

January 25, 2013



C.M. "Rip" Cunningham, Jr., Chairman
New England Fishery Management Council
50 Water Street, Mill 2
Newburyport, MA 01950

Re: Atlantic Herring Fishery Specifications for FY 2013-2015

Dear Chairman Cunningham,

As a member-based non-profit organization representing 120 independent fishing businesses and 300 fishing families on Cape Cod, we understand the importance of a robust forage base as the first step to a healthy and balanced ocean. We have been closely monitoring the development of the FY2013-2015 Atlantic Herring specifications package and we would like to bring the New England Fishery Management Council's (Council) attention to several matters.

Compliance with annual catch limits (ACL) and accountability measures (AM) are required in provisions set forth by law, and are essential to the long-term sustainability of the herring stock and the ecosystem as a whole. The herring fishery has exceeded sub-ACLs in various management areas too often in recent years and this past year has also exceeded its overall ACL. A well-crafted specifications package must establish a sustainable ACL and sub-ACLs as well as meaningful AMs designed to allow the fishery to fully harvest the quota without incurring damaging overages.

For these reasons, we support the following measures:

- **Hybrid Sub-ACL Allocation Option Proposed by the Herring Advisory Panel**

This option allocates 31,200 metric tons (mt) to Area 1A, 4,600mt to Area 1B, 30,000mt to Area 2, and 42,000mt to Area 3. We support this option because it promotes the offshore herring fishery, thereby providing benefits to the industry while protecting the inshore component of the herring stock.

- **AM Alternative 2 with an Accompanying Underage Rollover Provision**

We support the proposal to lower the trigger for closing the directed herring fishery in a management area to 92% of the sub-ACL in tandem with a provision that allows the fishery to rollover a maximum of 10% of any unharvested quota, so long as it does not exceed the overall ACL. A rollover provision should diminish the perceived risk of leaving fish in the water and encourage fishery managers and industry members to achieve optimum yield without accruing overages.

Protecting a resource, a tradition, and a way of life.

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- **Further Consideration of an ABC Control Rule**

We endorse the creation of conservative ABC control rule based on the best available science that fully accounts for the role of herring as a forage fish. We strongly urge the Council to prioritize further evaluation of forage-based ABC control rules in the next specifications package.

We look forward to continuing our work with the Council to develop regulations that support healthy fish stocks and profitable fishing businesses.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "John Pappalardo". The signature is written in a cursive style with a large initial "J" and "P".

John Pappalardo
CEO