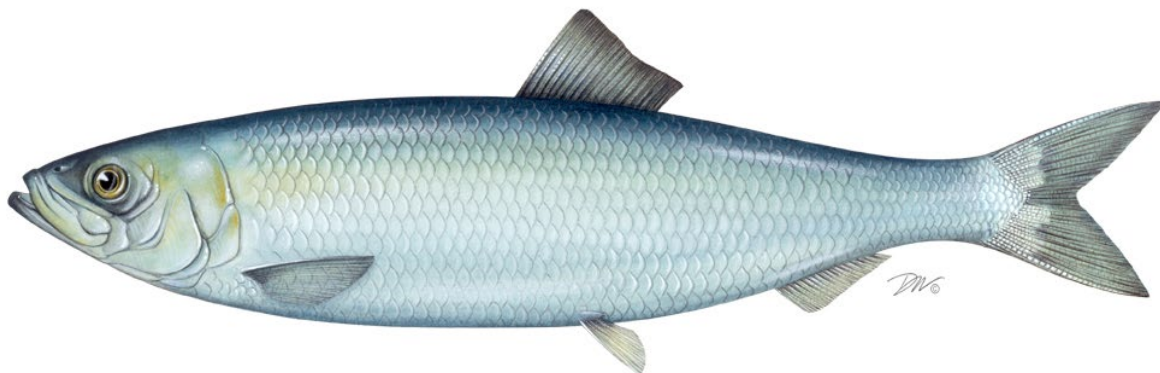


ATLANTIC STATES MARINE FISHERIES COMMISSION

REVIEW OF THE INTERSTATE FISHERY MANAGEMENT PLAN

FOR ATLANTIC HERRING
(Clupea harengus)

2022 FISHING YEAR



Prepared by the Atlantic Herring Plan Review Team

Approved June 21, 2022



Sustainable and Cooperative Management of Atlantic Coastal Fisheries

Table of Contents

I. Status of Fishery Management Plan.....	1
II. Status of the Stock	5
III. Status of the Fishery.....	6
2022 Fishing Season.....	8
Days Out Provisions for Area 1A	9
Spawning Area Closures.....	10
IV. Status of Research and Monitoring.....	11
V. Status of Assessment Advice.....	12
VI. Management Measures and Issues.....	13
VII. PRT Recommendations	13
IX. References	17
X. Figures.....	18
Appendix. Days Out and Spawning Closure Notices from 2022	21

I. Status of Fishery Management Plan

<u>Date of FMP Approval</u>	November 1993
<u>Amendments</u>	Amendment 1 (February 1999) Amendment 2 (March 2006) Amendment 3 (February 2016)
<u>Addenda</u>	Addendum I to Amendment 1 (July 2000) Technical Addendum #1A to Amendment I (October 2001) Addendum II to Amendment I (February 2002) Technical Addendum 1 to Amendment 2 (August 2006) Addendum I to Amendment 2 (March 2009) Addendum II to Amendment 2 (December 2010) Addendum V to Amendment 2 (October 2012) Addendum VI to Amendment 2 (August 2013) Addendum I to Amendment 3 (May 2017) Addendum II to Amendment 3 (May 2019)
<u>Management Unit</u>	US waters of the northwest Atlantic Ocean from the shoreline to the seaward boundary of the Exclusive Economic Zone (East Coast of Maine), and from the US/Canadian border to the southern end of the species range (Cape Hatteras, North Carolina).
<u>States With Declared Interest</u>	Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, and New Jersey
<u>Active Boards/Committees</u>	Atlantic Herring Management Board (Since August 2018; previously Section), Advisory Panel, Technical Committee, Stock Assessment Subcommittee, and Plan Review Team

Atlantic herring (*Clupea harengus*), also known as sea herring, are an oceanic fish that occur in large schools and undergo seasonal inshore-offshore migrations. Herring are important to the Northwest Atlantic ecosystem as a forage species and to the fishing industry as bait for lobster, blue crab, and tuna. To a lesser degree this resource also serves as a food, typically canned, pickled, or smoked. The U.S. Atlantic herring fishery is currently managed as a single stock through complementary plans by the Atlantic States Marine Fisheries Commission (ASMFC) and the New England Fishery Management Council (NEFMC).

The stockwide annual catch limit (ACL) is divided amongst four distinct management areas (Figure 1): inshore Gulf of Maine (Area 1A), offshore Gulf of Maine (Area 1B), Southern New England/Mid- Atlantic (Area 2), and Georges Bank (Area 3). The Area 1A fishery is managed by ASMFC's Atlantic Herring Management Board (Board), which includes representatives from Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York and New Jersey.

[Amendment 1 \(February 1999\)](#) was developed in order to maintain consistency between the ASMFC and NEFMC FMPs. This amendment establishes the same overfishing definition and biological reference points as the NEFMC, which were created under guidelines stipulated in the revised Magnuson-Stevens Fishery Conservation and Management Act prior to the 2006 re-authorization. The overfishing and biological reference points are based on an estimate of maximum sustainable yield (MSY) for the entire stock complex.

Amendment 1 also establishes “days out” control measures which prohibit directed fishing on Friday and Saturday when 50% of the TAC is projected to be harvested, Friday through Sunday when 75% of the TAC is projected to be harvested, and Thursday through Sunday when 90% of the TAC is projected to be harvested.

[Addendum I \(July 2000\)](#)

The Section developed Addendum I (to Amendment 1) to re-address the protection of spawning areas because NOAA Fisheries rejected the spawning closures in federal waters for Management Area 1A (inshore Gulf of Maine). Specifically, Addendum I redefines the state waters spawning areas outlined in Amendment I. This addendum also changed the due date for annual state compliance reports to February 1st.

[Technical Addendum 1a \(October 2001\)](#)

The Section approved Technical Addendum #1a (to Amendment 1) to change the delineation of the Eastern Maine spawning boundary because the spawning aggregations were not adequately protected in 2000.

[Addendum II \(February 2002\)](#)

Addendum II (to Amendment 1) was developed in conjunction with the NEFMC’s Framework Adjustment I to allocate the Management Area 1A Total Allowable Catch (TAC) on a seasonal basis. Addendum II also specifies the procedures for allocating the annual Internal Waters Processing (IWP) quota.

[Amendment 2 \(March 2006\)](#)

Amendment 2 was developed in close coordination with the NEFMC as they developed Amendment 1 to the Federal Fishery Management Plan for Atlantic Herring. The NEFMC’s Amendment 1 is complementary to ASMFC Amendment 2 in that both documents’ goal is optimum yield through coordinated management between state and federal waters. Amendment 2 altered the management boundaries, set biological reference points, expanded on the TAC specification setting process, established research set-asides, altered days out measures, removed any allowance for fishing during spawning closures, and granted exemptions for east of Cutler fixed gear fishermen.

Changes to the management boundaries were based on recommendations from the 2003 TRAC to better reflect spawning distributions and minimize reporting errors. The new boundaries result in a larger boundary for Area 3.

The biological reference points, based on $MSY = 220,000$ metric tons (mt), give a measurable criteria for overfishing and overfished and allow management to determine if rebuilding efforts are necessary. The TAC process only changed slightly with Amendment 2. Amendment 2 allows analytical approaches other than those defined in Amendment 1 to establish area-specific TACs. These changes allow the TC to use the best available science when recommending TACs rather than binding them to methods that were the best when Amendment 1 was created. Another change to the TAC process under Amendment 2 is that the Section will set the TACs for three years with the flexibility to adjust in interim years.

Research set asides were established under Amendment 2 allowing up to 3% of an area to be designated for and allocated to research.

In addition to establishing a number of new management measures, Amendment 2 altered several measures enacted in Amendment 1. Default percentages for setting days out were removed to allow states adjacent to an area to meet and agree on which days to take out as best meets the needs of the fishery for that given year. The 20% spawning tolerance for directed fishing during spawning closures was removed and a “Zero-Tolerance” measure was enacted. Amendment 2 also granted exemptions for east of Cutler fixed gear fishermen from days out and spawning closure restrictions established in Amendment 1. These exemptions were granted because the east of Cutler landings are part of a New Brunswick stock and have been insignificantly small historically. These herring do not often migrate inshore until after the Area 1A TAC is harvested making exemptions the only way to protect this historical fishery. These landings are counted against the overall Area 1A TAC.

[Technical Addendum I \(August 2006\)](#)

Technical Addendum I was developed to clarify the intent of the “Zero Tolerance” spawning provision of Amendment 2. Some states were interpreting the zero tolerance to mean that you could still fish in an area closed to spawning as long as no spawn herring were present in the area. This addendum makes it clear that *any vessel is prohibited to fish for, take, land, or possess herring from or within a restricted spawning area.*

[Addendum I \(February 2009\)](#)

Addendum I (to Amendment 2) was developed to control effort in Area 1A using a combination of quotas, additional days out restrictions, and weekly state reporting requirements to effectively manage quota. Specifically, Addendum I allows states adjacent to Area 1A to select bimonthly, trimester, or seasonal quotas as best meets the needs of the fishery. States also have the flexibility to save quota from January – May and distribute it to later in the year when price and demand are often higher. Fishermen are restricted to one landing per day and state-only fishermen must report weekly in order to effectively manage quota.

[Addendum II \(December 2010\)](#)

Addendum II was designed to mirror the NEFMC Amendment 4 and changes the specifications’ definitions (and associated acronyms), modifies the process to set specifications, and establishes accountability measure (AM) paybacks. Under Addendum II, the overall quota is

now called an annual catch limit (ACL) and the quota allocated to each management area (Area 1A, 1B, 2, 3) is called a sub-ACL (previously TAC). In addition, if harvest in any area is exceeded, the sub-ACL will be reduced by an amount equal to the overage the first year after final landings are available.

NEFMC's Amendment 4 includes provisions to bring the Herring FMP into compliance with provisions of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006. It changes the specification setting process and definitions to include an overfishing limit, acceptable biological catch, annual catch limits, and accountability measures, as well as involvement of a Science and Statistical Committee.

[Addendum V \(August 2012\)](#)

Addendum V refines and clarifies current spawning regulations without making significant changes. Specifically, Addendum V establishes when closures are triggered based on the percent of stage III – V spawn herring that are greater than or equal to 23 cm and increased the number of samples states are required to collect from 50 to 100 (states are currently sampling at this level). The Addendum replaces all spawning regulations in previous management documents to provide a single, clear document for states to use when complying with ASMFC spawning regulations.

[Addendum VI \(August 2013\)](#)

The Addendum improves alignment between state and federal Atlantic herring management by allowing the use of consistent tools across all four management areas of the species range. The Addendum's measures include (1) seasonal splitting of the annual catch limit sub-components (sub-ACLs) for Areas 1B, 2, and 3; (2) up to 10% carryover of a sub-ACL for all management areas; (3) the establishment of triggers to initiate the closing of directed fisheries; and (4) the use of the annual specification process to set triggers.

[Amendment 3 \(February 2016\)](#)

Amendment 3 refines the spawning closure system, modifies the fixed gear set-aside, and includes an empty fish hold provision contingent on federal adoption. The Amendment allows for the use of a modified GSI-based spawning monitoring system to track reproductive maturity in an effort to better align the timing of spawning area closures with the onset of spawning, which was tested and evaluated for effectiveness during the 2016 fishing season. Additionally, the fixed gear set-aside that was previously available to fixed gear fishermen exclusively only through November 1, is now accessible to them as long as the directed fishery is open. Amendment 3 consolidates prior amendments (and associated addenda) and recent management decisions into a single document; it is now the comprehensive document for Atlantic herring management in state waters.

[Addendum I \(May 2017\)](#)

Addendum I includes management measures intended to stabilize the rate of catch in the Area 1A fishery and distribute the seasonal quota throughout Trimester 2 (June through September), which has 72.8% of the season's allocation. For the 2017 fishing season, the addendum

established that the Section would separately address days out provisions for federal herring Category A vessels and small-mesh bottom trawl vessels with a federal herring Category C or D permit. In addition to landing restrictions associated with the days out program, Category A vessels are now prohibited from possessing herring caught from Area 1A during a day out of the fishery. Small-mesh bottom trawl vessels with a Category C or D permit must notify states of their intent to fish in Area 1A prior to June 1st. The addendum also implements a weekly harvester landing limit for vessels with a Category A permit for the 2017 fishing season. Forty-five days prior to the start of the fishing season, Category A vessels will notify states of their intent to fish in Area 1A, including a specification of gear type, to provide states with an estimate of effort to calculate the weekly landing limit. States may also either implement measures that herring caught in Area 1A can only be landed by the respective harvester vessel (i.e. no carrier vessels) or that herring carrier vessels are limited to receiving at-sea transfers from one harvester vessel per week and landing once per 24-hour period. Through the addendum, NOAA Fisheries granted access to vessel monitoring system-submitted daily catch report data for select staff in Maine, New Hampshire and Massachusetts to provide real-time data for the states to implement a weekly landing limit. The Section also approved continuing the use of the GSI30-based forecast system to determine spawning closures in Area 1A.

[Addendum II \(May 2019\)](#)

Addendum II strengthens spawning protections in Area 1A (inshore Gulf of Maine) by initiating a closure when a lower percentage of the population is spawning (from approximately 25% to 20%), and extending the closure for a longer time (from four to six weeks). The Addendum also modifies the trigger level necessary to reclose the fishery, with the fishery reclosing when 20% or more of the sampled herring are mature but have not yet spawned. These changes to spawning protections are in response to the results of the 2018 Benchmark Stock Assessment which showed reduced levels of recruitment and spawning stock biomass over the past five years, with 2016 recruitment levels the lowest on record.

II. Status of the Stock

A 2022 Management Track Assessment (i.e., assessment update) was completed by NOAA's Northeast Fisheries Science Center (NEFSC) and peer reviewed in June 2022 (Miller et al. 2022; NEFSC 2022). The 2022 assessment update indicates the Atlantic herring stock is overfished but not experiencing overfishing based on the biological reference points for spawning stock biomass (SSB) and fishing mortality (F). SSB has been declining since 2014 and was estimated to be only 21% of the SSB target in 2021 (Figure 2). F was estimated to be 0.15 in 2021, which is below the overfishing threshold of 0.5 and is the lowest value since the mid-1960s.

The 2022 assessment is an update from the 2020 management track assessment and is based on the age-structured model (ASAP) from the 2018 benchmark assessment (NEFSC, 2018). The 2022 assessment updated the methods for calculating the biological reference points and projections to (1) account for mortality from the fixed gear fishery and (2) use a subset of the recruitment time series (1992-2019) based on analysis suggesting a shift in environmental conditions since 1992 affecting recruitment.

The next management track assessment is expected in 2024 followed by a research track assessment (i.e., benchmark assessment) in 2025.

The Atlantic herring stock is currently under a rebuilding plan in response to the overfished finding of the 2020 management track assessment (NEFSC 2020). The final rule implementing Framework Adjustment 9 to the federal Atlantic Herring FMP established a rebuilding plan for herring that became effective in August 2022 (87 FR 42962; July 19, 2022). The rebuilding plan applies the acceptable biological catch (ABC) control rule implemented for Atlantic herring. Analyses conducted during the development of Framework 9 indicated that under this rebuilding plan, the herring stock could rebuild in 5 years (by 2026) assuming long-term average recruitment. The rebuilding year is the first year that probability of rebuilding is estimated to be 50 percent or greater. New projections that were generated based on the 2022 management track assessment (NEFSC 2022) using updated data indicate that the herring stock is no longer likely to rebuild by 2026, but it could rebuild by 2028. The interim final rule setting 2023-2025 fishery specifications revises the target rebuilding date for herring to 2028 in order to reflect the results of these updated analyses (88 FR 17397; March 23, 2023). This still falls within the 10-year rebuilding period required under the Magnuson-Stevens Act.

III. Status of the Fishery

There is an Atlantic herring fishery in the United States and Canada (Figure 3). Herring in the US are primarily caught using mobile gear (e.g., purse seines and mid-water trawls). Herring in Canada and a small portion of US-caught herring are caught using fixed gear (e.g., weir fishery).

The U.S. Atlantic herring fishery is controlled by annual catch limits (ACL) set by NOAA Fisheries. The stockwide ACL is distributed among the four management areas. Specifications are set every three years and adjusted annually to account for overages or underages from the previous fishing season. Once 92% of the sub-ACL for an area is reached, the respective fishery is closed. The stockwide fishery closes when 95% of the total ACL is projected to be reached. Following a closure, there is a 2,000 lb trip limit to allow for incidental bycatch of Atlantic herring for the remainder of the fishing year. In addition to quota-based closures, the “days out” and spawning closure programs in Area 1A provide additional measures to control fishing effort.

For the 2022 fishing season, the ACL was set at 9 million pounds (4,098 mt), which was later adjusted to 8.4 million pounds (3,813 mt) to account for overages in 2020. The ACL is further subdivided into sub-ACLs by the Atlantic herring management areas and was set as follows for 2022 (accounting for adjustments due to 2020 catch overages/underages): Area 1A = 2.4 million pounds (1,075 mt), Area 1B = 0 pounds (0 mt), Area 2 = 2.9 million pounds (1,295 mt), and Area 3 = 4.0 million pounds (1,817 mt). After adjusting for the 30 mt fixed gear set-aside and the 8% buffer (Area 1A closes at 92% of the sub-ACL), the 2022 Area 1A sub-ACL was 961 mt. There was no research-set-aside for 2022. The Board established the following seasonal allocations for the 2022 Area 1A sub-ACL: 72.8% available from June 1 – September 30 and 27.2% available from October 1 – December 31.

The domestic Atlantic herring fishery is predominantly commercial; preliminary data indicate recreational harvest accounted for only 1% of landings in 2022. For the past five years (2018-2022), recreational harvest has accounted for an average 2.5% of total landings each year. Over the time series of 1965 to 2021, annual commercial landings by the United States Atlantic herring fleet averaged roughly 249 million pounds (112,948 mt) (NEFSC 2022, Figure 3). Since 2013, commercial landings have generally decreased and reached the lowest levels the time series in 2021 and 2022 at under 12 million pounds (5,443 mt) each year (Figures 3-4).

Catch, in metric tons, from Area 1A is shown in Table 1a. Preliminary information from 2022 indicates that 2,370 mt were caught in Area 1A, representing 116% of the Area 1A sub-ACL. Since the directed fishery closes when 92% of an area’s sub-ACL is projected to be reached, the Area 1A fishery in state waters closed and landings were prohibited effective 6:00 p.m. on November 7, and the Area 1A fishery in federal waters closed effective 12:01 a.m. on November 8.

Table 1a: Area 1A catch, sub-ACL, and associated directed fishery closures from 2014-2022. 2022 data are preliminary. Source of catch information: NOAA Fisheries Quota Monitoring

Year	Area 1A Sub-ACL (mt)	Area 1A Catch (mt)	% Utilized	Area 1A Sub-ACL Closure
2014	33,031	32,898	100%	Oct-26
2015	30,585	28,861	94%	Nov-2
2016	30,524 [^]	27,806	91%	Oct-18
2017	32,115 [^]	28,682	89%	NA
2018	28,038	24,861	89%	NA
2019	5,223 [^]	4,916	94%	Nov-27
2020	4,244 [^]	4,353	103%	Nov-11 [±]
2021	2,609 [^]	2,856	109%	Nov-11 [±]
2022	2,045 [^]	2,370 ^{**}	116%	Nov-8 [±]

[^]Area 1A sub-ACL was increased by 1,000 mt during the season as required when the Canadian New Brunswick weir fishery lands less than a specified amount through October 1st. This action re-allocates 1,000 mt from the management uncertainty buffer to the Area 1A sub-ACL and ACL.

^{**}Preliminary landings data

[±]The Area 1A fishery in state waters closed and landings were prohibited effective Nov 7, 2020, Nov 8, 2021, and Nov 7, 2022; the Area 1A fishery in federal waters closed effective Nov 11 in 2020-2021 and Nov 8 in 2022.

Catch, in metric tons, from all management areas is shown in Table 1b for the last four years (2022 data are preliminary). In 2022, Management Area 3 was closed to directed herring fishing effective February 4 through the end of the year.

Table 1b: Catch and sub-ACL for all management areas 1A, 1B, 2, and 3 from 2019-2022. 2022 data are preliminary. Source of catch information: NOAA Fisheries

Year	Area	Sub-ACL (mt)	Catch (mt)	% Utilized
2019	1A	5,223	4,916	94%
	1B	628	159	25%
	2	4,062	4,750	117%
	3	5,700	3,254	57%
	Overall	15,574	13,079	84%
2020	1A	4,244	4,353	103%
	1B	483	831	172%
	2	3,120	353	11%
	3	4,378	4,054	93%
	Overall	12,224	9,591	78%
2021	1A	2,609	2,856	109%
	1B	239	0	0%
	2	652	191	29%
	3	2,181	2,222	102%
	Overall	5,128	5,268	103%
2022	1A	2,045	2,370.7**	116% **
	1B	0	6.5**	-
	2	1,300	73.8**	6% **
	3	1,824	1,838.1**	101% **
	Overall	4,813	4,289.1**	89% **

**Preliminary 2022 landings data from 12-22-2022 NOAA Fisheries Quota Monitoring Report

2022 Fishing Season

Based on preliminary data provided in state compliance reports, Maine and Massachusetts accounted for over 95% of the commercial Atlantic herring landings in 2022, similar to previous years (Table 2). Landings in 2021 and 2022 decreased by about 50% from 2020 landings, primarily due to less quota being available in recent years.

In 2022, coastwide landings decreased by about 13% from 2021. Notably, landings in Maine decreased by about 22% and landings in Rhode Island decreased by about 60%. Landings in Connecticut and New York also decreased significantly from 2021, with landings in both states remaining below 1% of the coastwide total. In their compliance report, Connecticut noted the very low landings in 2022 are consistent with lower landings in recent years and are substantially less than landings in the early 2000s; further, Connecticut noted the Atlantic herring fishery for bait component has diminished with the reduction of the number of active Connecticut commercial lobstermen in the last twenty years.

The PRT noted that Atlantic herring landings can be variable in some states, particularly in Areas 2 and 3, dependent on the occurrence of mackerel trips. It is also important to note that some vessels regularly land herring in states outside of their homeport state (e.g., New Jersey vessels often land in Massachusetts).

A small portion of total Atlantic herring landings are from fixed gear, primarily in Maine state waters. In 2022, anecdotal reports from Maine fixed gear harvesters noted that larger, adult herring were present and available to the fishery compared to past recent years. This increased presence of harvestable adults may not have fully translated to 2022 fixed gear landings because some fixed gear catches had to be released due to the additional presence of river herring. Per Maine regulations for river herring, there is a 5% tolerance for river herring as bycatch (no more than 5% of the total catch by count is comprised of river herring).

Table 2. 2022 commercial landings by state and percent of total harvest. 2022 landings data are considered preliminary at this time. Source: State compliance reports.

	Commercial Landings (lbs) Preliminary	Percent of Total
ME	3,910,200	>40%
NH	0	0%
MA	5,366,052	>55%
RI	152,213	<2%
CT	Confidential	<1%
NY	2,296	<1%
NJ	0	0%

Days Out Provisions for Area 1A

Table 3 outlines the ‘days out’ program and effort control measures which were implemented in Area 1A in 2022. The Board implemented seasonal allocations for the 2022 fishery which allocated the Area 1A sub-ACL between Season 1: June-September (72.8%) and Season 2: October-December (27.2%). Maine, New Hampshire, and Massachusetts delayed the start of the fishery until July 10. Specifications for Season 1 established five (5) consecutive landing days a week for vessels with a Category A permit, and six (6) consecutive landing days a week for vessels with a Category C or D permit. Vessels with a Category A permit were also limited to a weekly landing limit of 240,000 pounds (6 trucks) per harvester vessel. The fishery moved to zero (0) landings days starting August 2 through September 30 as the harvest had reached 92% of the Season 1 allocation.

Due to the very low quota available, landings days were set at zero (0) for Season 2 starting October 1. Following the reallocation of 1,000 mt from the management uncertainty buffer to the Area 1A sub-ACL based on catch information from the Canadian New Brunswick weir fishery, the fishery moved to four (4) consecutive landing days per week starting November 6 at 6:00 p.m. The Area 1A fishery in state waters closed and landings were prohibited effective November 7 at 6:00 p.m. and the Area 1A fishery in federal waters closed effective November 8 at 12:01 a.m. as NOAA had projected that 92% of the Area 1A sub-ACL to have been harvested.

Table 3: 2022 ‘days out’ program for seasonal quota periods in Area 1A.

Seasonal quota periods	Date Effective	Consecutive Landing Days for Category A Permit	Weekly Landings Limit for Category A Permit	Consecutive Landing Days for Category C/D Permits	Poundage that can be Transferred to a Carrier Vessel
1	July 10*-Aug 2	5	240,000	6	0
	Aug 3-Sept 30	0	0	0	0
2	Oct 1-Nov 6	0	NA**	NA**	NA**
	Nov 7	4	NA**	NA**	NA**

**Zero landings days were specified for June 1 until the start of the fishery. Fishery did not begin until July 10 in all three Area 1A states (Maine, New Hampshire, and Massachusetts)*

***Weekly Landing Limits, Landing Days for Category C/D Permits, and Carrier Vessel limits can only be specified through Sept 30*

Spawning Area Closures

The Atlantic Herring Area 1A (inshore Gulf of Maine) fishery regulations include seasonal spawning closures for portions of state and federal waters in Eastern Maine, Western Maine and Massachusetts/New Hampshire. In 2017, the Commission’s Atlantic Herring Section permanently implemented the GSI₃₀ Based Forecast System for spawning closures in Area 1A. This forecasting method relies upon at least three samples, each containing at least 25 female herring in gonadal stages III-V, to trigger a spawning closure. If sufficient samples are not available, the spawning closure occurs on the default dates outlined in Amendment 3. As noted in the Status of the Fishery Management Plan section, Addendum II to Amendment 3 further modified the trigger for initiating a closure as well as the length of closures.

In 2022, the Eastern Maine spawning area closed on the default date of August 28th through October 8th, given there were no samples from the area at the time. The Western Maine and Massachusetts/New Hampshire spawning closed due to insufficient samples on the default date of September 23rd through November 3rd.

Maine provided the following details of spawning area sampling efforts in their compliance report for 2022: A total of 2 spawn samples were collected by Maine DMR staff to contribute to the modeling program. One spawning sample was collected from an Area 3 trip.

Massachusetts provided the following details of spawning area sampling efforts in their compliance report for 2022: Quotas were further reduced in 2022, resulting in a truncated fishing season, and reduced access to fish being landed from Area 1A. Fewer than the 3 samples necessary to inform a spawning closure in the MA/NH spawning area were collected, and thus the default closure of September 23 was implemented. Two samples collected and stored in 2022 to supplement ME DMR’s commercial portside sampling program were delivered for

further analysis. Landings of summer/fall offshore spawning herring (Management Area 3) were not available due to the quota being fully caught by April.

IV. Status of Research and Monitoring

Under Amendment 3, states are not required to conduct fishery independent surveys for Atlantic herring. However, state survey programs designed to catch other species may encounter herring regularly, so some states do collect biological information on Atlantic herring. A summary of these surveys results follows. The PRT notes that many fisheries monitoring efforts, including fishery-independent surveys, resumed in 2022 after being impacted in 2020-2021 by the COVID-19 pandemic.

Maine and New Hampshire: These states jointly operate an inshore bottom trawl survey in the spring and fall that is designed to catch groundfish, but regularly encounters adult Atlantic herring. In 2022, the survey reported Atlantic herring observations during both the Spring and Fall surveys. In the Spring 2022 survey, Atlantic Herring were caught in 88 of the 101 tows, and a maximum of 24,220 were caught in one tow (~60% higher than the maximum tow in Spring 2021). This increase in 2022 aligns with anecdotal reports from Maine fixed gear harvesters (see above section *2022 Fishing Season*). In the Fall survey, Atlantic Herring were caught in 54 of the 84 tows, and a maximum of 8,952 were caught in one tow.

Maine Department of Marine Resources also conducts commercial portside catch sampling. In 2022, 14 sampling events occurred, covering purse seine, mid-water trawl, small-mesh bottom trawl, and fixed gear trips. The collection of samples in 2022 was similar to 2021 when 13 samples were collected. 2021-2022 was a decline from 2020 levels (25 samples) which represents the reduced effort of the fishery due to decreased sub-ACLs.

New Hampshire Fish and Game Department also conducts a juvenile finfish seine survey in the Great Bay, its tributaries, and other coastal harbors. In 2022, 83 Atlantic herring were observed during the months of June through September. This is much lower than the 2021 survey when 2,410 Atlantic herring were observed during the months of June through November.

Massachusetts Division of Marine Fisheries (MA DMF) assisted with the transition of portside sampling to the Northeast Fisheries Observer Program in 2021. MA DMF previously conducted river herring bycatch avoidance under the 2019-2021 herring research set-aside (RSA). Since 2021, the RSA allotment has been 0. For 2023, MA DMF noted in their compliance report: Reductions in fishing opportunity and effort by Atlantic herring harvesters complicate research collaborations, but bycatch and spawning sampling will be conducted opportunistically and as MA DMF resources allow.

Rhode Island Division of Fish & Wildlife conducts a Seasonal Trawl Survey to develop abundance indices for Atlantic herring. The survey is conducted seasonally (spring/fall) in Rhode Island and Block Island Sound and monthly in Narragansett Bay. Fishery-independent monitoring for 2022 indicated higher biomass and abundance of Atlantic herring in Rhode Island waters compared with recent years for both the monthly and seasonal trawl surveys. In

2022, Atlantic herring were observed in the spring seasonal trawl survey in relatively higher numbers when compared to the 2017-21 average, however the biomass of those fish was comparatively low. Atlantic herring were mainly caught in February, March, and April in the monthly trawl survey. Note that data from August-December of 2022 are not yet available. The relative abundance and biomass values for the 2022 monthly trawls were well above the 2017-2021 average.

Connecticut Department of Energy and Environmental Protection monitors Atlantic herring through the Long Island Sound Trawl Survey (LISTS), which is conducted each spring and fall since 1984. LISTS did not operate in 2020 and April sampling did not occur in 2021 due to COVID-19. The 2022 spring survey was conducted but during the last two years abundance has been the second and third lowest in the time series behind 2017 (0.11 fish/tow). The 2022 Atlantic spring index (0.24 fish/tow) is about 74% less than the previous ten years and 86% lower than the time series average (1.71 fish/tow). Most of LISTS catches typically have occurred in the month of April, prior to herring leaving the Sound. However, warming water temperatures in Long Island Sound particularly have affected the timing of Atlantic herring leaving, and this is likely the main driver of recent lower Survey catches. Most Atlantic herring taken in LISTS spring survey are greater than 20 cm fork length, however, LISTS has seen numerous catches of smaller herring (<10cm) during the spring of 1997-1999 and 2004-2013. Juvenile Atlantic herring are poorly retained in the survey codend mesh (54 mm). It is believed that juvenile Atlantic herring are a significant component of the Long Island Sound forage base despite low survey indices of adults. Typically few fish appear in the fall survey and those present are generally less than 15 cm.

New York has *de minimis* status and does not conduct directed monitoring of Atlantic herring.

New Jersey Division of Fish and Wildlife monitors Atlantic herring through the New Jersey Ocean Trawl Survey, which collects samples during five surveys conducted throughout the year (January, April, June, August, October) between Sandy Hook, NJ and Cape Henlopen, Delaware. In 2022, due to COVID-19 the January survey was cancelled, but all other months were sampled. The 2022 ocean trawl survey yielded 781.03 pounds (2,692 individuals) of Atlantic herring. Prior to the COVID-19 pandemic, the last time sampling occurred was January of 2020, which yielded 667.16 pounds (2,181 individuals) of Atlantic herring.

V. Status of Assessment Advice

Research recommendations from the [2018 benchmark stock assessment](#) (NEFSC 2018)¹ and the [2022 management track assessment](#) (Miller et al. 2022)² are listed in the final assessment reports starting on p.517 of the benchmark stock assessment report and p.10 of the 2022 assessment peer review report.

¹ <https://repository.library.noaa.gov/view/noaa/22729>

² http://www.asmfc.org/uploads/file/63ceca552022AtlHerring_PeerReviewandManagementTrackAssessment.pdf

VI. Management Measures and Issues

Amendment 3 to the Interstate Fishery Management Plan for Atlantic Herring lists the following state regulatory requirements:

1. Each jurisdiction shall prohibit the landing of herring when the management area sub-ACL has been attained.
2. Vessels are prohibited from landing more than 2,000 lbs. of Atlantic herring from Area 1A when the fishery is closed, during a 'day out' or during spawning closures.
3. Jurisdictions will close the directed fishery when 92% of a management area's sub-ACL is projected to be harvested.
4. Each jurisdiction must enact spawning area restrictions that are at least as restrictive as those in Section 4.2.6.
5. States adjacent to Area 1A will implement days out restrictions as identified in Section 4.2.4.1.
6. States are required to implement weekly reporting by all non-federally permitted fishermen on Atlantic herring (including mobile and fixed gear).
7. Any herring vessel transiting a management area that is under a herring spawning closure or a 'day out' must have all of its fishing gear stowed.
8. The harvest of herring for the primary purpose of reduction to meal or meal-like product is prohibited.
9. Internal Water Processing operations will be prohibited from processing herring caught in all state waters.

VII. PRT Recommendations

State Compliance

All states with a declared interest in the management of Atlantic herring have submitted compliance reports and have regulations in place that meet the requirements of the Interstate Fisheries Management Plan for Atlantic Herring as described in Amendment 3.

Request for *De Minimis* Status

A state may be eligible for *de minimis* status if its combined average of the last three years of commercial landings (by weight) constitute less than one percent of the coastwide commercial landings for the same three-year period.

New York has requested *de minimis* status and meets the requirements. The state's 2020-2022 combined average commercial landings is less than 0.25%, which is less than 1% of coastwide commercial landings during the same three-year period.

Research and Monitoring Recommendations

The PRT recognizes the decreasing capacity for fishery-dependent data collection over the past few years, due largely to limited resources and low quota and catch levels. It is important for the Board to recognize this challenge and discuss, as needed, how to move forward with sampling the fishery in a low capacity scenario. A near-term challenge for continued Board discussion is the loss of ACCSP funding for the Maine Department of Marine Resources' Atlantic

herring portside commercial sampling program (current ACCSP funding ending in 2023). The ME DMR portside sampling program collects and processes biological and bycatch samples from Atlantic herring commercial landings along the coast, which informs stock assessments and management, including the Area 1A spawning closure dates. In August 2022, the Atlantic Herring Management Board received an update from ME DMR on the portside sampling program and funding need (see presentation [slides](#) and Board [meeting summary](#)). Without continuation of funding, ME DMR would be unable to collect biological samples out of state and unable to conduct portside bycatch sampling. To address this, the Board identified two potential approaches: (1) states can collect samples themselves and send to Maine DMR for processing, or (2) secure alternative funding source(s) for DMR data collection. ASMFC is looking into short-term funding to potentially cover 2024, and the states plan to convene discussions regarding long-term solutions for 2025-forward.

The PRT will continue to discuss survey data submitted by states each year, and encourages states to note year-over-year changes and observations in the monitoring sections of the compliance reports.

In addition to the research recommendations outlined in the 2018 benchmark stock assessment and 2022 stock assessment update, the Plan Development Team (PDT) has previously recommended the following categorized research recommendations, which have been included in past FMP Review Reports. The PRT noted these recommendations are still relevant but are not specific to an immediate management or compliance concern, and therefore do not require Board action in 2023. The PRT recommends the TC and/or PDT review these research recommendations in light of the following the 2025 benchmark stock assessment.

Fishery-Dependent Priorities

High

- Investigate bycatch and discards in the directed herring fishery through both at-sea and portside sampling.
- Continue commercial catch sampling of Atlantic herring fisheries according to ACCSP protocols.

Fishery-Independent Priorities

High

- Expand monitoring of spawning components.

Low

- Continue to utilize the inshore and offshore hydroacoustic and trawl surveys to provide a fishery-independent estimation of stock sizes. Collaborative work between NMFS, DFO, state agencies, and the herring industry on acoustic surveys for herring should continue to be encouraged.

Modeling / Quantitative Priorities

Moderate

- Conduct simulation studies to evaluate ways in which various time series can be evaluated and folded into the assessment model.
- Develop new approaches to estimating recruitment (i.e., juvenile abundance) from fishery-independent data.
- Examine the possible effects of density dependence (e.g., reduced growth rates at high population size) on parameter estimates used in assessments.

Low

- Conduct a retrospective analysis of herring larval and assessment data to determine the role larval data plays in anticipating stock collapse and as a tuning index in the age structured assessment.
- Investigate the M rate assumed for all ages, the use of CPUE tuning indices, and the use of NEFSC fall bottom trawl survey tuning indices in the analytical assessment of herring.

Life History, Biological, and Habitat Priorities

Moderate

- Continue tagging and morphometric studies to explore uncertainties in stock structure and the impacts of harvest mortality on different components of the stock. Although tagging studies may be problematic for assessing survivorship for a species like herring, they may be helpful in identifying the stock components and the proportion of these components taken in the fishery on a seasonal basis.

Low

- Research depth preferences of herring.

Management, Law Enforcement, and Socioeconomic Priorities

High

- Continue to organize annual US-Canadian workshops to coordinate stock assessment activities and optimize cooperation in management approaches between the two countries.

Moderate

- Develop a strategy for assessing individual spawning components to better manage heavily exploited portion(s) of the stock complex, particularly the Gulf of Maine inshore spawning component.
- Develop socioeconomic analyses appropriate to the determination of optimum yield.
 - During the PRT's 2021 discussion of this recommendation, the PRT recognized the ongoing work of the ASMFC Committee on Economics and Social Sciences (CESS) and ASMFC Risk and Uncertainty Workgroup to incorporate socioeconomic criteria into the Risk and Uncertainty Decision Tool (currently under development). The PRT recommends tracking the development of this tool and considering future application to Atlantic herring management.

Low

- Develop economic analyses necessary to evaluate the costs and benefits associated with different segments of the industry.
 - During the PRT's 2021 discussion of this recommendation, the PRT specified that costs and benefits of management decisions on different segments (e.g. gear types) of the herring industry and on other fisheries that rely on herring as bait should be evaluated. The PRT noted the importance of considering the state-level economic data that would be required to conduct these analyses for non-federal fishing activity.

IX. References

Miller, T., Y. Chen, Y. Jiao, and J. Wiedenmann. 2022. 2022 Management Track Peer Review Panel Report. NOAA Fisheries. 22p.

Northeast Fisheries Science Center (NEFSC). 2018. 65th Northeast Regional Stock Assessment Workshop (65th SAW) Assessment Report. US Dept Commer, Northeast Fish Sci Cent Ref Doc. 18-11; 659 p.

NEFSC. 2020. Atlantic Herring 2020 Assessment Update Report (draft working paper for peer review only). US Dept Commer; 9p.

NEFSC. 2022. Atlantic Herring 2022 Management Track Assessment Report (draft working paper for peer review only). US Dept Commer; 10p.

Wilberg, M., E. Houde, and F. Serchuk. 2020. 2020 Management Track Peer Review Committee Report. NOAA Fisheries. 17p.

X. Figures

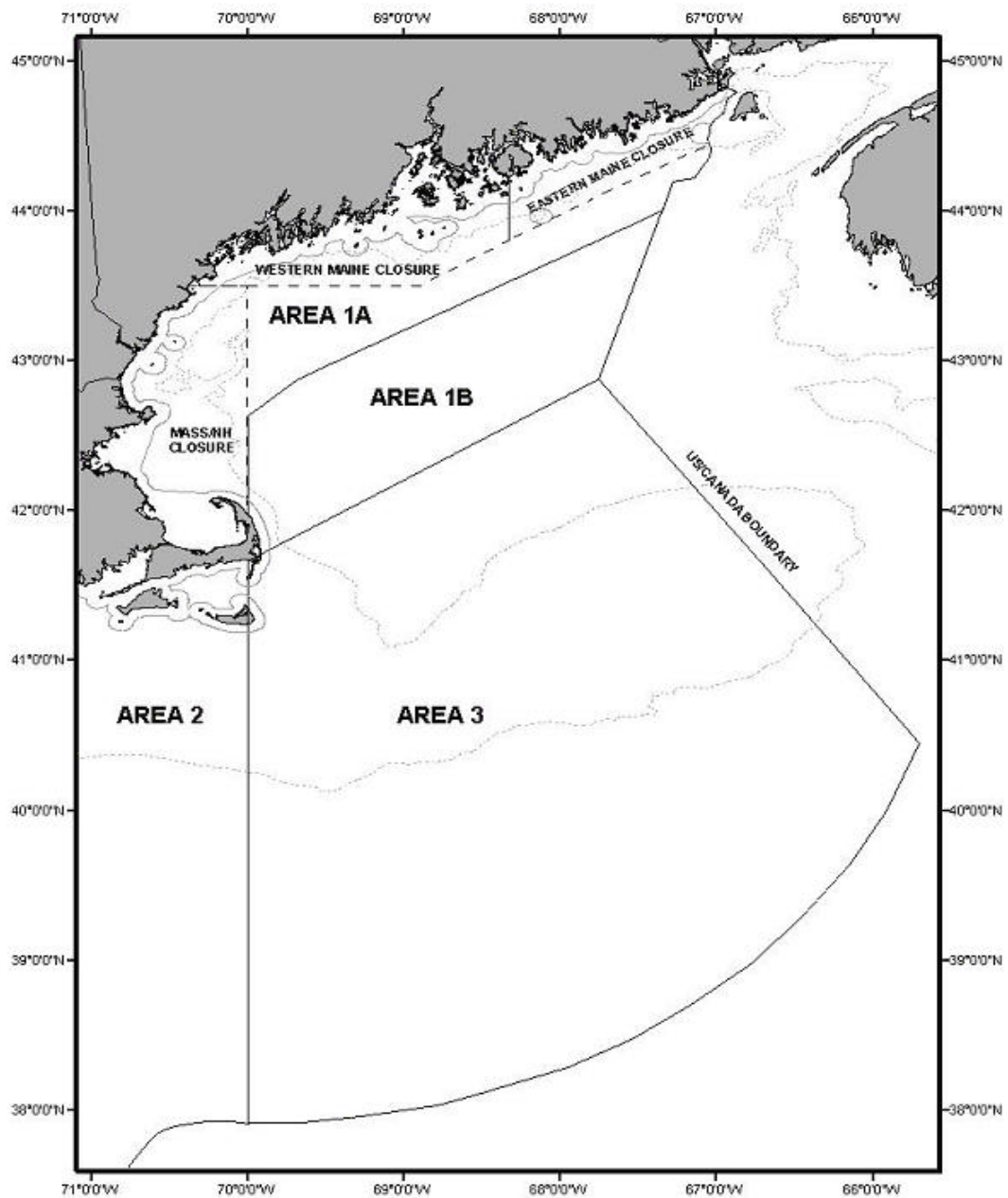


Figure 1. Map of Atlantic herring management areas with boundaries and the three spawning areas are within Area 1A, the inshore region of Gulf of Maine.

Atlantic Herring Spawning Stock Biomass and Recruitment
 Source: NEFSC Management Track Assessment, 2022

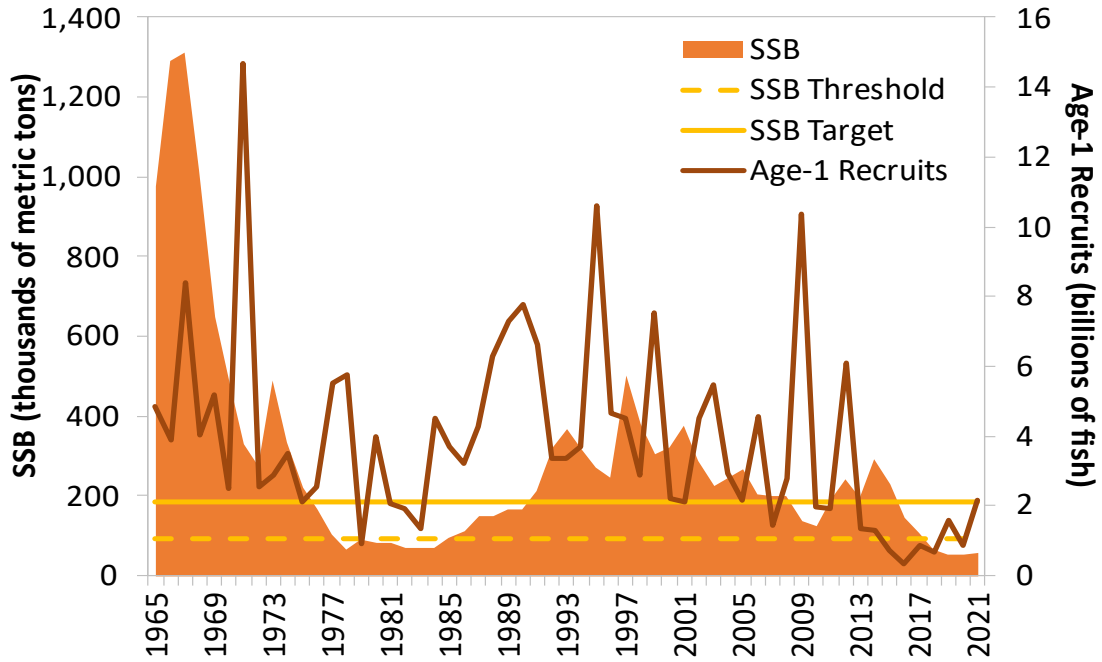


Figure 2. Spawning stock biomass and recruitment from 1965 to 2021. Source: 2022 Management Track Assessment

Atlantic Herring Landings

Source: NEFSC Management Track Assessment, 2022

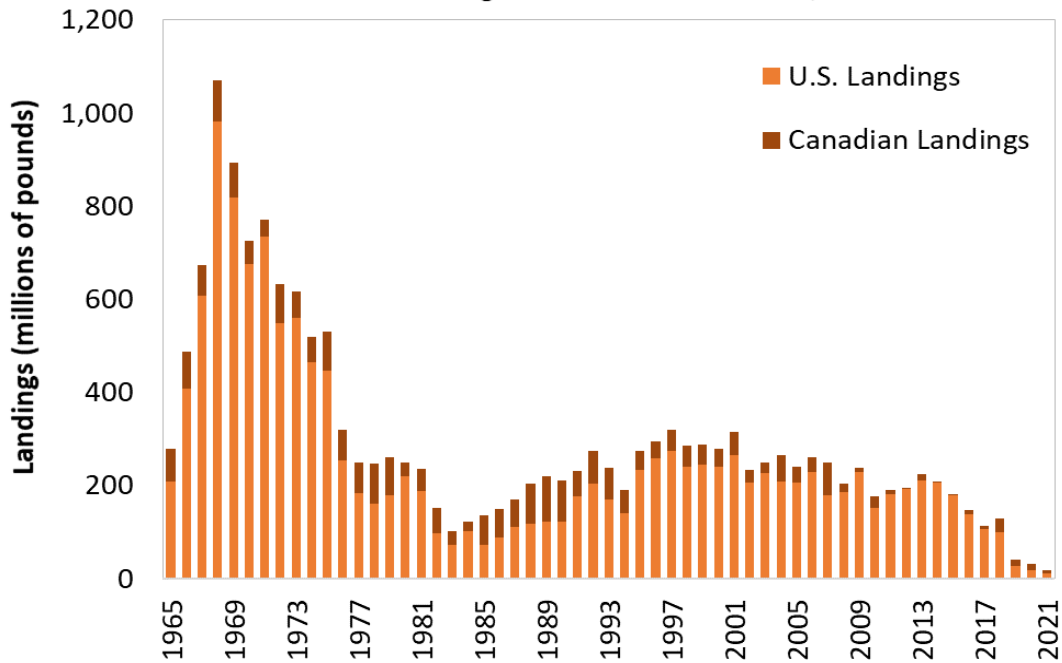


Figure 3. U.S. and Canadian commercial landings from 1965 to 2021. Source: 2022 Management Track Assessment



Figure 4. Commercial Atlantic herring landings (non-confidential landings only) by the U.S. fleet from 2000-2022. Source: ACCSP Data Warehouse for 2000-2021; State Compliance Reports for 2022

Appendix. Days Out and Spawning Closure Notices from 2022

2022 days out and spawning closure notices are enclosed in the following pages.



Atlantic States Marine Fisheries Commission

1050 N. Highland Street • Suite 200A-N • Arlington, VA 22201
703.842.0740 • 703.842.0741 (fax) • www.asmfmc.org

MEMORANDUM

TO: Atlantic Herring Management Board, Atlantic Herring Technical Committee, Atlantic Herring Advisory Panel, Interested Parties

FROM: Toni Kerns, ISFMP Director *TKM*

DATE: April 28, 2022

SUBJECT: Area 1A 2022 Effort Controls

The Atlantic States Marine Fisheries Commission's Atlantic Herring Management Board members from Maine, New Hampshire, and Massachusetts set the effort control measures for the 2022 Area 1A (inshore Gulf of Maine) fishery for June 1 – September 30.

The Area 1A sub-annual catch limit (ACL) is 961 metric tons (mt) after adjusting for the overage from 2020, the 30 mt fixed gear set-aside, and the fact that Area 1A closes at 92% of the sub-ACL. In October 2021, the Board established the following seasonal allocations for the 2022 Area 1A sub-ACL: 72.8% available for season 1 (June 1 – September 30) and 27.2% available for season 2 (October 1 – December 31).

2022 Atlantic Herring 1A Quota (in mt) Allocation by Season

Season	1A Quota
1. June 1-September 30	700 mt
2. October 1-December 31	261 mt

Days Out of the Fishery

- Landing days will be set at zero (0) from June 1 until the start of the fishery on July 10 at 6:00 p.m.
- Landing days begin on Sunday of each week at 6:00 p.m. starting July 10.
- Vessels with an Atlantic herring Limited Access Category A permit that have declared into the Area 1A fishery may land herring five (5) consecutive days a week. The week shall begin at 6:00 p.m. on Sundays and conclude at 6:00 p.m. on Fridays. One landing per 24 hour period. Vessels are prohibited from landing or possessing herring caught from Area 1A during a day out of the fishery.
- Small mesh bottom trawl vessels with an Atlantic herring Limited Access Category C or Open Access D permit that have declared into the fishery may land herring six (6) consecutive days a week. The week shall begin at 6:00 p.m. on Sundays and conclude at 6:00 p.m. on Saturdays.

Weekly Landing Limit

- Vessels with an Atlantic herring Category A permit may harvest up to 240,000 lbs. (6 trucks) per harvester vessel, per week starting July 10.

At-Sea Transfer and Carrier Restrictions

The following applies to harvester vessels with an Atlantic herring Category A permit and carrier vessels landing herring caught in Area 1A to a Maine, New Hampshire, or Massachusetts port.

- A harvester vessel may transfer herring at-sea to another harvester vessel.
- A harvester vessel may not make any at-sea transfers to a carrier vessel.
- Carrier vessels may not receive at-sea transfers from a harvester vessel.

Fishermen are prohibited from landing more than 2,000 pounds of Atlantic herring per trip from Area 1A until July 10, 2022 at 6:00 p.m. Landings will be closely monitored and the fishery will be adjusted to zero landing days when the season 1 quota is projected to be reached.

Please contact Emilie Franke, Fishery Management Plan Coordinator, at efranke@asmfc.org or 703.842.0740 for more information.

Motions

Move to implement 5 landing days for Category A vessels and a 6 truck weekly landing limit.

Motion by Ms. Ware, second by Ms. Griffin.

Motion passes by consensus.

Move to implement zero landing days before July 10 at 6:00pm.

Motion by Ms. Ware, second by Mr. White.

Motion passes by consensus.

Move to allow harvester-to-harvester transfers but not allow transfers to carriers.

Motion by Ms. Ware, second by Mr. Abbott.

Motion passes by consensus.

Move to set 6 landing days for Category C/D SMBT vessels.

Motion by Ms. Ware, second by Mr. White.

Motion passes by consensus.



Atlantic States Marine Fisheries Commission

1050 N. Highland Street • Suite 200A-N • Arlington, VA 22201
703.842.0740 • 703.842.0741 (fax) • www.asmfmc.org

MEMORANDUM

TO: Atlantic Herring Management Board, Advisory Panel, Technical Committee, Interested Parties

FROM: Toni Kerns, ISFMP Director *TMK*

DATE: August 1, 2022

SUBJECT: Atlantic Herring Area 1A Fishery Moves to Zero Landing Days for Season 1 on August 2, 2022 at 6:00 p.m.

The Area 1A (inshore Gulf of Maine) Atlantic herring fishery is projected to have harvested 92% of the Season 1 (June 1 – September 30) allocation by August 2, 2022. Beginning at 6:00 p.m. on Tuesday, August 2, 2022, the Area 1A fishery will move to zero landing days through September 30, 2022, as specified in Amendment 3 to the Interstate Fishery Management Plan for Atlantic Herring.

Vessels participating in other fisheries may not possess more than 2,000 pounds of Atlantic herring per trip per day harvested from Area 1A. In addition, all vessels traveling through Area 1A must have all seine and mid-water trawl gear stowed.

Atlantic Herring Management Board members from Maine, New Hampshire, and Massachusetts are expected to reconvene in September via conference call to set effort controls for the 2022 Area 1A fishery for Season 2 (October 1 – December 31). An announcement will be issued once the meeting is scheduled.

For more information, please contact Emilie Franke, Fishery Management Plan Coordinator, at 703.842.0716 or efranke@asmfc.org.

M22-87



Atlantic States Marine Fisheries Commission

1050 N. Highland Street • Suite 200A-N • Arlington, VA 22201
703.842.0740 • 703.842.0741 (fax) • www.asmfmc.org

MEMORANDUM

TO: Atlantic Herring Management Board, Advisory Panel, Technical Committee, Interested Parties

FROM: Toni Kerns, ISFMP Director *TK*

DATE: August 19, 2022

SUBJECT: Atlantic Herring Eastern Maine Spawning Closure in Effect Starting August 28, 2022 through October 8, 2022

The Atlantic Herring Area 1A (inshore Gulf of Maine) fishery regulations include seasonal spawning closures for portions of state and federal waters in Eastern Maine, Western Maine and Massachusetts/New Hampshire. The Commission's Atlantic Herring Management Board approved a forecasting method that relies upon at least three samples, each containing at least 25 female herring in gonadal stages III-V, to trigger a spawning closure. However, if sufficient samples are not available then closures will begin on predetermined dates.

There are currently no samples from the Eastern Maine spawning area to determine spawning condition. Therefore, per the Addendum II default closure dates, the Eastern Maine spawning area will be closed starting at 12:01 a.m. on August 28, 2022 extending through 11:59 p.m. on October 8, 2022. The Eastern Maine spawning area includes all waters bounded by the following coordinates:

Maine coast 68° 20' W
43° 48' N 68° 20' W
44° 25' N 67° 03' W
North along the US/Canada border

Vessels in the directed Atlantic herring fishery cannot take, land or possess Atlantic herring caught within the Eastern Maine spawning area during this time. The incidental bycatch allowance of up to 2,000 pounds of Atlantic herring per trip per day applies to vessels in non-directed fisheries that are fishing within the Eastern Maine spawning area. In addition, all vessels traveling through the Eastern Maine spawning area must have all seine and mid-water trawl gear stowed.

For more information, please contact Emilie Franke, Fishery Management Plan Coordinator, at 703.842.0716 or efranke@asmfc.org.



Atlantic States Marine Fisheries Commission

1050 N. Highland Street • Suite 200A-N • Arlington, VA 22201
703.842.0740 • 703.842.0741 (fax) • www.asmf.org

MEMORANDUM

TO: Atlantic Herring Management Board, Atlantic Herring Technical Committee,
Atlantic Herring Advisory Panel, Interested Parties

FROM: Toni Kerns, Policy Director *TK*

DATE: September 14, 2022

SUBJECT: Days Out Measures for Season 2 of the 2022 Atlantic Herring Area 1A Fishery;
Western Maine and Massachusetts/New Hampshire Spawning Closures in Effect
Starting September 23, 2022 through November 3, 2022

This memorandum announces days out measures for the 2022 Area 1A (inshore Gulf of Maine) Atlantic herring fishery for Season 2 (October 1 – December 31); and closure dates for the Western Maine and Massachusetts/New Hampshire spawning areas.

Landing Days for the 2022 Area 1A Fishery for Season 2

The Atlantic States Marine Fisheries Commission's Atlantic Herring Management Board members from Maine, New Hampshire, and Massachusetts met September 14 via conference call to set effort control measures for the 2022 Area 1A fishery for Season 2 (October 1 – December 31). The Season 2 quota is approximately 174 metric tons (mt), which is 27.2% of the Area 1A sub-annual catch limit (ACL) after adjusting for the 30 mt fixed gear set-aside, a slight overage from Season 1, and an 8% buffer (since the Area 1A closes at 92% of the sub-ACL). This does not take into account the possible reallocation of 1,000 mt to the Area 1A sub-ACL based on catch information from the Canadian New Brunswick weir fishery.

Due to the very low quota, the days out measures for Season 2 are as follows:

- Landing days will be set at zero (0) for Season 2.
- If 1,000 mt is reallocated from the Canadian weir fishery to the Area 1A sub-ACL, the fishery will move to four (4) consecutive landing days starting Sunday, November 6 at 6:00 p.m. Landing days would begin on Sunday of each week at 6:00 p.m. starting November 6.

If the quota reallocation from the Canadian weir fishery occurs prior to October 21 or after November 7, the states will schedule another days-out meeting.

While landing days are set at zero (0), harvesters are prohibited from landing more than 2,000 pounds of Atlantic herring per trip from Area 1A during Season 2.

Spawning Area Closures

The Atlantic herring Area 1A fishery regulations include seasonal spawning closures for portions of state and federal waters in Eastern Maine, Western Maine and Massachusetts/New Hampshire. The Commission's Atlantic Herring Management Board approved a forecasting method that relies upon at least three samples, each containing at least 25 female herring in gonadal stages III-V, to trigger a spawning closure. However, if sufficient samples are not available then closures will begin on predetermined dates.

There are currently insufficient samples from both the Western Maine spawning area and the Massachusetts/New Hampshire spawning area. Therefore, per Addendum II default closure dates, the Western Maine and Massachusetts/New Hampshire spawning areas will be closed starting at 12:01 a.m. on September 23, 2022 extending through 11:59 p.m. on November 3, 2022. The Western Maine spawning area includes all waters bounded by the following coordinates:

43° 30' N Maine coast
43° 30' N 68° 54.5' W
43° 48' N 68° 20' W
North to Maine coast at 68° 20' W

The Massachusetts/New Hampshire spawning area includes all waters bounded by the Massachusetts, New Hampshire and Maine coasts, and 43° 30' N and 70° 00' W.

Vessels in the directed Atlantic herring fishery cannot take, land or possess Atlantic herring caught in either the Western Maine or Massachusetts/New Hampshire spawning areas during this time and must have all fishing gear stowed when transiting through the area. The incidental bycatch allowance of up to 2,000 pounds of Atlantic herring per trip per day applies to vessels in non-directed fisheries that are fishing within the Western Maine or Massachusetts/ New Hampshire spawning areas.

Please contact Emilie Franke, Fishery Management Plan Coordinator, at efranke@asmfc.org or 703.842.0740 for more information.

Days Out Meeting Motions (September 14, 2022)

Move to set zero landing days for Season 2. If 1,000 mt is reallocated from the Canadian weir fishery to the US Area 1A sub-ACL, the fishery shall open at 6PM on Sunday, November 6 with four landing days (Monday thru Thursday). Should the reallocation of 1000mt happen prior to October 21 or after November 7, the states will schedule another days-out meeting.

Motion by Ms. Griffin, second by Mr. Abbott.

Motion passed by consent.



Atlantic States Marine Fisheries Commission

1050 N. Highland Street • Suite 200A-N • Arlington, VA 22201
703.842.0740 • 703.842.0741 (fax) • www.asmfc.org

MEMORANDUM

TO: Atlantic Herring Management Board, Atlantic Herring Technical Committee,
Atlantic Herring Advisory Panel, Interested Parties

FROM: Toni Kerns, Policy Director *TMK*

DATE: October 26, 2022

SUBJECT: Atlantic Herring Area 1A Fishery Moves to Four Landing Days Per Week Starting
November 6 at 6:00 p.m.

This memorandum announces updated days out measures for the 2022 Area 1A (inshore Gulf of Maine) Atlantic herring fishery for Season 2 (October 1 – December 31).

The reallocation of 1,000 metric tons (mt) to the Area 1A sub-annual catch limit (sub-ACL) is now effective based on catch information from the Canadian New Brunswick weir fishery. As a result, the Area 1A fishery will move to four (4) consecutive landing days per week starting Sunday, November 6 at 6:00 p.m. Landings will be closely monitored and the directed fishery will close when 92% of Area 1A sub-ACL is projected to be reached.

Fishing for and possessing herring onboard prior to November 6 is allowed in accordance with published state regulations.

Landing days are still set at zero (0) up until November 6 at 6:00 p.m. While landing days are set at zero (0), harvesters are prohibited from landing more than 2,000 pounds of Atlantic herring per trip from Area 1A. Additionally, if landing in Maine during zero (0) landing days, those herring cannot comprise more than 10% of the total catch weight.

The Atlantic States Marine Fisheries Commission's Atlantic Herring Management Board members from Maine, New Hampshire, and Massachusetts met September 14 via conference call to set effort control measures for the 2022 Area 1A fishery for Season 2. Due to the very low quota, landing days were initially set at zero (0) for Season 2. The Board members agreed that if 1,000 mt is reallocated from the Canadian weir fishery to the Area 1A sub-ACL, the fishery will move to four (4) consecutive landing days starting Sunday, November 6 at 6:00 p.m.

Estimates indicate approximately 1,094 mt of the Area 1A sub-ACL remains available to harvest, which accounts for the increase of 1,000 mt based on catch information from the New Brunswick weir fishery, the overage from Season 1 (June through September), the 30 mt fixed gear set-aside, and the 8% buffer (Area 1A closes at 92% of the sub-ACL).

Please contact Emilie Franke, Fishery Management Plan Coordinator, at efranke@asmfc.org or 703.842.0740 for more information.

M22-110



Atlantic States Marine Fisheries Commission

1050 N. Highland Street • Suite 200A-N • Arlington, VA 22201
703.842.0740 • 703.842.0741 (fax) • www.asmfc.org

MEMORANDUM

TO: Atlantic Herring Management Board, Technical Committee, Advisory Panel,
Interested Parties

FROM: Toni Kerns, Policy Director *TMK*

DATE: November 7, 2022

SUBJECT: Directed Atlantic Herring Fishery Closure for Management Area 1A

NOAA Fisheries and the states of Maine and New Hampshire, and the Commonwealth of Massachusetts project the Atlantic herring fishery will catch 92% of the Area 1A sub-ACL by November 7, 2022. The Area 1A directed fishery will close effective 6:00 p.m. on November 7, 2022 and remain closed until further notice. Vessels that have entered port before 6:00 p.m. on November 7, 2022 may land and sell, from that trip, greater than 2,000 pounds of herring from Area 1A.

During a closure, vessels participating in other fisheries may retain and land an incidental catch of herring that does not exceed 2,000 pounds per trip or calendar day. In addition, directed herring vessels traveling through Area 1A must have all fishing gear stowed.

In accordance with the Amendment 3 to the Interstate Fishery Management Plan for Atlantic Herring, the fixed gear set-aside of 30 metric tons will continue to be available to fixed gear fishermen operating in Area 1A west of Cutler, Maine through December 31, 2022.

Please contact Emilie Franke, Fishery Management Plan Coordinator, at 703.842.0716 or efranke@asmfc.org for more information.

M22-114