The Great Egg Harbor Watershed Association & River Council

Fred Akers - Administrator
P.O. Box 109
Newtonville, NJ 08346
856-697-6114
Fred_akers@gehwa.org

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Christopher M. Moore Ph.D., Executive Director
Mid-Atlantic Fishery Management Council
800 N. State Street, Suite 201
Dover, DE 19901

RE: "Scoping Comments on MSB 15"

Dear Executive Director Moore:

For years, our coastal New Jersey communities have worked tirelessly to restore culturally and economically significant species such as river herring and shad to rivers along the New Jersey coast. At the same time, the incidental catch of millions of river herring and shad annually by the mid-Atlantic mackerel and squid fisheries remains largely unmonitored and unregulated. We are concerned about this serious, ongoing threat to those already-depleted species that undermines efforts to restore strong populations back to estuaries and rivers.

River herring and shad populations are at historic lows, and landings have declined coast wide by 99 and 97 percent, respectively. In response, New Jersey has prohibit the taking of river herring in coastal waters and is advancing similar restrictions on American shad for 2013. These populations are in dire need of conservation and management, so it is critical that they are given much more protection in federal waters.

However, only protecting river herring and shad through Amendments to other directed fisheries, especially the small mesh fisheries, **isn't working**, and these fish need their own protection plans in their own right. The failure of the MAFMC to add river herring and shads as managed stocks through Amendment 14 of the Squid, Mackerel, and Butterfish Fisheries is a case in point that requires Amendment 15 now to get a stronger protection job for river herring and shad ramped up.

River herring and shads need the management measures necessary and appropriate for the conservation and management of these fishery to prevent overfishing and rebuild overfished stocks, and to protect, restore, and promote the long-term health and stability of the fishery. This could be accomplished by species management plans that should at a minimum:

1. contain a description of the fishery;

2. specify the maximum sustainable yield and optimum yield from the fishery;

3. assess and specify domestic harvesting and processing capacities;

4. specify the pertinent fishery data which shall be submitted to NMFS;

5. consider and provide for temporary adjustments because of weather or other ocean conditions affecting the safe conduct of the fishery;

6. describe and identify essential fish habitat and minimize to the extent practicable adverse effects on such habitat caused by fishing, and identify other actions to encourage the conservation and enhancement of such habitat;

7. assess and specify the nature and extent of scientific data which is needed for effective implementation of the plan;

8. describe the likely effects of management measures on fishery participants and fishing communities;

9. specify objective and measurable criteria for identifying when the fishery to which the plan applies is overfished and also conservation and management measures to prevent overfishing or end overfishing and rebuild the fishery as appropriate;

10. assess the amount and type of bycatch occurring in the fishery and minimize bycatch to the extent practicable;

11. assess recreational release mortality and minimize such mortality to the extent practicable;

12. allocate any harvest restrictions or recovery benefits fairly and equitably among the commercial, recreational, and charter fishing sectors in the fishery; and

13. establish annual catch limits, and measures to ensure accountability.

The river herring and shad resource that is an essential food source to animals like striped bass and osprey, has been undermined to the point that river herring are currently being considered for protection under the Endangered Species Act. Since the most recent river herring stock assessment concluded that they are depleted and need fisheries management, we ask that you take all the urgent actions necessary to protect these species from total collapse and extinction and bring them back to significant abundance.

We thank you, the MAFMC, and the other states for initiating and supporting these actions to protect the River Herring and Shads, and we hope that New Jersey will eventually support much greater protections for these species

Very Best Regards,

Fred Akers