

MID-ATLANTIC FISHERY MANAGEMENT COUNCIL

Richard B. Robins, Jr.
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June 24, 2009

The Honorable Gary Locke
U.S. Secretary of Commerce
United States Department of Commerce
1401 Constitution Ave., NW
Washington, DC 20230

Dear Mr. Secretary:

The Mid-Atlantic Fishery Management Council requests immediate action to increase observer coverage to monitor river herring (alewife and blueback herring) in the Mid-Atlantic's small-mesh trawl fisheries. This request closely follows and supports the Atlantic States Marine Fisheries Commission's (ASMFC) emergency request for increased monitoring measures to determine river herring bycatch in small-mesh fisheries dated May 27, 2009.

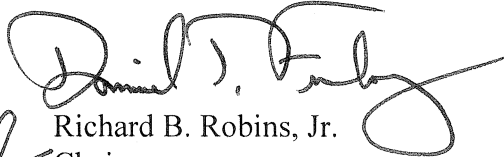
The ASMFC has documented a precipitous decline in river herring stocks in the region and the issue of river herring bycatch in small-mesh trawl fisheries garnered significant attention at our recent Council meeting in New York City. The following truncated motion was passed at that meeting:

"Move to write a letter to the Department of Commerce requesting increased observer coverage to monitor river herring bycatch in small mesh fisheries. Refer river herring issue to Squid, Mackerel, and Butterfish Committee along with *Loligo* control date issue for development in possible future Amendment . . ."

The Council appreciates the Northeast Fisheries Science Center's additional allocation of observer days for small-mesh trawl fisheries per our February 27, 2009 request related to the observer coverage needs of our pending butterfish bycatch cap program for the *Loligo* fishery. However, even with these additional sea days, the Council will be unable to achieve robust estimates of river herring bycatch in the small-mesh trawl fisheries. Given the expressed concerns about the stock status of river herring (see attached April 14 letter from John V. O'Shea on behalf the Atlantic States Marine Fisheries Commission and the attached June 17 Petition for Emergency Action), the proposed increase in observer funding in the President's FY 2010 budget request, and the low proportion of observer funds that are currently spent on Mid-Atlantic fisheries, I am requesting that sufficient numbers of observer days be allocated to the small-mesh trawl fisheries such that acceptably precise ($CV < .30$) estimates of river herring bycatch in all individual small-mesh trawl fisheries (e.g. Atlantic mackerel) can be calculated.

Your positive action on our request will provide the Council with the necessary bycatch data to develop and implement conservation measures necessary to minimize bycatch interactions in our managed fisheries, consistent with National Standard 9 of the Magnuson-Stevens Fishery Conservation and Management Act and the requirements of NMFS' federal rule implementing a Standardized Bycatch Reporting Methodology which became effective on February 27, 2008.

Sincerely,



Richard B. Robins, Jr.
Chairman

cc: Lee Anderson, Vice-Chairman, MAFMC
Jim Balsiger, Assistant Administrator for Fisheries, NMFS
Pat Kurkul, Regional Administrator, NMFS
Nancy Thompson, Director, Northeast Fisheries Science Center
John V. O'Shea, Executive Director, ASMFC
Paul Diodati, Chairman, ASMFC Shad and River Herring Management Board
John Pappalardo, Chairman, New England Fishery Management Council

Attachments: Letter from John V. O'Shea
Emergency Petition