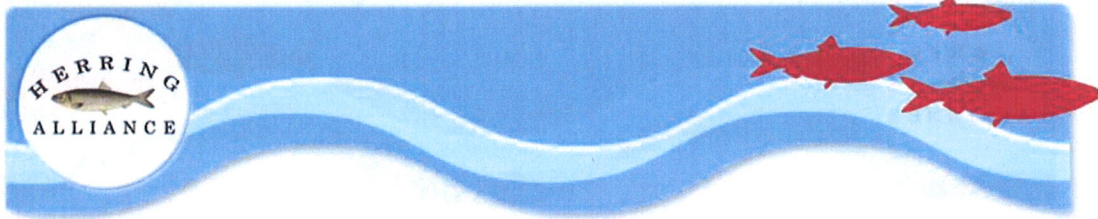
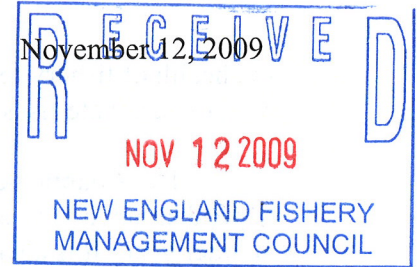


14a



Ms. Patricia A. Kurkul, Regional Administrator  
NOAA/NMFS Northeast Region  
55 Great Republic Drive  
Gloucester, MA 01930



**Re: Atlantic Herring Catch Limits**

Dear Ms. Kurkul:

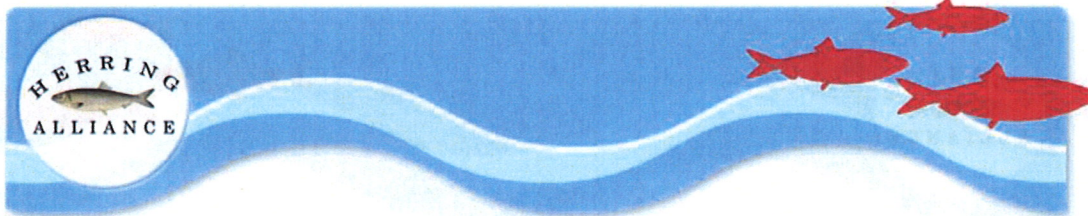
As you are well aware, specifications for the Atlantic herring fishery will be set at the next meeting of the New England Fishery Management Council (Council) on November 17, 2009. Prior to that meeting, those specifications will be the subject of a meeting of the Council's Herring Advisory Panel on November 9, of a joint meeting of the Herring Oversight Committee and ASFMC Herring Section on November 10, and a conference call of the Council's Science and Statistical Committee (SSC) on November 12. The attention that these specifications are generating is warranted not just because of the potential effects on the herring and lobster industries, but also by the critical role Atlantic herring play in the ecosystem as a forage fish for groundfish, marine mammals and other fish such as striped bass and tuna, in addition to its use as bait in the lobster fishery.

On behalf of the Herring Alliance, we are writing to emphasize that the decision on the appropriate specifications must continue to be guided by the use of the best available science, as required by the Magnuson-Stevens Act. Members of the Council's SSC were chosen based on their scientific and technical skills and represent some of the best fisheries scientists in the world. The SSC reviewed the best scientific information available for the Atlantic herring fishery and explicitly and transparently based its recommendations for the overfishing limit and acceptable biological catch levels on that information. These fishing level recommendations must serve as the basis for the annual catch limits for this fishery for fishing years 2010-2012.

We are aware that some have argued that the Council and NMFS should ignore the SSC's fishing level recommendations, at least for 2010. Such a course of action would be contrary to the best available scientific information and the law. Further, we believe it is critical that the National Marine Fisheries Service and the Council keep in mind the long term health of the herring resource and the larger ecosystem. The SSC has done excellent work and their identification of scientific uncertainty and related recommendations are supported by the work of the Transboundary Resource Assessment Committee and the Council's own plan development team. From past management decisions, we know the consequences of prioritizing short-term economic impacts over

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A Project of the Pew Environment Group





the health of fishery resources. These decisions do not avoid economic hardship, but rather exacerbate risks to the resource while prolonging economic impacts.

The Atlantic herring fishery is too important to risk. Its long term viability is dependent upon your application of the best available scientific information now, not in another year. It is also important that the Service and the Council not establish a precedent that when the best available science does not suit a particular set of interests with political strength, the science can simply be set aside. While it is important to seek continual improvement in the science that is used to make management decisions, it is equally important to ensure that decisions always are driven by the best scientific information available.

Very truly yours,

Peter Baker, Project Manager  
Atlantic Herring Campaign  
Pew Environment Group

Pam Lyons Gromen  
Fisheries Project Director  
National Coalition for Marine  
Conservation

Brad Sewell  
Senior Attorney  
Natural Resources Defense Council

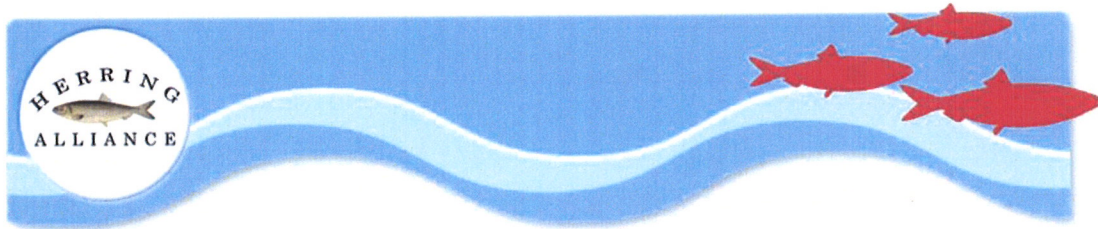
Phil Kline  
Senior Ocean Campaigner  
Greenpeace US

Roger Fleming  
Attorney  
Earthjustice

Anna Aurilio  
Director  
Environment America

Sean Mahoney  
Director, Maine Advocacy Center  
Conservation Law Foundation

Katie Kokkinos  
Environmental Advocate  
Environment Maine



Jen Litteral  
Policy Director  
Island Institute

Ben Wright  
Environmental Advocate  
Environment Massachusetts

Ian Cooke  
Executive Director  
Neponset River Watershed Association

Margaret Miner  
Executive Director  
Rivers Alliance of Connecticut

Arthur Benner  
President  
Alewives Anonymous, Inc.

Jane Calvin  
Executive Director  
Lowell Parks & Conservation Trust, Inc.

cc: Paul Howard, Executive Director – NEFMC  
John Pappalardo, Chairman – NEFMC  
Frank Blount, Chairman – Herring Committee

