



New England Fishery Management Council

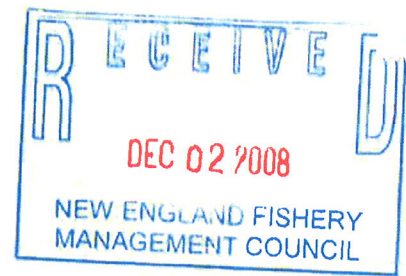
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John Pappalardo, *Chairman* | Paul J. Howard, *Executive Director*

Letters Received regarding Herring Bycatch  
12/08-1/09



**Received via email Wednesday, 12/3/08**

**From:** Dave Pecci  
**To:** Lori Steele  
**Cc:** Terry Stockwell; smahoney@clf.org  
**Subject:** herring bycatch comments



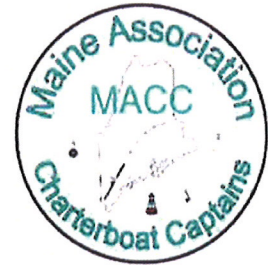
Lori,

Terry Stockwell suggested I send you this written public comment in hopes portions of it could be helpful to the Council regarding herring bycatch. Our Assn. is very concerned about not only river herring bycatch but all bycatch in the herring fishery.

Thank you,  
Dave Pecci, President  
Maine Association of charterboat Captains

*cc LS, Council (12/3)*





Public Comment:

**Draft Amendment 2 to the Shad and River Herring Management Plan**  
Wiscasset, Maine Public hearing, December 2<sup>nd</sup>, 2008

MACC is a trade organization representing more than 80 professional saltwater and tidewater USCG licensed charterboat captains working in Maine. These Captains operate vessels for anglers, sightseers, and eco-tourists. We offer the following comments on Section 4 "Management Program Implementation" of Draft Amendment 2 to the Interstate Fishery Management Plan for Shad and River Herring.

**Sec. ~ 4.1 Commercial Fishery:**

- MACC Supports Coast-Wide Commercial Fishery Effort Reductions through option 2B ("*Requiring an Escapement Provision in River Systems*"). We do not support the use of options 2A ("*Area Closures*"), 2C ("*Reduced Landings by River System*"), 2D ("*Reduced State Landings*"), and 2E ("*Limited Access*") at the coast-wide level, We could however support such options if they were applied on a case-by-case basis at the river system level and were deemed biologically necessary. The wide variation in distinct river herring stock abundance negates the ability to use a broad brush coast-wide management approach.
- MACC Supports Reductions in Commercial Fishery Bycatch. We feel that options 3A ("*Establish Limits on Bycatch*"), 3B ("*Require Mandatory Reporting of Bycatch Discards*"), 3C ("*Time and Area Closures*"), and 3D ("*Gear Restrictions*") should all be available as tools for river herring bycatch reductions.
- MACC Does Not Support option 4 ("*Coast-Wide Closure*") or option 5 ("*Moratorium*"). We strongly believe that all in-river management efforts should be accomplished on a case-by-case basis at the individual river system level and not through a "one size fits all" approach.

**4.2 ~ Recreational Fishery:**

- MACC Supports Recreational Fisheries Management Measure Option 1: "*The Status Quo.*"
- MACC Does Not support Option 2: "*Recreational License/Permit.*" We do, however, see a real need for all states, including Maine, to collect better landing data on recreational and sustenance river herring fisheries. We see this being accomplished through existing data collection programs, the Marine Recreational Information Program, and the developing Federal Registry of Anglers. ME DMR has a strong track record of collecting usable and accurate data. That program could be easily expanded to provide river herring data.

*An all-volunteer non-profit organization committed to the promotion of guided recreational fishing and eco-tourism and dedicated to the principles of conservation, professionalism and stewardship*



- MACC Does Not support Option 3A ("*Limiting the Days of River Herring Recreational Harvest*") because it would put charter boat operators who choose to use river herring as bait in an adverse economic and competitive position for little or no biological gain.
- MACC Does Not support Option 3B ("*Coast-wide Creel Limit*") because It would be completely ineffective in managing individual/distinct river herring stocks. MACC could support individual river system creel limits as a means to lower recreational harvest but only when applied on a case-by-case basis and deemed biologically necessary.
- MACC Does Not support Options 3C ("*Gear Restrictions*") or 3D ("*Area or Seasonal Closures*"). Again, these options would put charter boat operators who choose to use river herring as bait in an adverse economic and competitive position for little or no biological gain.
- MACC Does Not support Option 4 ("*Coast-Wide Closure*") or Option 5 ("*Moratorium*"). We strongly believe that all in-river management efforts should be accomplished at the individual river system level and not through a "one size fits all" approach at the federal level.

#### **River Herring Bycatch in Federal Waters Has Become A Major Problem**

Both the Public Information Document released in January 2008 and the 2007 Fisheries Management Plan Review Document refer to the lack of complete river herring ocean intercept data and to discrepancies in the existing data. There is very little data available on the ocean intercept bycatch of river herring in other targeted fisheries such as Atlantic herring and Atlantic mackerel.

Section 1.4.7.1 of the current draft amendment 2 states that bycatch in the first four months of 2007 was 121,246 pounds. This is very worrisome when compared to the entire year's bycatch statistics for 2005 at 41,458 pounds and 2006 at 50,681 pounds. Section 1.4.7.1 goes on to state that "...*Preliminary analysis indicate in some years, the total bycatch of river herring species in the Atlantic herring fleet alone could be equal to the total landings from the entire in-river directed fishery on the East Coast*".

The Atlantic herring and Atlantic mackerel large boat fleet can easily wipe out entire distinct stocks of river herring in a single tow. We urge that both fleets be subjected to 100% observer coverage as a way to identify river herring bycatch and discards.

Thank you,

Capt. David Pecci  
President, MACC

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**From:** rbeal@asmfc.org [mailto:rbeal@asmfc.org]  
**Sent:** Friday, December 12, 2008 2:12 PM  
**To:** Lori Steele  
**Cc:** Paul Diodati; George Lapointe; Griffin, Melanie (FWE); Vince O'Shea  
**Subject:** Statement Regarding River Herring

Hi Lori,

Paul Diodati, the Chair of the ASMFC Shad and River Herring Management Board, asked that I forward the following comments to the NEFMC. The comments below relate to the activities of the Council and the Herring Oversight Committee. Please forward these comments to the Committee and the Council.

Thanks,  
Bob

Concerns have been raised over the following statement that is included in the ASMFC press releases announcing the approval and public comment opportunities for Draft Amendment 2 to the Interstate Fishery Management Plan for Shad and River Herring.

"Preliminary analysis indicate in some years, the total bycatch of river herring species in the Atlantic herring fleet alone could be equal to the total landings from the entire in-river directed fishery on the East Coast."

While the Draft Amendment indicates that recent data suggest bycatch of river herring is negatively impacting the rebuilding efforts, the Amendment also includes a full range causes for the stock declines. Due to broad geographic ranges, alosine species are susceptible to varied threats throughout different life stages. The threats to future rebuilding of this stock include in addition to bycatch: direct harvest, predation by other species, habitat degradation, and barriers to upstream and downstream migration.

The Board will be considering all of these factors when establishing a management program designed to rebuild the stocks of river herring along the Atlantic coast.

