



January 13, 2011

New England Fishery Management Council  
50 Water Street, Mill 2  
Newburyport, MA 01950

Dear Council Members,

I am writing on behalf of the Mystic River Watershed Association (MyWRA) in support of an **annual river herring bycatch cap**.

The Mystic River Watershed Association (MyRWA) is a grassroots organization dedicated to the protection and restoration of the Mystic River, its tributaries, and related natural resources throughout the watershed's 22 communities. As an important Boston harbor estuary, the Mystic River historically has had a very sizable annual herring run. A tributary of the Mystic River, Alewife Brook, is named in honor of this migration. Over recent decades, however, the Mystic River and its tributaries have seen a measurable decline in the numbers of fish returning to the river.

Communities throughout New England, with the help of both state and federal agencies, have been working tirelessly to clean our rivers, improve water quality, remove dams and improve habitat in order to restore the historic river herring runs that are such an important part of our history.

All our efforts will be for naught however, if these fish continue to undergo "incidental," but preventable, slaughter at sea. Current estimates place annual river herring bycatch at 670,000 pounds with substantial numbers of these fish caught by high-volume midwater trawl vessels. Publically available data from the Northeast Fishery Observer Program show that many hundreds of thousands of river herring can be caught in one tow of a midwater trawler's net, which is more fish than have recently been recorded in many of New England's largest river herring runs.

Last May, fourteen New England watershed associations and other local environmental groups wrote to the Chair of your Herring Oversight Committee, Doug Grout, suggesting a number of management alternatives for dealing with the very serious problem of river herring bycatch in the Atlantic herring fishery (see *attached letter*). We are writing you now because **we believe it is critically important that when the New England Fishery Management Council meets in January, 2011, it approves a comprehensive range of options in Amendment 5 that adequately address river herring bycatch and improvements to the catch monitoring program in the Atlantic herring fishery.**

Specifically, we favor inclusion of the following options to address river herring bycatch:

- An **annual river herring bycatch cap** to limit bycatch and create an incentive for herring vessels to avoid areas where river herring are caught in high numbers;
- 100% observer coverage on all midwater trawl vessels, especially in areas identified as hotspots for river herring bycatch

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- A requirement to bring *all* fish aboard the vessels for sampling by an observer. In other words, no catch can be allowed to be discarded at sea or transferred to another vessel unless the catch can be made available for sampling by an observer;
- Closure of areas identified as river herring bycatch hotspots to midwater trawling (Category A & B permits);
- “Move along” rules that require vessels to move out of areas with high river herring bycatch rates.

We urge the Council to not overlook the importance of approving a full range of management alternatives for further environmental review and public comment. Addressing monitoring and river herring bycatch issues in this industrialized fishery continues to be a major concern and is key to our ongoing efforts to protect and restore critically important river herring to our region’s rivers and watersheds.

Sincerely,

EkOngKar Singh Khalsa, Executive Director

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