



**Mid-Atlantic Fishery Management Council**  
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## MEMORANDUM

**Date:** July 23, 2019  
**To:** Council  
**From:** Jason Didden, staff  
**Subject:** Staff recommendation regarding 2020 River Herring and Shad (RH/S) Cap for the Atlantic mackerel fishery

Please note that there are two supporting memos attached below. The first is the 2019 Annual River Herring and Shad (RH/S) Progress and Cap Review, which includes input from the Mackerel, Squid, and Butterfish (MSB) Monitoring Committee. The second is a staff memo to the Monitoring Committee regarding possible 2020 RH/S Cap modifications.

The status-quo RH/S cap (proposed as 129 MT with an 89 MT trigger before 10,000 MT of mackerel is caught), would provide strong incentive for the mackerel fishery to avoid RH/S. Alternatively, the fishery will be substantially limited if it cannot avoid RH/S better than this year. In either case RH/S catch in the mackerel fishery would be reduced compared to having no cap.

It appears we are no longer in a situation where minimal landings are expected, due to recent interest in the fishery, increased landings in 2017/2018, and the likely mackerel quota for 2020. Therefore the incentive to avoid RH/S to maintain access to the full mackerel quota should still be high in 2020 even if the 89 MT trigger is removed, as long as the total cap remains sufficiently low. Considering A) the incentive to avoid RH/S will be maintained, B) recent impacts from the RH/S cap on the mackerel fishery, C) some positive preliminary signs in some RH/S abundance indicators, and D) early closures further reduce the already low expected number of observed trips, staff recommends eliminating the 89 MT trigger for 2020.

While a variety of cap options could potentially be justified, staff recommends increasing the cap to 154 MT for 2020 (0.89% times the mackerel quota). The core rationale is that with a 154 MT RH/S cap, the fishery will have to substantially reduce its RH/S encounter rate from 2019 to 2020 in order to land the mackerel quota. Even at a 154 MT cap the fishery will lose access to approximately half of the mackerel quota unless the fishery can reduce its encounter rate from 2019. So this cap should be sufficiently low to strongly encourage RH/S avoidance. Considerations B, C, and D above are also applicable to the overall cap amount.

The preliminary staff recommendation discussed by the Monitoring Committee was 155 MT and was based on the 2019 mackerel quota considered in the mackerel rebuilding framework. The

Council recommendation for 2020 had a slightly higher recreational allocation, leading to a slightly lower commercial quota, which leads to a slightly lower RH/S cap of 154 MT using the 0.89% ratio.

As discussed by the Monitoring Committee, there are also practicality and process issues to consider. The 154 MT cap amount utilizes the same approach in terms of an encounter ratio as 2016-2018. Also, both a 155 MT cap and whether to use the 89 MT trigger were discrete options in the recent mackerel rebuilding action Environmental Assessment. Thus, compared to other modifications, a 154 MT RH/S cap and elimination of the 89 MT trigger have the best chance of being implemented in early 2020. The other options may necessitate a framework action or at least a new Environmental Assessment, potentially extending the implementation timeline.

The Council could consider prioritizing a framework action for 2020 to look at additional RH/S cap changes.