



## Mid-Atlantic Fishery Management Council

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# MEMORANDUM

**Date:** March 27, 2014  
**To:** River Herring and Shad Committee  
**From:** Jason Didden *JDD*  
**Subject:** River Herring and Shad Committee Meeting

### Background

Agenda item: April 8, 2014 - 1:00 pm-2:00 pm River Herring & Shad Committee

- Review and approve terms of reference and scope of work for Committee

Per the listed agenda item for the River Herring and Shad (RH/S) Committee, the goal of this meeting is to approve terms of reference and a scope of work for the RH/S Committee. The creation of the RH/S Committee relates to the following motion from the October 2013 Council Meeting:

"Move that the Council adopt a proactive coordinated approach to help the stocks of river herring and shads to recover. Specifically I propose the Council take the lead in forming a joint council/ASMFC/State/Regional Office/Center working group to cooperatively seek to improve current management by aligning current ASMFC, individual state, and at-sea cap management measures to comprehensively address fishing mortality throughout the species range in state and federal waters, to use the Councils' SSC and other relevant scientific bodies to develop a scientific-based approach to determining the proper size of the catch cap in the mackerel and herring fisheries, and to monitor the success of current management actions by the Council and our partners, including that the Council relook at the decision to make river herring and shads stocks in the fishery in three years after we have had a chance to determine if these current efforts are working and if by assessing the proposed interim work to develop scientifically-determined caps sizes we can better justify the decision to go ahead."

The creation of the river herring Technical Expert Working Group (TEWG) by NOAA Fisheries and the Atlantic States Marine Fisheries Commission (ASMFC) may also have impact on the role(s) that the Council's RH/S Committee decides to take. The TEWG (<http://www.nero.noaa.gov/protected/riverherring/tewg/index.html>) had its first meeting on March 27, 2014 and its exact function is still under development. However, draft terms of reference developed for the March 27, 2014 TEWG meeting included (all of next page):

### **TEWG Terms of Reference**

The TEWG is being established to help NOAA Fisheries and ASMFC develop a dynamic conservation plan to help restore river herring throughout their Atlantic coastal range. This will include the following:

- Identify threats to both species throughout their range
- Identify and create a priority list of conservation actions to address critical threats and associated costs
- Identify key data gaps
- Create a priority list of research projects and associated costs to fill existing data gaps
- Provide/compile information for NMFS/ASMFC to use in the development of a dynamic, long term conservation plan
- Track and monitor progress of conservation actions and research
- Revise actions as needed

The goal of the TEWG meetings will be information gathering, whereby individual expert opinion on data, ideas, or recommendations will be sought from all participants. The meetings are not consensus driven. Larger discussions of the TEWG will take a broad look at the issues and not focus on only one topic. Meetings of the subgroups will provide an opportunity for detailed focus on specific topics. The TEWG is not charged with making listing recommendations or other management recommendations.

TEWG participation may include meetings (e.g., in person, video, web/teleconferences), e-mail exchange, analyses/modeling, writing and review of documents. The level of participation (e.g., time commitment) will be determined by the individual member, but participation and contribution as appropriate in the larger TEWG discussions is expected. A long-term (i.e., multi-year) commitment is requested to ensure continuity and minimize disruption during the conservation planning process.

### **Council's Role on TEWG**

The Council is participating in the TEWG in a variety of ways. Several Council members are members of the TEWG, and the staff lead for the RH/S Committee (Jason Didden) is also co-chairing a “catch” sub-group of the TEWG that is preliminarily tasked to “Consider the impacts from state and federal fisheries range-wide.” Products of the sub-group (draft) are proposed to include the following as pertain to the catch of river herring:

1. Identify data gaps and threats to river herring (alewives and blueback herring) throughout their range.
2. Create and monitor a priority list of conservation actions to address critical threats and associated costs.
3. Create and monitor a priority list of research projects and associated costs to fill existing data gaps.
4. Provide/compile information (e.g., updates on research projects or conservation actions) for NMFS/ASMFC to use in a dynamic, long term conservation planning effort.

### **Committee Terms of Reference**

Given the original Council motion, and the ongoing work of the TEWG, staff proposes the following Terms of Reference as a starting point for Committee discussion:

- a. Develop approaches to setting RH/S catch caps that are based on and appropriate for the abundance and/or population dynamics of RH/S rather than historic catch rates of RH/S.
  - Part of understanding this question will likely involve investigating the relative effects of catch in federal fisheries on RH/S stock health compared to other sources of mortality (habitat issues, inshore catch, climate, predation, etc.)
  - The Council's Scientific and Statistical Committee (SSC) will be engaged for this term of reference.
- b. Consider additional ways to cooperate with the New England Fishery Management Council (NEFMC) on RH/S efforts by setting catch caps interdependently, for example potentially aligning RH/S catch caps for the Atlantic mackerel and Atlantic herring fisheries in Mid-Atlantic and southern New England waters so as to appropriately address overall RH/S catch.
- c. Regularly evaluate the overall operation of any Mid-Atlantic (or joint) RH/S catch caps including cap determination, monitoring, data needs, enforcement, data interpretation, etc.
- d. Evaluate additional ways to align MAFMC activities with NOAA Fisheries, the ASMFC, the TEWG, state, and non-governmental activities regarding RH/S.

e. Develop “success criteria” to evaluate MAFMC efforts regarding RH/S given the Council’s commitment to regularly evaluate progress (beginning in June of 2014) and to reconsider the overall decision whether or not to make RH/S “stocks in a fishery” under a MAFMC fishery management plan in October 2016. Full development of the “success criteria” is likely beyond the scope of this initial meeting, but would be a priority task and likely include consideration of factors such as:

Are RH/S stocks improving? Has incidental catch in federal fisheries been limited and/or reduced? Has information about RH/S improved (natural history, abundance, etc.)? Has coordination between the entities that are involved in RH/S management improved?

**RH/S Advisory Panel (AP)**

The Council received 20 applications for the RH/S Advisory Panel (AP). After the April 2014 Council meeting, the RH/S Committee will review the applications and the RH/S Committee Chair (Dr. Lee Anderson) will forward viable AP applications to the Executive Committee. The Executive Committee will then meet in closed session to develop AP recommendations for the Council Chair, Rick Robins, who makes all AP appointments.