

**RAFT – STRAWMAN FEBRUARY 3, 2009 (HERRING COMMITTEE JUNE 4/5, 2009)**

PROJECT #:

UPDATED: February 3, 2009

#4

PROJECT MANAGER: Lori L. Steele

PROJECT TITLE: **Herring Amendment and 2010-2012 Specifications**

SUPPORTS COUNCIL PRIORITY #: High

**GOAL: Develop Herring Amendments 4/5 to address catch monitoring, new M-S Act requirements, and other issues; develop specifications packages for the 2010-2012 fishing years using new stock assessment and ACL/AM provisions for 2011 and beyond.**

*Amendment 4 Progress to Date*

MILESTONES		PLANNED
1.	Committee meets to draft objectives and identify issues for inclusion in scoping document	MAR 2008
2.	AMENDMENT 4 SCOPING	APR-JUNE 2008
3.	Advisors and Herring Committee meet to review scoping comments and develop a range of alternatives for analysis in Amendment 4 (work with PDT)	MAY 2008 – FEB 2009
4.	<b>Council reviews progress on development of Amendment 4 alternatives, provides guidance/recommendations</b>	<b>FEB 2009</b>

If Amendment 4 is split, the ACL/AM provisions would move forward in the amendment, developed in conjunction with the 2010-2012 fishery specifications, and submitted together with an Environmental Assessment (EA). This will work if Amendment 4 *only* contains measures that are deemed to result in no significant impacts, which would trigger the development of an EIS. The ACL/AM provisions are largely process-related and are unlikely to trigger an EIS, although consideration of this issue needs to be made throughout the development of the Amendment.

MILESTONES		PLANNED
1.	Committee, Advisory Panel, and PDT continue work on Amendment 4 alternatives – ACL/AM provisions are the priority issues	FEB-JUNE 2009
2.	<b>TRAC Stock Assessment for Atlantic Herring</b>	<b>JUNE 2009</b>
3.	Committee, Advisory Panel, and PDT review stock assessment results, draft options for ACL/AM provisions and develop recommendations for 2010-2012 fishery specifications	JULY-SEPT 2009
4.	SSC reviews draft Amendment 4 measures related to ACLs/AMs, reviews draft specifications and provides recommendations for ABC, etc. for 2010-2012 fishing years	AUGUST 2009
5.	<b>Council reviews draft Amendment 4, SSC recommendations, draft fishery specifications, and develops recommendations for Amendment 4 and 2010-2012 specifications</b>	<b>SEPT 2009</b>
6.	<b>Council selects final measures for Amendment 4 and 2010-2012 fishery specifications, approves research recommendations for 2011-2012 RSAs</b>	<b>NOV 2009</b>
7.	Staff submits Amendment 4 and specification package for 2010-2012 fishing years	DEC 2009

Atlantic herring fishery specifications for 2010-2012 fishing years would be submitted in December 2009, resulting in a delay in implementation for the 2010 fishing year. Catch during the beginning of 2010 would be counted retroactively against the TACs once the specifications are implemented (this has occurred in the past). The specifications package would include language to indicate this.

**Amendment 5 to the Atlantic Herring FMP would include all other elements that were originally in Amendment 4:**

- Catch Monitoring Program for the Herring Fishery
- Measures to Address River Herring Bycatch
- Measures to Address Interactions with the Atlantic Mackerel Fishery and Bycatch Concerns
- Measures to Establish Criteria for Access to Groundfish Closed Areas by Midwater Trawl Vessels

<b>MILESTONES</b>	<b>PLANNED</b>
1. Herring Committee and Advisory Panel continue development of alternatives for Amendment 5	DEC 2009 – APRIL 2010
2. Council approves Amendment 5 alternatives for analysis in DSEIS	APRIL 2010
3. Council approves Draft Amendment 5/DSEIS and public hearing document and selects preferred alternatives	JUNE 2010
4. Herring Amendment 5 Public Hearings	JULY/AUGUST 2010
5. Council reviews public and advisor comments and O/S recommendations; approves final Amendment 5 measures	SEPT 2010 (or NOV 2010)
6. Amendment 5 Implementation	ASAP

**DRAFT – REVISED STRAWMAN BASED HERRING COMMITTEE RECOMMENDATION TO SPLIT AM 4**

PROJECT #:

UPDATED: June 9, 2009

PROJECT MANAGER: Lori L. Steele

PROJECT TITLE: **Herring Amendment 4/5 and 2010-2012 Specifications**

SUPPORTS COUNCIL PRIORITY #: High

**GOAL: Develop Herring Amendments 4/5 to address new MSRA requirements, catch monitoring, and other issues; develop specifications package for the 2010-2012 fishing years using new stock assessment and ACL/AM provisions**

*Amendment 4 Progress to Date*

MILESTONES		PLANNED
1.	Committee meets to draft objectives and identify issues for inclusion in scoping document	MAR 2008
2.	AMENDMENT 4 SCOPING	APR-JUNE 2008
3.	Advisors and Herring Committee meet to review scoping comments and develop a range of alternatives for analysis in Amendment 4 (work with PDT)	JUNE 2008 – FEB 2009
4.	<b>Council reviews progress on development of Amendment 4 alternatives, provides guidance/recommendations on priorities:</b> <ol style="list-style-type: none"> <li>1. ACLs/AMs</li> <li>2. Catch Monitoring</li> <li>3. River Herring Bycatch Measures</li> <li>4. Criteria for Access to Groundfish Closed Areas</li> <li>5. Measures to Address Mackerel Fishery Concerns</li> </ol>	<b>FEB 2009</b>
5.	Herring Committee, Advisory Panel, and PDT continue work on Amendment 4 alternatives -- ACL/AM provisions are priority, followed by catch monitoring	FEB-JUNE 2009

The TRAC stock assessment for Atlantic herring occurred on June 8, 2009, and results are anticipated shortly thereafter. The 2010-2012 specifications, therefore, should incorporate the new stock assessment information. According to the Magnuson Stevens Reauthorization Act, the Council must receive a recommendation regarding allowable biological catch (ABC) for the 2010-2012 fishing years from its Scientific and Statistical Committee (SSC), and ACL/AM provisions must apply for the 2011 and 2012 fishing years. As a result, the specifications process, will be more complicated than it has been in the past and will consume most technical and staff resources that may be available during the 2009 summer/fall months.

In order to ensure that the ACL/AM provisions can be implemented by the start of the 2011 fishing year, the Council must submit the ACL/AM action (i.e., Amendment 4) to NMFS no later than May 2010. To do this would require completion of the development of alternatives and the Draft EIS for Amendment 4 during the fall of 2009; this is highly unlikely since the range of alternatives for catch monitoring and measures to address other issues in the amendment (river herring, groundfish closed area access) are not fully developed, and Council staff/Herring PDT work will be diverted to the specifications process for much of the upcoming months.

Based on the following timeline, if Amendment 4 is split, the ACL/AM provisions would move forward in Amendment 4, developed in conjunction with the 2010-2012 herring fishery specifications, and submitted together with appropriate environmental compliance documents no later than December 2009. This approach would ensure that the ACL/AM provisions can be implemented for the 2011 fishing year, consistent with the

**DRAFT – REVISED STRAWMAN BASED HERRING COMMITTEE RECOMMENDATION TO SPLIT AM 4**

requirements of the MSRA. The ACL/AM provisions in Amendment 4 are largely process-related and are unlikely to trigger an EIS, although consideration of this issue needs to be made throughout the development of the amendment. Similar considerations will need to be made relative to the 2010-2012 fishery specifications.

Atlantic herring fishery specifications for 2010-2012 fishing years would be submitted in December 2009 (probably late December), resulting in a delay in implementation for the 2010 fishing year. A rollover provision exists in the current regulations to allow the fishery to continue under the 2009 TACs until the 2010 TACs become effective, and catch during the beginning of 2010 would be counted retroactively against the TACs once the specifications are implemented (the 2010-2012 fishery specifications package would include language to indicate this).

MILESTONES	PLANNED
1. TRAC Stock Assessment for Atlantic Herring	JUNE 2009
2. Herring PDT works with SSC to develop recommendations re. ABC and address scientific uncertainty	JULY-SEPT 2009
3. SSC reviews stock assessment results, PDT recommendations, and provides recommendations for ABC, etc. for 2010-2012 fishing years	AUGUST-SEPT 2009
4. Committee, Advisory Panel, and PDT review stock assessment results and begin to draft options for ACLs and 2010-2012 fishery specifications	AUGUST-SEPT 2009
<b>5. Council reviews SSC recommendations (ABC), discusses fishery specifications (ACLs), and addresses any outstanding issues re. Amendment 4 (ACLs/AMs)</b>	<b>SEPT 2009</b>
6. Committee, Advisory Panel, and PDT work on options for ACLs; Committee (and ASMFC) develops recommendations for final 2010-2012 specifications	OCT-NOV 2009
<b>7. Council selects final 2010-2012 fishery specifications, approves research recommendations for 2011-2012 RSAs, and finalizes Amendment 4 (ACLs/AMs)</b>	<b>NOV 2009</b>
8. Staff submits Amendment 4 and specifications package for 2010-2012 fishing years (two separate submissions)	DEC 2009

**Amendment 5 to the Atlantic Herring FMP would include all other elements that were originally in Amendment 4:**

- Catch Monitoring Program for the Herring Fishery
- Measures to Address River Herring Bycatch
- Measures to Establish Criteria for Access to Groundfish Closed Areas by Midwater Trawl Vessels
- Measures to Address Interactions with the Atlantic Mackerel Fishery and Bycatch Concerns

MILESTONES	PLANNED
1. Herring Committee, PDT, and Advisory Panel continue development of alternatives for Amendment 5	JAN – MAY 2010
<b>2. Council approves Amendment 5 alternatives for analysis in DSEIS</b>	<b>JUNE 2010</b>
<b>3. Council approves Draft Amendment 5/DSEIS and public hearing document and selects preferred alternatives</b>	<b>SEPT 2010</b>
4. Herring Amendment 5 Public Hearings	OCT/NOV 2010
<b>5. Council reviews public and advisor comments and O/S recommendations; approves final Amendment 5 measures</b>	<b>*DEC 2010 or JAN 2011*</b>
6. Staff submits Amendment 5	JAN OR FEB 2011
7. Amendment 5 Implementation	ASAP

*\*Would require a special Council meeting (or wait until February 2011)\**

# STRAWMAN – AMENDMENT 4 TIMELINE WITHOUT SPLIT

PROJECT #:

UPDATED: June 9, 2009

PROJECT MANAGER: Lori L. Steele

PROJECT TITLE: **Herring Amendment 4 and 2010-2012 Specifications**

SUPPORTS COUNCIL PRIORITY #: High

**GOAL: Develop Herring Amendments 4 to address new M-S Act requirements, catch monitoring, and other issues; develop specifications packages for the 2010-2012 fishing years using new stock assessment and ACL/AM provisions**

MILESTONES	PLANNED
1. Committee meets to draft objectives and identify issues for inclusion in scoping document	MAR 2008
2. AMENDMENT 4 SCOPING	APR-JUNE 2008
3. Advisors and Herring Committee meet to review scoping comments and develop a range of alternatives for analysis in Amendment 4 (work with PDT)	JUNE 2008 – FEB 2009
4. Council reviews progress on development of Amendment 4 alternatives, provides guidance/recommendations on priorities: <ol style="list-style-type: none"> <li>1. ACLs/AMs</li> <li>2. Catch Monitoring</li> <li>3. River Herring Bycatch Measures</li> <li>4. Criteria for Access to Groundfish Closed Areas</li> <li>5. Measures to Address Mackerel Fishery Concerns</li> </ol>	FEB 2009
5. Herring Committee, Advisory Panel, and PDT continue work on Amendment 4 alternatives – ACL/AM provisions are priority, followed by catch monitoring	FEB-JUNE 2009
6. TRAC Stock Assessment for Atlantic Herring	JUNE 2009
7. Herring PDT works with SSC to develop recommendations re. ABC and address scientific uncertainty	JULY-SEPT 2009
8. SSC reviews stock assessment results, PDT recommendations, and provides recommendations for ABC, etc. for 2010-2012 fishing years	AUGUST-SEPT 2009
9. Committee, Advisory Panel, and PDT review stock assessment results and begin to draft options for ACLs and 2010-2012 fishery specifications	AUGUST-SEPT 2009
10. Council reviews SSC recommendations (ABC), discusses fishery specifications (ACLs)	SEPT 2009
11. Committee, Advisory Panel, and PDT work on options for ACLs; Committee (and ASMFC) develops recommendations for final 2010-2012 specifications	OCT-NOV 2009
12. Council selects final 2010-2012 fishery specifications, approves research recommendations for 2011-2012 RSAs	NOV 2009
13. Staff submits specifications package for 2010-2012 fishing years	DEC 2009
14. Herring Committee, PDT, and Advisory Panel continue development of alternatives for Amendment 4	JAN – MAY 2010
15. Council approves Amendment 4 alternatives for analysis in DSEIS	JUNE 2010
16. Council approves Draft Amendment 4/DSEIS and public hearing document and selects preferred alternatives	SEPT 2010
17. Herring Amendment 4 Public Hearings	OCT/NOV 2010
18. Council reviews public and advisor comments and O/S recommendations; approves final Amendment 4 measures	<i>*DEC 2010 or JAN 2011*</i>
19. Staff submits Amendment 4	JAN OR FEB 2011
20. Amendment 4 Implementation	ASAP

*\*Would require a special Council meeting (or wait until February 2011)\**

