

Atlantic Herring Need Your Help!

UPDATE FROM CAPE COD COMMERCIAL FISHERMEN'S ALLIANCE

AMENDMENT 10

After the Federal Judge overturned the strong management rules many of us supported (Amendment 8), The New England Fishery Management Council has agreed to develop an amendment to the Atlantic Herring Fishery Management Plan (FMP).

WHAT IS THE PURPOSE?

"...Develop and implement management actions designed to **attain optimum yield** and **improve the conservation status of Atlantic herring** by accounting for its critically important **role as a forage species** in the ecosystem and **minimizing user conflicts** created by competing interests on the herring resource between the directed herring fishery and other important user groups, including commercial and recreational fisheries, whale watching, and tourism. The purpose is also to **develop river herring and shad management measures** (e.g., catch caps or time/area closures), to **address the incidental catch of shad and river herring by the directed Atlantic herring fishery.**"

WHAT IS SCOPING?

An important part of the amendment development process. In preparation for this action, the Council also agreed to develop a **scoping document** and schedule a series of scoping meetings to receive input from you on the potential range of alternatives to be considered.

WHAT DOES THE COUNCIL WANT INPUT ON?

1. Additional measures to promote the rebuilding of the Atlantic herring resource and to attain optimum yield (other than adjustments to the ABC control rule or rebuilding plan)
2. User group conflicts created by competing interests for the Atlantic Herring resource by time and management area
3. Potential management measures designed to further reduce and/or limit catch of shad and river herring in the directed Atlantic herring fishery, including catch caps and/or time area closures

WHAT IS OPTIMUM YIELD (OY)?

Optimum yield (OY) means the amount of this that:

1. will provide the greatest overall benefit to the Nation, particularly with respect to food production and recreational opportunities, and taking into account the protection of marine ecosystems;
2. Is prescribed as such on the basis of the maximum sustainable yield from the fishery, as reduced by any relevant economic, social, or ecological factor;
3. In the case of an overfished fishery, provides for rebuilding to a level consistent with producing the maximum sustainable yield in such fishery

HOW TO COMMENT?

Attend in-person or remote meetings to provide oral comments, or you can submit written comments: Fax: (978) 465-3116; Email: comments@nefmc.org; or Mail to Cate O'Keefe, PhD, Executive Director, NEFMC, 50 Water Street, Mill #2, Newburyport, MA 01950.

Please provide your name, affiliation, and note on your correspondence: "Atlantic Herring FMP Amendment 10 Scoping Comments.." The deadline for comments is 8am EST on Tues. April 30th

Atlantic Herring- The Past

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BACKGROUND AMENDMENT 8

Buffer zone was implemented February 10, 2021 and Vacated March 29, 2022

- 12-mile buffer zone from RI to US/Canada border; 20 mile buffer east of Cape Cod
- Prohibited vessels from “using, deploying, or fishing with midwater trawl gear” within the restricted area
 - short-duration, high volume herring removals
 - Midwater Trawl vessels are more mobile/capable of fishing further offshore than other gear types
- Addressed concerns that concentrated, intense, commercial fishing efforts would negatively impact other user groups (commercial, recreational, tourism) dependent on herring as forage

BACKGROUND AMENDMENT 8

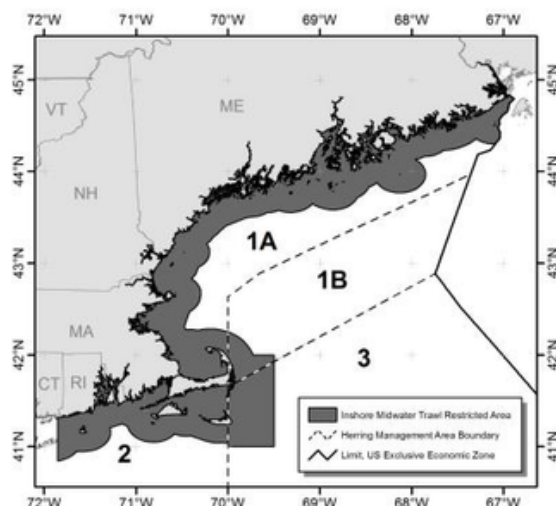
Goals of Amendment 8 to the Herring Fishery Management Plan were:

1. To account for the role of Atlantic herring within the ecosystem, including its role as forage.
2. To stabilize the fishery at a level designed to achieve optimum yield.
3. To address localized depletion in inshore waters.

WHAT IS LOCALIZED DEPLETION?

When harvesting takes more fish than can be replaced either locally or through fish migrating into the catch area within a given time period. -*Amendment 8 Final EIS, 2019*

AMENDMENT 8 INSHORE MIDWATER TRAWL CLOSURE



WHY DID COURT VACATE MWT CLOSURE?

1. The Court found that the Exclusion Area rationale was not factually based.
 - no clear spatial or temporal definition of localized depletion
 - No scientific basis (catch information did not support localized depletion, overlap analysis didn't link MWT vessels and localized depletion, anecdotal evidence insufficient to bridge lack of evidence)
2. Scope of action was too broad; adverse effects on MWT fleet were too severe compared to potential benefits
3. Measure didn't comply with MSA National Standard 4 requirement that allocative measures must be reasonably calculated to promote conservation

STATUS OF FISHERY TODAY

Atlantic Herring fishery underwent a management track stock assessment in 2022, where the stock was found to still be overfished, but not subject to overfishing. Updated projections indicate the stock has a 50% chance of rebuilding by 2028, which is a 2-year extension from the original rebuilding plan.

[WEBSITE: RIVER HERRING/SHAD CATCH CAP MONITORING \(NOAA\)](#)

How to provide public input?

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HOW TO SUBMIT COMMENTS:

Written comments must be received on or before 8am. EST, Tuesday, April 30, 2024. Comments should be addressed to Cate O'Keefe, Executive Director, New England Fishery Management Council, 50 Water Street, Mill # 2, Newburyport, MA 01950. Fax: (978)-465-3116. Please note on your correspondence, "Atlantic Herring Amendment 10 Scoping Comments.". Or email: comments@nefmc.org

TIPS FOR MAKING PUBLIC COMMENTS AT A SCOPING MEETING:

Be specific

The council wants to know which spatial and temporal management measures they should develop. To do this, they need specific comments about exactly what user conflicts are, when they occur, and how those conflicts might be affecting your business/fishing activity.

Consider Management Area

When making comments, consider tailoring them towards the management area(s) that you utilize the most. If the Council can pinpoint where issues are, they can develop more precise measures (see figure).

Aim for Optimum

The Council wants to attain Optimum Yield (OY) in the herring fishery through Amendment 10. This is achieved by assessing the tradeoffs of the economic, ecological, and social factors that determine the greatest benefit to the Nation (i.e. all stakeholders).. Let the Council know what you consider to be OY for you as a user of herring.

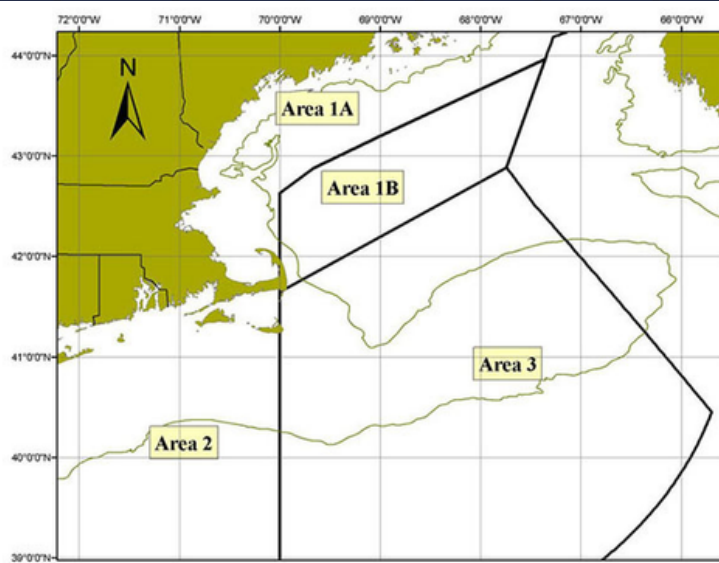


PHOTO: NOAA FISHERIES

SAVE THE DATE:

- **Wednesday, March 27, 2024 (6-8:00 PM)**
 - Hampton Inn
 - 12 Kendall Rae Place, Buzzards Bay, MA 02532
- **Monday, April 22, 2024 (6-8:00 PM) Webinar**
 - <https://attendee.gotowebinar.com/register/3923008446850127706>

YOUR VOICE MATTERS!

Participating in the public comment process is an opportunity to contribute to the sustainable management of herring. Your perspectives and insights play a crucial role in shaping policies that will benefit the marine environment and community.