

My name is Adam Garber and I'm the Field Director for PennEnvironment. PennEnvironment is a statewide, citizen-funded environmental advocacy organization that works for clean air, clean water, and open spaces. We have about 115,000 members and activists in Pennsylvania. We are also a member of the Herring Alliance.

**Last June, PennEnvironment joined over 46,000 individuals, hundreds of organizations, and dozens of Congressmen and State representatives from all over the Mid-Atlantic region called upon the Council to add river herring and shads as managed stocks.** We continue to believe that federal management of these critical forage species is vital to their ultimate recovery.

We joined this effort because river herring and shads are critical to the health of our streams and the thousands of Pennsylvanians who go fishing in local streams every year. The PA Fish and Boat Commission believes that a restored American shad fishery will support some 60,000 – 170,000 angler trips each and every year in the Schuylkill River alone! Whether it's a father teaching his child to fish for the first time, family trips to our local streams, or the ecotourism industry in Pennsylvania, these fish are a critical piece to Pennsylvania's outdoor industry and way of life.

Pennsylvania has spent millions on improving water quality, dam removal, and stocking efforts for American Shad. Despite this effort, the fish are simply not returning to our waterways to spawn. Today, River herring and American shad populations are at historic and dramatic lows, with populations having declined by 99 and 97 percent respectively. In PA the state has implemented a moratorium, and anglers are not longer allowed to take a single River herring. This is also the case for American Shad in some rivers in PA, and beginning in 2013, new measures on American Shad will begin. This is the case for most states up and down the east coast.

**While Pennsylvania may try to protect River Herring and American Shad on their own, we cannot be successful without federal action because significant numbers of River Herring and Shad are caught in federal waters. The restoration of these migratory species depends on comprehensive management** that protects them throughout their range and lifecycle, including while at sea – where they spend the majority of their lives. According to the ASMFC's 2012 stock assessment, at-sea fisheries are a significant factor in the decline of river herring populations over the

last 50 years. Every year, millions of river herring and shad are caught at sea, often as juveniles, prior to the fish being able to return to our waterways and spawn even once. When the fish are schooling at sea, a single haul from a fishing vessel has the ability obliterate an entire river's herring population. If our rivers in PA are ever to reopen again, then what happens in ocean waters must be fully addressed.

**Management by the Council is necessary to rebuild and restore river herring and shads populations**, and to avoid irreversible or long-term adverse effects on the region's fishery resources and the marine environment. Designating river herring and shad as non-target stocks would complement state management because federal fishery managers would be able to address the impacts fishing has in federal waters on the stocks through the requirements of the Magnuson-Stevens Act. **The Council should develop specific alternatives that allow for the use of annual catch limits (ACLs), Status Determination Criteria (SDC), and any other appropriate measures required to ensure that the limits are not exceeded.** This would ensure that all catch is accounted for and maintained at sustainable levels. Current ASMFC management is insufficient - it doesn't address federal waters catch, and has not establish catch limits or rebuilding plans. Without complimentary federal management state recovery efforts will not result in stock recovery and state fisheries reopening. PA anglers will continue to be shut out of their historic fisheries, for the benefit of industrial trawlers fishing in ocean waters.

We would like to see healthy, restored river herring and american shad fisheries in PA waters again. These fish are also critical to functioning of healthy ecosystems in PA's major waterways. Because **River herring and shads are species in dire need of conservation and management, we believe that the Council is required under the law to add these species to its management plan, and we appreciate the Council's leadership in addressing this issue.** We thank the Council for the opportunity to comment on this important issue, and look forward to further participation as Amendment 15 is developed.