

# ADDITIONAL CORRESPONDENCE

**From:** Christy Johnson <cjohnson@apcc.org>  
**Sent:** Thursday, April 9, 2026 5:06 PM  
**To:** comments <comments@nefmc.org>  
**Cc:** Andrew Gottlieb <agottlieb@apcc.org>  
**Subject:** NEFMC April Council Meeting comment

Good afternoon,

I am writing on behalf of the Association to Preserve Cape Cod (APCC), the Cape region's leading nonprofit environmental advocacy and education organization, working for the adoption of laws, policies and programs that protect, preserve and restore Cape Cod's natural resources.

Since 2007, APCC has organized, trained and maintained a volunteer river herring count program on Cape Cod to collect data on herring run size during the annual spawning migration. The program provides valuable data to local, state and federal fisheries managers to support herring management, protection and restoration, and to build public support for protection of herring and their habitat.

APCC continues to be deeply concerned about the state of river herring and shad populations in New England. We encourage the council to move ahead in developing strong, science-based river herring and shad protections leading up to the June Council meeting in Mystic. APCC looks forward to staying engaged on these important questions and advocating for river herring and shad populations.

Thank you,  
Christy Johnson

Christy Johnson (she/her)  
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Conservation  
Law Foundation

April 9, 2026

Cate O'Keefe, PhD.  
Executive Director  
New England Fishery Management Council  
50 Water St. Mill 2  
Newburyport, MA 01950

Daniel Salerno,  
Chairman  
New England Fishery Management Council  
50 Water St. Mill 2  
Newburyport, MA 01950

Re: Request for Herring PDT analysis of targeted time area closures

Dear Dr. O'Keefe and Mr. Salerno,

On behalf of the Wampanoag Tribe of Gay Head (Aquinnah) (WTGHA), a federally recognized Tribal Nation and sovereign government, and Conservation Law Foundation (CLF), we respectfully request that the New England Fishery Management Council (Council) task the Herring Plan Development Team (PDT) with including an alternative in its upcoming Atlantic herring action that analyzes a time area closure during November – March in areas 537, 539 and 611 that meaningfully reduces incidental catch of river herring in southern New England and protects the Herring Creek alewife run in Menemsha Pond Complex.

The Aquinnah Wampanoag submit these comments because federal management of the Atlantic herring fishery causes real and lasting negative impacts on their trust resources. High levels of incidental river herring catch<sup>1</sup> have contributed to the decline of a species that once supported the community culturally, nutritionally, and economically.<sup>2</sup> As a federally recognized Tribe, the Aquinnah Wampanoag maintain a government-to-government relationship with the United States. Federal agencies such as NOAA are required to consult with the Tribe whenever their actions have substantial direct effects on tribal community, resources, or rights. In addition,

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<sup>1</sup> “Bycatch” is defined in the MSA as fish harvested in a fishery that are not retained and sold (discards). *Id.* § 16 U.S.C. § 1802(3). Due to the high-volume nature of the herring fishery, river herring are usually landed and sold (thus not technically bycatch) with Atlantic herring, but not always. Therefore, for the purpose of this comment letter, the terms “bycatch” and “incidental catch” are sometimes used interchangeably.

<sup>2</sup> Kerry Reid et al., *Spatial and Temporal Genetic Stock Composition of River Herring Bycatch in Southern New England Atlantic Herring and Mackerel Fisheries*, 80 *Can. J. Fisheries & Aquatic Scis.* (Feb. 23, 2023) (available at <https://doi.org/10.1139/cjfas-2022-0144>); WTGHA Letter Attach. at 1.

NOAA's consultation handbook urges regional fisheries management councils to engage and involve Tribes early and often on matters that involve tribal trust resources.<sup>3</sup>

The Tribe's long-term monitoring data show that the Herring Creek alewife run has declined to less than one percent of its historic size, and recent genetic analyses confirm that alewives from the Aquinnah Wampanoag herring run and nearby rivers are substantially affected by at-sea incidental catch in Southern New England. These impacts arise directly from federal fishery management decisions and therefore constitute substantial direct effects on the Aquinnah Wampanoag people, whose cultural, subsistence, and economic well-being depend on the survival of the Tribe's river herring run. While the Council's efforts are not a substitute for NOAA's obligation to consult, the Council is uniquely positioned through this herring action to finally take meaningful and durable action to address these documented negative impacts to tribal resources.

CLF submits these comments in partnership with the Wampanoag Tribe of Gay Head (Aquinnah) and in furtherance of CLF's long-standing commitment to the restoration of river herring and shad populations. For decades, CLF has advocated for strong conservation measures for these species because of their vital role in sustaining the ecological productivity of New England and Mid-Atlantic waters. CLF's interest in this action is grounded in ensuring that federal fishery management decisions reflect the best available science regarding river herring populations, ecosystem function, and ongoing sources of fishing mortality.

**THE COUNCIL SHOULD ANALYZE A TIME AREA CLOSURE THAT  
MEANINGFULLY REDUCES RIVER HERRING CATCH IN SOUTHERN NEW  
ENGLAND AND PROTECTS THE HERRING CREEK ALEWIFE RUN**

Herring Creek Description

Within the Menemsha Pond Complex in Aquinnah, Massachusetts lies the brackish Herring Creek. This water passage stretches one-third of a mile and connects Menemsha Pond to the brackish Squibnocket Pond where river herring spawn. The Creek is semi-tidal and remains naturally free-flowing and unobstructed. As an anadromous fish passage, the Creek is critical to the seasonal spawning of river herring (alewife). Although river herring transit in and out of the Creek to the Menemsha Pond embayment into Vineyard Sound and the Atlantic Ocean, it is their management specifically in Herring Creek that falls under Tribal stewardship and decision making. The Tribe's knowledge of historic annual and seasonal fluctuations in population densities is essential to not only addressing the local management of the river herring and the ecosystem, but also is directly relevant to how the detrimental Atlantic herring and mackerel commercial fisheries are managed outside of Tribal authority. Fact finding for the Tribal management decision making is based on the merging of Tribal Ecological Knowledge (TEK) of Aquinnah Tribal Elders and the best science available to the fishery biologists in the WTGHA's Natural Resources Department (NRD), including its own ecosystem monitoring programs,

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<sup>3</sup> NOAA, *Procedures for Government-to-Government Consultation with Federally Recognized Tribal Governments*, 24 (June 28, 2023) [https://www.noaa.gov/sites/default/files/2021-11/NOAA\\_Tribal\\_Consultation\\_Handbook\\_2021\\_1.pdf](https://www.noaa.gov/sites/default/files/2021-11/NOAA_Tribal_Consultation_Handbook_2021_1.pdf).

research conducted by the NRD in collaboration with multiple other entities (e.g., EPA, DMF, Army Corps, universities, etc.), peer reviewed literature, and historical records.

### Research

The Tribe's monitoring in Herring Creek shows an alarming decline in numbers, making this alewife run vulnerable to extirpation. Over the past 10 years the highest run was <2.5% (37K) of historic population and for the past two years, it has been <1% (13K). Alewife age class estimates based on size measurements taken over 5 consecutive years ( $n = 1200$ ), show that most are first time spawners, with few even reaching 275 mm in fork length. While other Massachusetts runs documented individuals having spawned up to 3 and 4 years in a row, very few individuals tagged in the Tribe's passive integrated tagging (PIT) effort between 2022 to 2024 came back to spawn a second time. Taken together, these results indicate that fish born in Squibnocket Pond are capable of returning to the natal site, but very few succeed. Daily numbers of alewife passbys indicate reduced group size in Herring Creek. Schooling fish rely on safety in numbers as an anti-predator mechanism and smaller group size increases predator risk.<sup>4</sup> Smaller daily runs created by commercial incidental catch may also contribute to the absence of repeat spawners by exacerbating individual vulnerability to natural predator species that according to Aquinnah TEK have always relied on the run.

As summarized in prior correspondence to the NEMFC, the NRD developed a partnership with Drs. Kerry Reid, John Carlos Garza, and Eric Palkovacs, to obtain a reference genetic data set of Herring Creek alewife and test for the occurrence of this stock in Southern New England bycatch by repeating the analysis of the same bycatch dataset from 2012-2015 used in Reid et al (2023)<sup>5</sup>. The results (from a *manuscript in prep*) show that alewife from Herring Creek are part of the Block Island Sound genetic reporting group described in Reid et al. (2023), which is the single reporting group most heavily impacted by bycatch.<sup>6</sup> The Herring Creek alewife were also genetically distinguishable from other Block Island Sound alewife runs, allowing the Reid et al. (2023) method for estimating bycatch mortality to be applied specifically to the Herring Creek genetic type. On average, the total Herring Creek bycatch was estimated to be 364,277 alewives (95 % Confidence Interval: 142,024 to 806,537) in 2012-2015. Genetically similar alewife in nearby unsampled rivers could be contributing to this estimated bycatch. Nevertheless, based on this 95 % confidence interval, this estimated bycatch is at least 28 times the current Herring Creek population.

The incidental catch of alewife from the Block Island Sound reporting group dramatically decreases the chance any population would be large enough to provide donors (naturally or by intervention) to rebuild the Tribe's river herring fishery. Herring Creek and nearby source populations of alewife that could help sustain the Tribal run were heavily represented in the

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<sup>4</sup> Anne Polyakov et al., *Group Size Affects Predation Risk and Foraging Success in Pacific Salmon at Sea*, 8 Sci. Advances (June 29, 2022) (available at [https://www.researchgate.net/publication/361649347\\_Group\\_size\\_affects\\_predation\\_risk\\_and\\_foraging\\_success\\_in\\_Pacific\\_salmon\\_at\\_sea](https://www.researchgate.net/publication/361649347_Group_size_affects_predation_risk_and_foraging_success_in_Pacific_salmon_at_sea)).

<sup>5</sup> WTGHA Letter Attach. at 1; Kerry Reid et al., *Spatial and Temporal Genetic Stock Composition of River Herring Bycatch in Southern New England Atlantic Herring and Mackerel Fisheries*, 80 Can. J. Fisheries & Aquatic Scis. (Feb. 23, 2023) (available at <https://doi.org/10.1139/cjfas-2022-0144>).

<sup>6</sup> Reid et al. *Manuscript in prep*.

2012-2015 bycatch, especially in 2013.<sup>7</sup> These results show that bycatch impacts to the entire Block Island Sound region are negatively affecting Herring Creek. 1.5 million alewives in the bycatch were from Herring Creek and other Block Island stocks. Of the three other Block Island stocks, Herring Creek is least differentiated from the Gilbert Stuart Pond (Rhode Island) run which was diminished to 5000 fish in 2022 and 2023 illustrating the vulnerable state of potential donor populations for the Tribal run.<sup>8</sup>

### Time Area Closure Alternative

A collaboratively designed, science based seasonal closure in this high-impact region would complement the Aquinnah Wampanoag's extensive river herring and ecosystem monitoring studies, reduce incidental catch of overfished stocks, and support the critical rebuilding of our Tribal fishery.

The best available science regarding bycatch in Southern New England suggests that time area closures for meaningful protection of the Herring Creek run and potential donor Block Island Sound reporting group populations would be **November – March in areas 537, 539 and 611** within Atlantic herring management plan area 2 for midwater and small-mesh bottom trawling.<sup>9</sup>

- Area 537: The analysis of bycatch from 2012-2015 showed that during November to March alewives were caught in 60% of the fishing trips within a highly fished area in the northwestern part of 537, the statistical area immediately southwest of Martha's Vineyard.<sup>10</sup> Multiple years show 5 -10% of the fish caught in 537 and bordering 613 were identified as Herring Creek genetic stock. The other Block Island group stocks were as high as 65%.
- Areas 539 and 611: High river herring bycatch occurs in Areas 539 and 611, including substantial catch of the Herring Creek genetic alewife type. The relatively small area of 539 in Block Island Sound and adjacent inshore Rhode Island waters is under high fishing pressure during the winter months in 2005-2009 as well as in 2012-2015.<sup>11</sup> During 2012-2015, over one hundred monitored trawls took place in area 539 with a high majority capturing alewives, and approximately one half as many were over the western

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<sup>7</sup> *Id.*

<sup>8</sup> RI Dep't of Env't Mgmt., *River Herring*, <https://narrowriver.org/river-herring/> (last visited Apr. 9, 2026).

<sup>9</sup> Jamie Courrane, Jacob Kritzer & Steven Correia, *Spatial and Temporal Patterns of Anadromous Alosine Bycatch in the US Atlantic Herring Fishery*, 141 *Fisheries Res.*, 88 (2013) (available at <https://fisherysolutionscenter.edf.org/sites/default/files/Spatial%20and%20temporal%20patterns%20of%20anadromous%20alosome%20bycatch%20in%20the%20US%20Atlantic%20herring%20fishery.pdf>); Kerry Reid et al., *Spatial and Temporal Genetic Stock Composition of River Herring Bycatch in Southern New England Atlantic Herring and Mackerel Fisheries*, 80 *Can. J. Fisheries & Aquatic Scis.* (Feb. 23, 2023) (available at <https://doi.org/10.1139/cjfas-2022-0144>); E-mail from MA DMF to WTGHA NRD (on file with author); Reid et al. *Manuscript in prep.*

<sup>10</sup> NOAA Fisheries, *Greater Atlantic Region Statistical Areas*, <https://www.fisheries.noaa.gov/resource/map/greater-atlantic-region-statistical-areas> (last updated June 7, 2023).

<sup>11</sup> E-mail from MA DMF to WTGHA NRD (on file with author); Reid et al. *Manuscript in prep.*; NOAA Fisheries, *Greater Atlantic Region Statistical Areas*, <https://www.fisheries.noaa.gov/resource/map/greater-atlantic-region-statistical-areas> (last updated June 7, 2023).

border into the sliver-shaped Long Island Sound (area 611).<sup>12</sup> In the combined region of 539 and 611, up to 10% of the bycatch were Herring Creek stock and 5-30% were other Block Island group stocks.<sup>13</sup>

The areas of 537, 539 and 611 are of greatest concern. We propose closing these areas for November-March as the time period where the genetics studies and previous analyses of observer and other data suggest bycatch is highest.<sup>14</sup> Overlap near the border (537/613) could also warrant setting a buffer zone in the northeastern area of a portion of 613. This buffer would be especially important if the heavy fishing effort shifted into 613 from a time area closure in 537.

These time area closures are proposed to reverse the decline of the Herring Creek alewife run already vulnerable to extirpation by incidental catch and its negative impact on group size that increases risk of predation in schooling fish. Other Block Island Group stocks that could possibly serve as donor populations (based on their genetic similarity) to Herring Creek should also experience less exposure to incidental catch under the proposed closure. If other stocks outside of the Block Island group experience less mortality, the benefits to river herring can furthermore expand to marine and river ecosystems in the region.

## CONCLUSION

Incidental catch of river herring and shad in the Atlantic herring fishery has been documented for more than two decades, and the Council has acknowledged that existing measures are no longer effective.<sup>15</sup> The continued lack of meaningful protection has had a substantial direct impact on the Aquinnah Wampanoag whose cultural, subsistence, and economic well-being is deeply tied to the survival of its river herring runs. Persistent challenges in estimating catch and the absence of biologically based limits that account for all small-mesh fisheries leave these trust resources vulnerable to ongoing harm. Considering these impacts the Council should definitively task the Herring PDT with analyzing a time-area closure alternative of November – March in areas 537, 539 and 611, that would meaningfully reduce incidental catch. The Aquinnah Wampanoag are committed to working with the PDT throughout the analysis and development of alternatives and are willing to share Tribal Ecological Knowledge and monitoring data to help ensure effective protection of the Herring Creek run.

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<sup>12</sup> Reid et al. *Manuscript in prep.*

<sup>13</sup> *Id.*

<sup>14</sup> Kerry Reid et al., *Spatial and Temporal Genetic Stock Composition of River Herring Bycatch in Southern New England Atlantic Herring and Mackerel Fisheries*, 80 *Can. J. Fisheries & Aquatic Scis.* (Feb. 23, 2023) (available at <https://doi.org/10.1139/cjfas-2022-0144>); Jamie Cournane, Jacob Kritzer & Steven Correia, *Spatial and Temporal Patterns of Anadromous Alosine Bycatch in the US Atlantic Herring Fishery*, 141 *Fisheries Res.*, 88 (2013) (available at <https://fisherysolutionscenter.edf.org/sites/default/files/Spatial%20and%20temporal%20patterns%20of%20anadromous%20alosome%20bycatch%20in%20the%20US%20Atlantic%20herring%20fishery.pdf>).

<sup>15</sup> See NEFMC, Amendment 1 FSEIS, 667-668, (May 3, 2006) <https://d23h0vhsm26o6d.cloudfront.net/FINAL.A1.FSEIS.MAY.3.06.with.index.FINAL.pdf> (response to DEIS comments) (“The Council intends to monitor this issue and collect better bycatch information through all management measures”); NEFMC, Atlantic Herring Advisory Panel Meeting by Webinar, Slide 29 (Mar. 23, 2026) [https://d23h0vhsm26o6d.cloudfront.net/3\\_260323-Council-Staff-Presentation.pdf](https://d23h0vhsm26o6d.cloudfront.net/3_260323-Council-Staff-Presentation.pdf).

Sincerely,

Andrew Jacobs  
Laboratory Manager  
Wampanoag Tribe of Gay Head (Aquinnah)

Maria E. Abate, PhD  
Research Marine Biologist  
Wampanoag Tribe of Gay Head (Aquinnah)

Erica Fuller  
Senior Counsel  
Conservation Law Foundation

Elizabeth "Libby" Etrie  
Director Ocean Policy  
Conservation Law Policy

cc: Michael Pentony, Regional Administrator Greater Atlantic Regional Fisheries Office  
Christopher Moore, Executive Director Mid-Atlantic Fishery Management Council

Attachments: Wampanoag Tribe of Gay Head (Aquinnah) Atlantic Herring Amendment 10  
Comments, December 3, 2025.



12/3/2025

Daniel Salerno, Council Chair  
Dr. Cate O'Keefe, Executive Director  
New England Fishery Management Council  
50 Water Street, Mill 2  
Newburyport, MA 01950

December 2025 NEFMC Meeting: Public Comment

Dear Council Members,

The large decline of alewife and blueback river herring runs began 50 years ago, and despite dam removal, spawning habitat improvement measures, and harvest moratoria, river herring in Southern New England have not recovered. The Wampanoag Tribe of Gay Head (Aquinnah) has invested well over half million dollars into management and research, yet the Tribe's river herring monitoring program since 2016 shows that its Herring Creek alewife run in Menemsha Pond Complex has declined, especially over the last decade, and is now less than 1% (approximately 10K) of its historic size. The Tribe has suffered a negative socio-economic impact from the loss of its commercial river herring fishery for canned herring and bait sales as well as cultural erosion with respect to the traditions centered around the use of river herring for sustenance and cultural practices.

Ironically, the river herring and shad bycatch quota for the non-Indigenous commercial Atlantic herring fishing boats was increased in all New England management areas from 312 mt in 2015 to 361 mt, with 77.5% (38 mt) of the increase from combined bottom and midwater trawl in Southern New England. Prioritizing Amendment 10 is urgently needed to rebuild both Atlantic Herring and river herring stocks with provisions that 1) recognize user group conflicts afflicting Native Americans including those from untargeted river herring and shad; and 2) develop management measures that limit river herring and shad bycatch, so protections at sea complement spawning site management and protection for rebuilding stocks.

Identifying the extent that the user's herring run is impacted by bycatch has been a challenge because of the migratory and mixed schooling behaviors of river herring stocks at sea. However, with recent advances in genetic analyses, Reid et al. (2023; Can. J. Fish. Aquat. Sci 80:360-373) were able to identify the stocks in bycatch caught in Southern New England during 2012-2015. They estimated bycatch mortality at a staggering 4.6 million alewife and 1.2 million blueback in a 3500 km<sup>2</sup> focal area of high trawling effort in Southern New England and adjacent Mid Atlantic area. Recognizing the significance of the Reid et al. 2023 finding of bycatch impact on alewife, we developed a partnership with three of the previous study's experts, Drs. Kerry Reid,

John Carlos Garza, and Eric Palkovacs, to obtain a reference genetic data set of the Wampanoag Tribe of Gay Head Aquinnah's Herring Creek alewife and repeat the analysis with the same bycatch dataset used in Reid et al (2023). The results (from a *manuscript in prep*) show that alewife from Herring Creek are part of the Block Island Sound reporting group described in the previous manuscript, which is the single reporting group most heavily impacted by bycatch. Herring Creek alewife were also genetically distinguishable from other Block Island Sound alewife runs which allowed for Herring Creek run specific estimates. On average, the total Herring Creek bycatch was estimated to be 364,277 alewives (CI: 142,024 to 806,537) for the years bycatch was examined (2012-2015). Genetically similar alewife in nearby unsampled rivers could be contributing to this estimated bycatch. Nonetheless, the removal of alewife from nearby rivers, as well as the overall Block Island Sound reporting group (approximately 1.22 million fish over the four years studied), dramatically decreases the chance a population would be large enough to provide donors (naturally or by intervention) to rebuild the Tribe's river herring fishery. Herring Creek and nearby source populations of alewife that could help sustain the Tribal run were heavily represented in the bycatch, especially in 2013. These results show that bycatch impacts to the entire Block Island Sound region are negatively impacting Herring Creek. Corresponding temporal/spatial closures are clearly warranted in Block Island Sound and other areas of impact to begin to uphold the federal trust responsibilities to the Wampanoag Tribe of Gay Head (Aquinnah).

Seasonal buffer zones in Area 1A have improved some of Maine's herring runs enough to create a commercial fishery with its socio-economic benefits. This demonstrates that temporal/spatial closures are an effective measure to reverse localized depletion and decrease user conflicts. The annual value of Maine's alewife catch was over \$1.1 million to 1.5 million during 2022-2024. The depletion of the Tribal Herring Creek run has resulted in a huge economic loss to our Native American community. Prioritizing Amendment 10 actions is the most effective way to begin to ensure sustainable fisheries, restore American seafood competitiveness, and fulfill federal trust responsibilities to Indigenous Peoples. Council members, you can take the first step toward honoring the federal trust responsibilities by voting to prioritize Amendment 10!

Respectfully,

Maria E. Abate, PhD  
Research Marine Biologist  
Wampanoag Tribe of Gay Head (Aquinnah)

Andrew Jacobs  
Laboratory Manager  
Wampanoag Tribe of Gay Head (Aquinnah)

Daniel Salerno, Council Chair  
Dr. Cate O'Keefe, Executive Director  
New England Fishery Management Council  
50 Water Street, Mill 2 Newburyport, MA 01950

Re: Atlantic Herring Committee Report – River herring and Shad Measures

April 9th, 2026

Dear Chairman Salerno and Council Members,

On behalf of the undersigned organizations and individuals representing thousands of recreational anglers, commercial fishermen, charter boat captains, guides, Indigenous People, watershed stewards, and river herring advocates along the Atlantic Coast, we write to express our concerns with the lack of progress on development of river herring and shad (RH/S) measures for this year's framework action.

At its December 2025 meeting, the Council voted to stop development of Amendment 10 and to only advance measures to address the at sea catch of RH/S. This was decided despite the public's overwhelming desire that the Council address the broader range of issues caused by the industrial fishing by midwater trawlers that led to the crash of the Atlantic herring (and mackerel) fishery, including measures to attain optimum yield, improve the conservation status of Atlantic herring, account for its role as forage in the ecosystem, and reduce user conflicts. Yet, despite the narrower scope of work, the Council and staff have failed to hold any Committee meetings during which the Committee could be updated on the Plan Development Team's (PDT) work, and the PDT could receive updated requests for analysis or potential alternatives for development reflecting the revised action and new information. There has been no visible progress or meaningful engagement with Committee members and the public regarding mandatory time/area closures and revisions to catch caps.

In December, the Council and staff clearly stated their intent to work hard on RH/S measures during the first 6 months of the year to accomplish as much work as possible prior to work beginning on the specifications package. Yet there has not been a single opportunity for Atlantic Herring Committee members, and through its meetings stakeholders, to lend their voices to the alternative development process. This appears to be a significant departure from the standard procedure of Committees leading PDTs via tasking motions and regular review of the PDT's work. Unfortunately, this is similar to the delays that contributed significantly to the eventual end of Amendment 10. We are concerned that little or nothing will be accomplished this year to protect our vital RH/S populations.

What has become increasingly clear over the past few months is the need for protections for RH/S. Recent data shows continually growing river herring runs in Southern New England as midwater trawl vessels have been tied to the docks due to their overfishing of Atlantic herring and mackerel. This data should lead the Council to directly analyze and compare the impacts of current mandatory time/area closures in the Gulf of Maine on river herring runs to runs without these protections in Southern New England, a comparison that the public has repeatedly raised in

comments. Moreover, time series data of river herring runs used in PDT analysis should consider and note when both historic foreign and current domestic midwater trawl vessels have been the dominant gear type prosecuting Atlantic herring, and reference this to river herring run health and trends.

Work being done to map RH/S bycatch hotspots and continued genetic research is revealing that there are disproportional impacts of marine bycatch on depleted river herring stocks. Maps from the Mid-Atlantic Council, Massachusetts DMF (under development), and UMass Dartmouth may provide options that fishing for Atlantic herring (and mackerel) while avoiding river herring. This and other mounting scientific information like recent tagging data should spur the Council into swifter action so RH/S are protected and the fishery can operate sustainably when the Atlantic herring resource is recovered.

We now understand that Advisory Panel and Atlantic Herring Committee meetings are scheduled for after the April Council meeting. We request that more frequent Committee meetings be held to make up for lost time so that RH/S measures are developed and ready for consideration by the Council this summer. These meetings will provide the opportunity for the Committee members to update older tasking motions and for both the Committee and the public to more effectively participate in the process. The Council must make sure the PDT is using the latest data and methods, and that the Committee is providing leadership during the analysis and development of mandatory time/area closure and catch cap alternatives.

Our coalition has significant experience and expertise to offer as fishermen, scientists, stewards, and historical users of RH/S, and we look forward to the opportunity to meaningfully engage in this process.

Thank you for your consideration of our comments.

Sincerely,

Zane Ruzicka  
Atlantic Policy Director  
Wild Oceans

Roger Fleming  
Blue Planet Strategies

Jason Schratwieser  
President  
International Game Fish  
Association

Mike Waine  
Atlantic Fisheries Policy  
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Douglas Erickson  
Member of the Town of  
Brewster Alewife Committee

Willy Hatch  
President  
Cape Cod Charter Boat  
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Captain Pete Kaizer  
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Nicole Wright  
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Woonasquatucket River  
Watershed Council

Matthew Best  
Habitat Restoration Manager  
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Paul Perra  
Retired NOAA Sustainability  
Fisheries Policy Analysis

Daniel Salerno, Council Chair  
Dr. Cate O'Keefe, Executive Director  
New England Fishery Management Council  
50 Water Street, Mill 2 Newburyport, MA 01950

April 8, 2026

Dear Chairman Salerno and Council Members,

On behalf of the Alewife Harvesters of Maine (AHOM), I am writing to you today to express our concerns regarding the Council's lack of work on Amendment 10, and any productive conversations that might have been had regarding effects of mid-water trawlers on Atlantic river herring populations, and management options that might address them.

Further, the AHOM would like the following points to be considered, as you deliberate the future of our fishery:

- We are the only recognized, directed harvester group for river herring on the Atlantic Coast. AND we have not been contacted once by this Council on this issue.
- We have known for some time that possibly the biggest factor contributing to Maine's relatively strong river herring escapement numbers over the last decade at least, has been the simple fact that Maine-bound river herring are not swimming in the same water at the same time that mid-water trawlers are targeting every small silver fish they can, in the mid-atlantic.
- This was further demonstrated when in recent years the mid-water trawlers were not able to fish due to restrictions tied to their overfishing and bycatch. This action gave us an "experiment" that looked at river herring responses to management actions. It's the opinion of AHOM that these closures restricted interactions between the trawl fleet and river herring populations, and is the main factor in associated increases in escapement for runs further south of Maine.
- We are not satisfied with relatively strong river herring runs in Maine, while the rest of the fish and coast suffer for no reason, and especially when we have the solution in hand; We need to develop time and area closures that protect Atlantic river herring, migrating to their spawning grounds.
- We believe that restoration money is being wasted, until the council is willing to work towards solving problems related to river herring bycatch. Maine leads the country in commercially harvested river herring, and presumably we also have the highest numbers when it comes to return on the dollar when it comes to restoration. This is because the fisheries we restore have not been caught as bycatch on their way home to spawn. This council should look closely at its position with regards to supporting river herring restoration, if it is not willing to support our fisheries when its able to. Like right now.

We feel like the AHOM are in a good position to make these comments. Maine river herring fishermen spend 10 years, collecting population and biological data from the specific fishery that they wish to target, prior to being permitted to harvest. It must be the highest bar for entry into a fishery that ASMFC can point to in any of their fisheries. We do this because we are required to, but really we do it because this fishery is important to us and to our communities and to the state of Maine. We do it because they are our livelihoods (whether lobster bait or sold as food). We do it because our communities have always been connected to these fish that share our space and by which we mark every spring with their return. And we do it for all of the other socio-economic benefits that are yet to be realized because we have not as a country prioritized their sustainable management.

With that, the AHOM asks this Council to restart its process to work on this problem and to find solutions. To schedule Atlantic Herring Committee meetings where work can happen. And to engage the public and harvester organizations, as they do in the lobster and other fisheries.

Thank you for your consideration of our comments.

Sincerely,

Rusty Taylor  
Executive Director  
Alewife Harvesters of Maine