



Mid-Atlantic Fishery Management Council

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MEMORANDUM

Date: February 9, 2021
To: Chris Moore
From: Jason Didden
Subject: February 8, 2021 RH/S AP Meeting Summary

The River Herring and Shad (RH/S) Advisory Panel (AP) met on February 8, 2021. RH/S AP members in attendance included: Katie Almeida, Fred Akers, Jeff Kaelin, Joseph Gordon, Eleanor Bochenek, Pam Lyons Gromen, Shawn Kimbro, Gregory DiDomenico, Doug Feeney, and Robert Rühle.

Others in attendance included: Jason Didden, Sara Winslow, Chris Batsavage, John Almeida, Michelle Duval, Kate Wilke, Deirdre Boelke, Zack Greenberg, Zoe Goozner, Alan Bianchi, James Fletcher, Wes Eakin, Mike Waine, Erica Fuller, and Caitlin Starks.

Staff summarized each white paper, answered clarifying questions, and then solicited input from the AP and public, which is summarized below.

Input on alignment issue:

Fred Akers: Since staff is not clear on what the benefits directly related to RH/S catch reduction would be served by joint caps, and the difficulties and costs required to establish joint policy goals and simultaneous Amendments or Frameworks, this idea does not seem to have much merit. “If it’s not broke, don’t fix it.”

Jeff Kaelin: Many of the same boats participate in both herring and mackerel – the caps seem to apply differently to these vessels. Support “If it’s not broke, don’t fix it.” at this time, but there has been available cap room in the herring caps while mackerel has closed early. Landscape of these fisheries has changed dramatically since the caps were put in place. In response to question from another AP member: Bycatch avoidance network (SMAST) does not have funding through RSA – industry will be funding shoreside or other monitoring through herring action.

Katie Almeida: Don’t change things until a joint work group of Council members has evaluated the issue. Seems like it might be reasonable to look at, but keep the AP involved.

Pam Lyons Gromen: The MAFMC’s approach is the right approach. Alignment may not be worth considering at this time. The Council should consider how the lack of an active bycatch avoidance network may impact cap/mackerel fishery operation.

Input on spatial issue:

Fred Akers: Given the possibility that time area closure restrictions could just re-shuffle effort in an inefficient manner, continued/increased observer coverage and continuing the port side sampling and existing avoidance programs may be more effective.

Jeff Kaelin: Seems reasonable to request more information from the NEFSC on revenue distribution and ask for additional AP input once that information is available. We also need to consider the recently-implemented NEFMC Inshore Midwater Trawl Restricted Area (Effective February 10, 2021).

Greg D: Staff's recommendation seems reasonable but existing measures seem more meaningful than chasing hotspots.

Pam Lyons Gromen: Staff's recommendation seems reasonable. If time-area closures were used, they need to be beyond single fisheries and be focused on gear types. Related analyses could inform future monitoring/bycatch avoidance.

Robert Ruhle: Staff's recommendation seems reasonable. There's no need to further over-complicate management at this point.

Input on cap biological modification issue:

Fred Akers: Since this river-level approach is being taken by the ASMFC for non-federal waters, the MAFMC might find it beneficial to work in much closer coordination with the work the ASMFC is doing to monitor and manage these species. Given the wide spatial range of RH/S life history, the cumulative impacts on these species in both state and federal waters need to be taken into account by the MAFMC when setting the RH/S bycatch caps.

Shawn Kimbro: We need to make progress on the deficit regarding quantitative coastwide abundance information.

There was no objection from the AP to asking the NEFSC to consider applicability of VAST modeling procedures to integrate RH/S abundance information.

Follow up questions for staff: Fred Akers requested more information on whether the genetics studies confirm that runs could be eliminated in a single haul. Pam Lyons Gromen asked 1) could VAST work incorporate in-river information and 2) could VAST work decipher climate effects.

Other Input (AP):

Fred Akers: Under Amendment 14, the main tools the MAFMC provided for RH/S conservation and management are bycatch caps, 100% observer coverage, and portside monitoring. The best available tool for stock status determination would be a stocks in the fishery designation, which the MAFMC chose not to enact in either Amendment 14 or 15. The staff notes that there currently is no quantitative coastwide assessments for all four RH/S species, but that there are assessments that take a river-level approach given the species' stock structures. At the ASMFC's 2/4/21 meeting regarding RH/S, various management measures were discussed that included sustainable state FMP's, current data availability, additional data needs and priorities, habitat issues and updates, competitor/predator pressure dynamics on the stock, and the importance and effectiveness of the MAFMC and NEFMC RH/S bycatch caps.

Jeff Kaelin and Katie Almeida: Suggest also requesting that the NEFSC attempt to develop some ballpark comparative mortality estimates to really know what's causing problems with RH/S.

After the call, AP member Joseph Gordon requested these additional comments be included: The MAFMC needs to establish full conservation and management for River Herring and Shad under the MSA. These species remain at or near historic lows (American Shad Benchmark Stock Assessment ([2020](#)), River Herring Stock Assessment Update ([2017](#))) and are still caught and sold in large numbers, as indicated in the staff memos. While the current caps may be incentivizing avoidance, consistent with average historic levels, the species are still not rebuilding and therefore not providing widespread benefits to ecosystems and economies along the Atlantic coast, in spite of other extensive conservation efforts like dam removals and state waters closures. Looking forward, the MAFMC should compare the overfished status of mackerel and the decline of sea herring in contrast to the fast and significant recovery of Atlantic menhaden under more conservative state management. The Council needs to adopt a more conservative and effective approach to forage fish management, including the addition of river herring and shad as Council-managed species, consistent with the goals and objectives of the Council's 2020-2024 Strategic Plan ([link](#)) and Ecosystem Approach to Fisheries Management Guidance Document ([link](#)).

Other Input (Public):

Jim Fletcher: Should ask NEFSC to use electron microcopy to analyze exact ages of RH/S to help determine what factors are most critical for RH/S mortality (including migration, pollution e.g. surfactants, etc.).