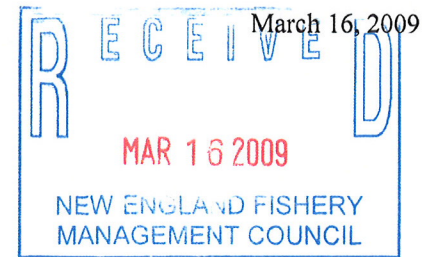




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Chairman Frank Blount  
 NEFMC Herring Committee  
 PO Box 3724  
 33 State Street  
 Narragansett, RI 02883



Dear Chairman Blount,

I am writing on behalf of the Cape Cod Commercial Hook Fishermen's Association (CCCHFA) in regards to the March 24<sup>th</sup> Oversight Committee agenda item regarding Annual Catch Limits (ACLs) and Accountability Measures (AMs) in Amendment Four. While we recognize the work that has been and is currently being done we feel that more transparency is needed during the process of setting ACLs.

The herring fishery management plan (FMP) states that the Scientific and Statistical Committee (SSC) will take into account predator forage needs, natural herring mortality and recruitment uncertainty when developing ACLs. Currently these are grouped together, but we request that they be broken out and described in the FMP. This would provide a clear means for the public to understand how non-fishing sources of mortality and stock growth assumptions are accounted for. This breakout would include the actual poundage that is being calculated as well as a description as to how the SSC came up with these figures. We also request that assumed rates, such as natural mortality and predator forage needs, be reinvestigated and analyzed every time a stock assessment is completed. This would ensure that they are accurate, as constantly changing ecosystems and predator abundance influence these numbers.

While it is important to create comprehensive AMs to support the established ACLs, more comprehensive changes are urgently needed in the management of this fishery. According to the approved Fishery Management Plan, the herring fishery is managed under a total allowable catch (TACs) set by the New England Fishery Management Council (NEFMC); however, the fishery is actually managed by total allowable landings (TALs). Amendment 1 of the Herring Fishery Management Plan lists the definition of TAC as Total Allowable Catch, but on page four of the document it states "The ASMFC Herring Section and the Council still work closely to establish the annual total allowable landings (TACs) in four management areas and sub-areas through a joint specification process." This statement corresponds with confusion regarding the management of the herring fishery by a hard TAC or TAL. Landings data do not account for actual fishing-related mortality, or any fish that are dumped. Discard mortality, which is not captured in landings data, must be calculated to ensure a healthy, sustainable fishery. Using TALs as a metric for mortality control does not comply with the intent of the Magnuson Stevens Reauthorization Act (MSRA). Toward this end, a vastly expanded monitoring system is necessary to ensure accurate mortality estimates for both herring caught and discarded as well as any associated bycatch. We believe that Amendment Four can and must be the vehicle to provide this improved monitoring and therefore ensure compliance with the MSRA.

Thank you for your time and effort on Amendment Four.

Sincerely,

Susan Nickerson  
 Executive Director

cc: 15, etc - 3/16/09

