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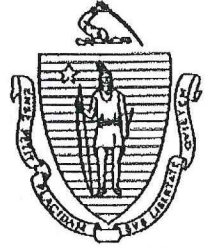


Paul J. Diodati  
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# Commonwealth of Massachusetts

## Division of Marine Fisheries

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Deval Patrick  
Governor  
Richard K. Sullivan, Jr.  
Secretary  
Mary B. Griffin  
Commissioner

January 17, 2013

Mr. Doug Grout, Chair  
New Hampshire Fish and Game  
225 Main Street  
Durham, NH 03824

Dear Chairman Grout,

As you and the New England Fisheries Management Council (NEFMC) are aware, the river herring bycatch avoidance (RHBA) project coordinated by the Massachusetts Division of Marine Fisheries (MA DMF) and UMass-Dartmouth School for Marine Science and Technology (SMAST) has been operating since October 2010. This voluntary project, which has been joined by nearly every major participant in the Atlantic herring and mackerel midwater trawl fleet, was chosen by the NEFMC in June 2012 as the measure with which to reduce river herring bycatch under Amendment 5 to the Atlantic herring FMP.

This project is currently conducting its fifth season of bycatch avoidance. Since its inception, the project has evolved to provide a more useful product to fishermen and has held industry meetings on several occasions to discuss bycatch data, analysis and assemble industry comments. In addition to working closely with industry, RHBA project coordinators have collaborated with the Northeast Fisheries Observer Program, Maine Department of Marine Resources, Rhode Island Department of Environmental Management, the Northeast Fisheries Science Center's Study Fleet, and numerous river herring advocacy and stakeholder groups. Internally, MA DMF has collected at-sea bycatch samples and provided them to its Diadromous Project and Age & Growth laboratory in order to increase the knowledge of alewife and blueback herring while at sea. The portside sampling program also provided alewife and blueback herring at-sea bycatch lengths to the Atlantic States Marine Fisheries Commission (ASMFC) River Herring Benchmark Stock Assessment in 2012.

Modifications were made to some project protocols with the anticipation of the increased Observer coverage implemented under Amendment 5. The modifications would combine portside sampling and observer information, allowing for higher coverage of the fishery, fewer time lags, at no additional costs. However, it appears that implementation of the increased Observer coverage may not take effect until mid to late 2014. Without funding, portside sampling would cease and limited Observer coverage would be the only source of river herring bycatch information for at least 12 months. With the impending application of river herring bycatch caps,

the Atlantic herring and mackerel fishing industry will likely face new river herring regulations without the bycatch avoidance project they have wholly embraced.

Current funding for the RHBA project through the original 2010 National Fish and Wildlife Foundation grant and subsequent no-cost extension **will expire in June 2013**. Having applied to several potential funding sources without success and considering that Atlantic herring quotas are set to increase, RHBA project coordinators believe that reinstating a research set-aside (RSA) in the Atlantic herring fishery would generate adequate funds to provide portside sampling and bycatch avoidance strategies to the fleet. Overall, industry has shown a willingness to work towards our project goals and a desire to control their own future with respect to river herring management. Recently, industry members have shown interest in creating a source of industry funding for the RHBA project and coordinators feel that sufficient funds to continue the RHBA project can be generated from a RSA.

**We request the Herring Oversight Committee consider the implementation of research set-asides as a part of the 2013-2015 fishery specifications.**

Thank you for your consideration,



William Hoffman  
Project Leader  
MA DMF Fisheries Dependent Investigations  
River Herring Avoidance Project

cc:

Lori Steele  
David Pierce  
Rip Cunningham  
Paul Howard  
Michael Armstrong  
Kevin Stokesbury

**SMAST/MA DMF/SFC - Estimates of RSA Funding 2013-2015**  
**Based on Options presented November 2012**

Assuming needs are about \$100,000

Slide 17 in Atlantic Herring AP/OS meeting 11 6/7- SUB-ACL OPTION 1

	Quota	RSA %		
		3	2	1
Total	91200	2736	1824	912
1A	26546	796.38	530.92	265.46
1B	4362	130.86	87.24	43.62
2	22146	664.38	442.92	221.46
RSA funds at \$100 mt		\$432,762	\$288,508	\$144,254
% of funds needed for 100,000		23%	35%	69%
RSA funds at \$100 mt for 1A,1B, 2 (RH bycatch areas)		\$159,162	\$106,108	\$53,054
% of funds needed for 100,000		63%	94%	188%
RSA funds at \$75 mt		\$324,572	\$216,381	\$108,191
% of funds needed for 100,000		31%	46%	92%
RSA funds at \$75 mt for 1A,1B, 2 (RH bycatch areas)		\$119,372	\$79,581	\$39,791
% of funds needed for 100,000		84%	126%	251%
RSA funds at \$50 mt		\$216,381	\$144,254	\$72,127
% of funds needed for 100,000		46%	69%	139%
RSA funds at \$50 mt for 1A,1B, 2 (RH bycatch areas)		\$79,581	\$53,054	
% of funds needed for 100,000		126%	188%	

<-would need to pull from Area 3

Slide 18 in Atlantic Herring AP/OS meeting 11 6/7- SUB-ACL OPTION 2

	Quota	RSA %		
		3	2	1
Total	107800	3234	2156	1078
1A	31200	936	624	312
1B	5400	162	108	54
2	25900	777	518	259
RSA funds at \$100 mt		\$510,900	\$340,600	\$170,300
% of funds needed for 100,000		20%	29%	59%
RSA funds at \$100 mt for 1A,1B, 2 (RH bycatch areas)		\$187,500	\$125,000	\$62,500
% of funds needed for 100,000		53%	80%	160%
RSA funds at \$75 mt		\$383,175	\$255,450	\$127,725
% of funds needed for 100,000		26%	39%	78%
RSA funds at \$75 mt for 1A,1B, 2 (RH bycatch areas)		\$140,625	\$93,750	\$46,875
% of funds needed for 100,000		71%	107%	213%
RSA funds at \$50 mt		\$255,450	\$170,300	\$85,150
% of funds needed for 100,000		39%	59%	117%
RSA funds at \$50 mt for 1A,1B, 2 (RH bycatch areas)		\$93,750	\$62,500	
% of funds needed for 100,000		107%	160%	

<-would need to pull from Area 3

Slide 19 in Atlantic Herring AP/OS meeting 11 6/7- SUB-ACL OPTION 3

	Quota	RSA %		
		3	2	1
Total	107800	3234	2156	1078
1A	31200	936	624	312
1B	9900	297	198	99
2	27800	834	556	278
RSA funds at \$100 mt		\$530,100	\$353,400	\$176,700
% of funds needed for 100,000		19%	28%	57%
RSA funds at \$100 mt for 1A,1B, 2 (RH bycatch areas)		\$206,700	\$137,800	\$68,900
% of funds needed for 100,000		48%	73%	145%
RSA funds at \$75 mt		\$397,575	\$265,050	\$132,525
% of funds needed for 100,000		25%	38%	75%
RSA funds at \$75 mt for 1A,1B, 2 (RH bycatch areas)		\$155,025	\$103,350	\$51,675
% of funds needed for 100,000		65%	97%	194%
RSA funds at \$50 mt		\$265,050	\$176,700	\$88,350
% of funds needed for 100,000		38%	57%	113%
RSA funds at \$50 mt for 1A,1B, 2 (RH bycatch areas)		\$103,350	\$68,900	
% of funds needed for 100,000		97%	145%	

Slide 19 in Atlantic Herring AP/OS meeting 11 6/7- SUB-ACL OPTION 4

	Quota	RSA %		1
		3	2	
Total	107800	3234	2156	1078
1A	32000	960	640	320
1B	5800	174	116	58
2	32000	960	640	320
RSA funds at \$100 mt		\$532,800	\$355,200	\$177,600
% of funds needed for 100,000		19%	28%	56%
RSA funds at \$100 mt for 1A,1B, 2 (RH bycatch areas)		\$209,400	\$139,600	\$69,800
% of funds needed for 100,000		48%	72%	143%
RSA funds at \$75 mt		\$399,600	\$266,400	\$133,200
% of funds needed for 100,000		25%	38%	75%
RSA funds at \$75 mt for 1A,1B, 2 (RH bycatch areas)		\$157,050	\$104,700	\$52,350
% of funds needed for 100,000		64%	96%	191%
RSA funds at \$50 mt		\$266,400	\$177,600	\$88,800
% of funds needed for 100,000		38%	56%	113%
RSA funds at \$50 mt for 1A,1B, 2 (RH bycatch areas)		\$104,700	\$69,800	
% of funds needed for 100,000		96%	143%	

Slide 20 in Atlantic Herring AP/OS meeting 11 6/7- SUB-ACL OPTION 5

	Quota	RSA %		1
		3	2	
Total	107800	3234	2156	1078
1A	33200	996	664	332
1B	600	18	12	6
2	29000	870	580	290
RSA funds at \$100 mt		\$511,800	\$341,200	\$170,600
% of funds needed for 100,000		20%	29%	59%
RSA funds at \$100 mt for 1A,1B, 2 (RH bycatch areas)		\$188,400	\$125,600	\$62,800
% of funds needed for 100,000		53%	80%	159%
RSA funds at \$75 mt		\$383,850	\$255,900	\$127,950
% of funds needed for 100,000		26%	39%	78%
RSA funds at \$75 mt for 1A,1B, 2 (RH bycatch areas)		\$141,300	\$94,200	\$47,100
% of funds needed for 100,000		71%	106%	212%
RSA funds at \$50 mt		\$255,900	\$170,600	\$85,300
% of funds needed for 100,000		39%	59%	117%
RSA funds at \$50 mt for 1A,1B, 2 (RH bycatch areas)		\$94,200	\$62,800	
% of funds needed for 100,000		106%	159%	

Slide 20 in Atlantic Herring AP/OS meeting 11 6/7- SUB-ACL OPTION 6

	Quota	RSA %		1
		3	2	
Total	107800	3234	2156	1078
1A	3600	108	72	36
1B	600	18	12	6
2	32600	978	652	326
RSA funds at \$100 mt		\$433,800	\$289,200	\$144,600
% of funds needed for 100,000		23%	35%	69%
RSA funds at \$100 mt for 1A,1B, 2 (RH bycatch areas)		\$110,400	\$73,600	\$36,800
% of funds needed for 100,000		91%	136%	272%
RSA funds at \$75 mt		\$325,350	\$216,900	\$108,450
% of funds needed for 100,000		31%	46%	92%
RSA funds at \$75 mt for 1A,1B, 2 (RH bycatch areas)		\$82,800	\$55,200	\$27,600
% of funds needed for 100,000		121%	181%	362%
RSA funds at \$50 mt		\$216,900	\$144,600	\$72,300
% of funds needed for 100,000		46%	69%	138%
RSA funds at \$50 mt for 1A,1B, 2 (RH bycatch areas)		\$55,200	\$36,800	
% of funds needed for 100,000		181%	272%	

Slide 21 in Atlantic Herring AP/OS meeting 11 6/7- SUB-ACL OPTION 7

	Quota	RSA %		1
		3	2	
Total	107800	3234	2156	1078
1A	40000	1200	800	400
1B	5800	174	116	58
2	32000	960	640	320
RSA funds at \$100 mt		\$556,800	\$371,200	\$185,600
% of funds needed for 100,000		18%	27%	54%
RSA funds at \$100 mt for 1A,1B, 2 (RH bycatch areas)		\$233,400	\$155,600	\$77,800
% of funds needed for 100,000		43%	64%	129%
RSA funds at \$75 mt		\$417,600	\$278,400	\$139,200
% of funds needed for 100,000		24%	36%	72%
RSA funds at \$75 mt for 1A,1B, 2 (RH bycatch areas)		\$175,050	\$116,700	\$58,350
% of funds needed for 100,000		57%	86%	171%
RSA funds at \$50 mt		\$278,400	\$185,600	\$92,800
% of funds needed for 100,000		36%	54%	108%
RSA funds at \$50 mt for 1A,1B, 2 (RH bycatch areas)		\$116,700	\$77,800	
% of funds needed for 100,000		86%	129%	