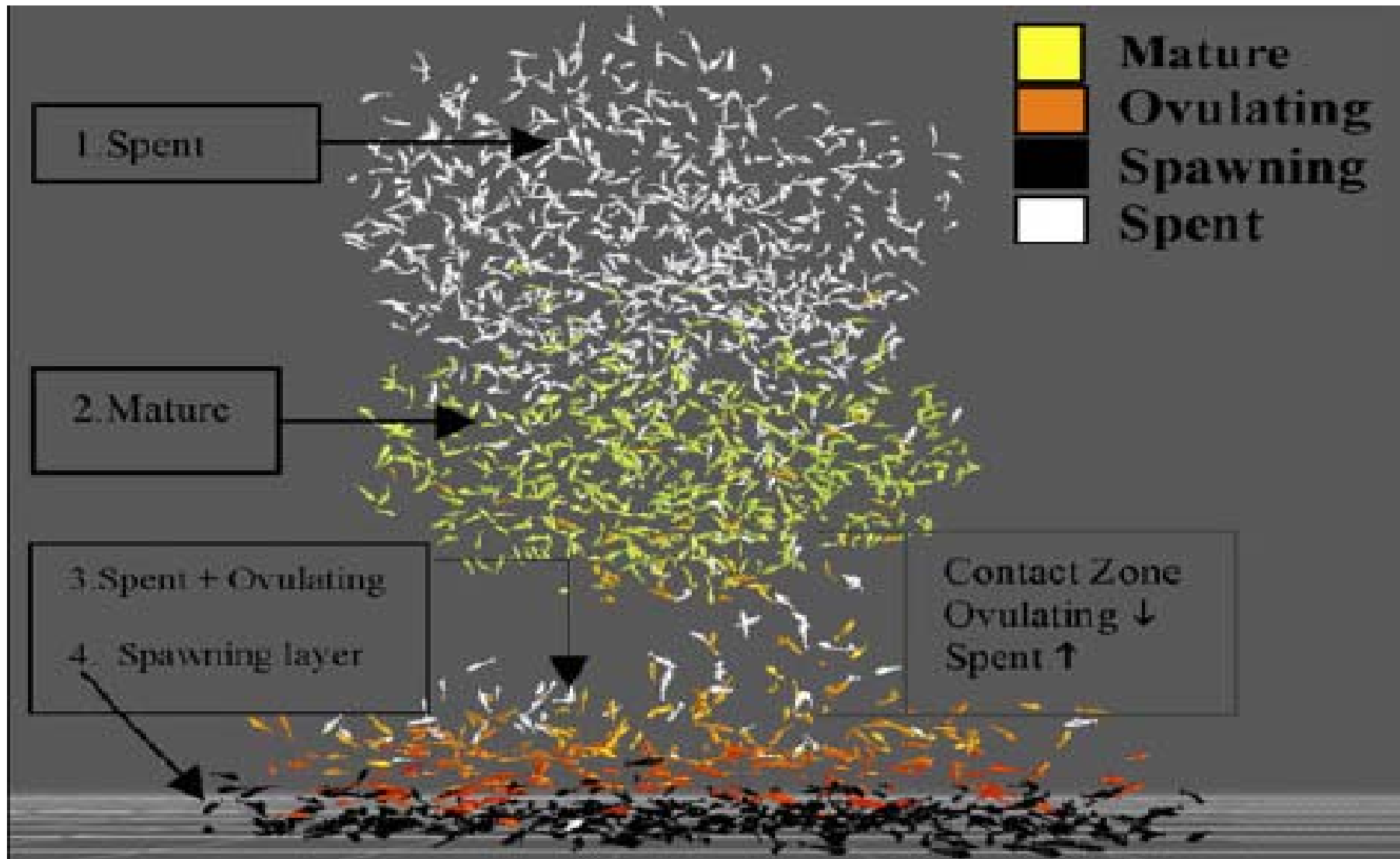
Issue 1: Spawning Area Efficacy



Plan Development Team Considerations

- Reviewed the Gonadosomatic Index (GSI) data from MA DMF and ME DMR sampling programs
- Both programs track each other well and the combined dataset is well-suited to continue to informing the MA/NH spawning closure.
- PDT finds the current spawning area boundary for MA/NH area to be adequate and further sub-areas are not warranted. However, it recommends extending spawning closure by at least 2 weeks in the MA/NH area.
 - Gear bias due to spawning herring's vertical stratification

Issue 1: Spawning Area Efficacy



Source: Vabo & Sjkaret 2008

Issue 1: Spawning Area Efficacy



Management Questions

- Are the existing spawning closure dates appropriate for protecting spawning herring? Is the default 4-week spawning closure sufficient to protect spawning herring?
- If spawning herring is not detected with sufficient sampling, should there be a closure?
- Is commercial sampling sufficient for spawning analysis?

Issue 2: Fixed Gear Set-Aside



Background

- Amendment 2 established 500 MT set-aside in Area 1A west of Cutler
- Available until November 1, then is made available to the remainder of fleet until directed fishery closes
- 2013-2015 Specifications Package = 295 MT

Issue 2: Fixed Gear Set-Aside



Statement of Problem

- Fixed-gear fishermen have requested the unused fixed gear set-aside would not be rolled into the Area 1A sub-quota on November 1.
 - Expect a demand for bait in the lobster fishery through the end of the calendar year.

Issue 2: Fixed Gear Set-Aside



Plan Development Team Considerations

- Historically, sea herring migrate off the coast of Maine by November.
- Fixed gear landings have not fully utilized set aside in past 10 years.
- If fixed gear set-aside is exceeded, can still access total Area 1A sub-quota.
- No biological basis for or against adjusting fixed gear set-aside provision.
- If adjusted, state and federal rules would be inconsistent.

Issue 2: Fixed Gear Set-Aside



Management Questions

- Should portions of the fixed gear set-aside that are not harvested by November 1 be made available to all fishing fleets in Area 1A for the remainder of the calendar year?
- Should the Atlantic Herring Section decide on whether the fixed-gear set-aside will be available to the Area 1A sub-quota during the specifications process each year?

Issue 3: Gear Declaration



Proposed Measure: Require vessel owners to declare intended fishing gear prior to beginning of a season.

Background

- More information to inform harvest control measures
- Incentive for fishermen to plan fishing activities prior to start of each season

Issue 3: Gear Declaration



Plan Development Team Considerations

- PDT does not recommend requiring gear declaration at this time.
- Requires a system by each state to collect gear declaration and enforce compliance.
- Needs considerations for fishermen who may wish to fish with multiple gears or in multiple areas.
- Information is not necessary to make projections for harvest control measures.

Issue 3: Gear Declaration



Management Questions

- Should there be a requirement for vessel owners to declare their intended fishing gear in advance of a quota period?
- When and how will vessel owners declare their intended gear? Who will enforce compliance to the gear declarations?
- What happens when vessel owners decide to change their gear of choice before the trip?
- Will vessel owners be able to declare more than one gear and area?

Issue 4: Empty Fish Hold Provision



Proposed Measure: Require vessel owners to empty the hold of fish prior to departing for a trip.

Background

- To address concerns about the discard of unsold herring at sea
- Intended to discourage dumping of unsold herring that may result from a lower sales than expected, and avoid mixing of fish landed from multiple trips.

Issue 4: Empty Fish Hold Provision



Statement of the Problem

- There is concern that fish from multiple trips can be mixed if the holds are not completely emptied.
- Leaving fish in the vessel's hold prevents portside samplers from observing the entirety of a trip.
- In its Draft Framework Adjustment 4, the New England Fishery Management Council approved a requirement for vessel holds to be empty of fish prior to leaving a dock.
 - Waiver may be issued after inspection by law enforcement.

Issue 4: Empty Fish Hold Provision



Plan Development Team Considerations

- The PDT recognizes fishermen may have surplus catch that cannot be sold and is a challenge to dispose.
- The proposed requirement to empty vessel holds of fish may be an incentive to curb wasteful fishing practices and harvest more efficiently to meet market demands.
- Could eliminate the practice of keeping fish in a hold from one fishing trip and mixing with catch from another trip.
- Needs considerations for enforcement, unforeseen events that make it impossible to sell fish, and vessels that land at multiple ports.

Issue 4: Empty Fish Hold Provision



Management Questions

- Should vessel's fish hold be empty of fish prior to departure for an Atlantic herring fishing trip?
- What are the enforcement considerations?
- What considerations should be made for unforeseen circumstances that hinder or prevent sales of the fish (ex. a waiver to be issued for refrigeration failure and non-marketable reported fish)?

Other Issues



- Opportunity for members of the public to suggest additional issues for consideration in the amendment.



Questions?