

#9

Correspondence

*additional 38 comments
received after end of
comment period*

Joan O'Leary

From: Michelle Staudt <mail@change.org>
Sent: Wednesday, August 08, 2012 2:02 PM
To: comments
Subject: Attn: Comments on Draft Amendment 5

Dear,

I am writing to express my concern about poorly managed industrial fishing and the damage it inflicts on the ocean ecosystem, especially to river herring. Populations of these fish have declined by 99 percent and are so depleted they are being considered for protection under the Endangered Species Act.

Most Atlantic states now prohibit the harvest of river herring in coastal waters, even to the point of prohibiting children from netting one for bait. Yet astoundingly, no protections have been extended to these fish in the open ocean, where they are taken by the millions as profitable bycatch by industrial herring ships.

This is unacceptable and represents a significant setback in the ongoing efforts to restore alewife and blueback herring. Every year, states and communities throughout New England invest significant time and resources to restore their river herring runs. Many tireless citizens carefully shepherd migrating river herring past in-river obstacles by hand. The council must support, not undermine, these efforts.

As the council finalizes its revision to the Atlantic Herring Fishery Management Plan, I strongly urge you to approve a comprehensive monitoring and bycatch reduction program that incorporates the following management actions:

- Immediate implementation of a catch limit, or cap, on the total amount of river herring caught in the Atlantic herring fishery (Section 3.3.5).
- 100 percent at-sea monitoring on all midwater trawl fishing trips in order to provide reliable estimates of all catch, including bycatch of depleted river herring and other marine life (Section 3.2.1.2 Alternative 2).
- An accountability system to discourage the wasteful slippage or dumping of catch, including a fleet-wide allowance of five slippage events for each herring management area, after which any slippage event would require a return to port (Section 3.2.3.4 Option 4D).
- No herring midwater trawling in areas established to promote rebuilding of groundfish populations (Section 3.4.4 Alternative 5).
- A requirement to accurately weigh and report all catch (Section 3.1.5 Option 2).

Thank you for considering my comments and for your continued commitment to improving management of the Atlantic herring fishery.

Sincerely,

Michelle Staudt
Williamsburg, Iowa

Note: this email was sent as part of a petition started on Change.org, viewable at <http://www.change.org/petitions/tell-nefmc-stop-ripping-up-the-atlantic-for-herring>. To respond, [click here](#)





Coalition for the Atlantic Herring Fishery's Orderly, Informed and Responsible Long Term Development

August 28th, 2012

Dr. Christopher M. Legault, Chair
New England Fishery Management Council
Scientific and Statistical Committee
50 Water Street, Mill 2
Newburyport, MA 01950

Dear Dr. Legault,

I am writing today on behalf of CHOIR to request that you and the rest of the Scientific and Statistical Committee consider our perspectives on the state of the Atlantic herring resource, the 2012 stock assessment, and appropriate catch limits. CHOIR is an industry coalition made up of over 650 commercial and recreational fishing organizations, fishing and shore side businesses, researchers and eco-tourism companies. CHOIR was formed in 2002 to advocate for responsible management and development of the Atlantic herring fishery due to the importance of herring as forage for all members of the coalition.

We understand that the SSC will form recommendations on Acceptable Biological Catch for Atlantic herring at your September 12-13 2012 meeting. Based on our concerns that the stock status is not as optimistic as suggested by the 2012 stock assessment and the importance of herring as a source of forage for other fishery resources, we urge you to apply a conservative approach in your determination of acceptable biological catch.

CHOIR members and our consultant participated in and contributed to all meetings of the NEFSC Herring Working Group and the 54th Stock Assessment Review Committee. We understand the data and analytical models used to determine stock status and projected catch. Several aspects of the stock assessment have substantial uncertainty that should be considered in the buffer between the overfishing limit and acceptable biological catch:

1. Recent Recruitment – We share the concern expressed by the SARC Panel that the perception of a recent increase in stock biomass is largely driven by recent recruitment, which may be over-estimated. The perceived abundance of the 2008 year class (nearly

twice as abundant as any other) is not supported by all available information. Unfortunately, the perception of a strong 2008 year class is almost entirely dependent on the conversion from the Albatross to the Bigelow survey. Our members are involved in various fisheries throughout the region, and our at-sea observations do not agree with the perception of a dominant year class of herring in recent years. The accuracy of catch projections are largely influenced by the uncertainty in the estimate of recent recruitment, and warrant conservative catch recommendations until abundance of the 2008 year class is confirmed. Furthermore, as history has shown, basing management decisions too heavily on the promise of single year class is risky in itself.

2. Exclusion of the Acoustic Survey – The acoustic survey does not confirm the perception of an increasing stock. Considerable investments have been made to maintain an acoustic survey that monitors abundance of the New England herring resource, but the acoustic survey was excluded from the assessment model, because it did not agree with fishery and trawl survey trends. Similarly, a larval index was also excluded, because it did not confirm the recent stock increase. A change in vertical distribution of herring, from off-bottom to near-bottom is well documented in Council proceedings from all sectors of the fishing industry. The change in vertical distribution is expected to decrease efficiency of acoustic methods and increase efficiency of trawls. Although the acoustic and larval surveys present a statistical challenge for model fitting, the contrasting trends between survey approaches should be considered in the stock assessment and management decisions. Artificially reducing uncertainty by removing certain surveys should be accounted for when developing catch advice.
3. Spatial Structure - Based on practical limitations of sampling, the Working Group decided to continue to assess several distinct spawning components as a unit stock. As demonstrated by Guan et al. (2012), the assumption can result in considerable retrospective error.
4. Consumption of Herring – We applaud the attempt to incorporate consumption information in the herring assessment, but consumption estimates were explicitly conservative, and actual consumption and the importance of herring to other fisheries is probably underestimated. The future demands of predators is a source of uncertainty and is likely going to continue to drive our perception of herring stock productivity down.

Although the 2012 assessment is an improvement over the last assessment, substantial uncertainties remain. In the context of these uncertainties, the SSC recommended that a Management Strategy Evaluation should be completed as part of the 2012 stock assessment (Term of Reference 9). The SARC Panel agreed that such an evaluation would be the most appropriate approach to this situation.

The estimated overfishing limit for 2013 (169kt) is nearly double the 2011 catch. This estimate is highly uncertain and probably overestimated, because of the reliance on the 2008 year class, the exclusion of less optimistic survey trends, and the simplification of stock structure. In the absence of the management strategy evaluation, we think that a much more conservative catch is needed to account for scientific uncertainty. Given the concerns about depletion of spawning components,

we also feel that it would be appropriate for the SSC to consider recommendations of expanded spawning closures (e.g., for Nantucket Shoals and coastal Gulf of Maine). Please consider our perspectives on the current state of the resource and our concerns with the 2012 stock assessment in your determination of acceptable catch.

Thanks for your time,

A handwritten signature in blue ink that reads "Stephen B. Weiner". The signature is written in a cursive style.

Steve Weiner, Chair

Cc: Paul Howard, Rip Cunningham, Chris Kellogg



UNIVERSITY of NEW HAMPSHIRE

Captain Paul Howard
Executive Director
New England Fishery Management Council
50 Water Street, Mill 2
Newburyport, MA 01950



September 20, 2012

Dear Captain Howard

I would like to draw your attention to a recent peer-reviewed publication on the Atlantic herring fishery and river herring bycatch. The publication, *Spatial and Temporal Patterns of Anadromous Alosine Bycatch in the US Atlantic Herring Fishery*, authored by me, Dr. Jake Kritzer, and Steven J. Correia include analyses completed in conjunction with the Council's Atlantic herring plan development team.

The publication will appear in a forthcoming special edition of *Fisheries Research* on Spatial Scales. The *in press* article can be found on the journal website:

<http://www.sciencedirect.com/science/article/pii/S0165783612002342?v=s5>

We look forward to discussing our work with you and the Council.

Sincerely,

Dr. Jamie M. Cournane

cc: LS, RN, Council (9/20)

OCEAN PROCESS ANALYSIS LABORATORY

Institute for the Study of Earth, Oceans, and Space

150 Morse Hall 8 College Road Durham, NH 03824-3525 (603) 862-2376 (603) 862-0243 fax Jamie.Cournane@unh.edu

