

CORRESPONDENCE

From: Tina Berger <TBerger@ASMFC.org>
Sent: Monday, April 20, 2026 5:55:59 PM
Cc: ISFMP Staff <ISFMPstaff@ASMFC.ORG>; Bob Beal <rbeal@asmfc.org>; Alexander Law <ALaw@ASMFC.org>
Subject: Atlantic Herring Area 1A 2026 Effort Controls

FOR IMMEDIATE RELEASE, APRIL 20, 2026
PRESS CONTACT, TINA BERGER, 703.842.0749

Atlantic Herring Area 1A 2026 Effort Controls

The Atlantic States Marine Fisheries Commission’s Atlantic Herring Management Board members from Maine, New Hampshire, and Massachusetts set the effort control measures for the 2026 Area 1A (inshore Gulf of Maine) fishery for June 1 – September 30.

The Area 1A sub-annual catch limit (ACL) is 2,401 metric tons (mt) after adjusting for the 30 mt fixed gear set-aside and the fact that Area 1A closes at 92% of the sub-ACL. In October 2025, the Board established the following seasonal allocations for the 2026 Area 1A sub-ACL: 72.8% available for season 1 (June 1 – September 30) and 27.2% available for season 2 (October 1 – December 31).

2026 Atlantic Herring 1A Quota Allocation by Season

Season	Area 1A Quota
1. June 1-September 30	1,748 mt
2. October 1-December 31	653 mt

Days Out of the Fishery

- Landing days will be set at zero (0) from June 1 until the start of the fishery on Sunday, July 19, 2026 at 6:00 p.m.
- Landing days begin on Sunday of each week at 6:00 p.m. starting Sunday, July 19.
- Vessels with an Atlantic herring Limited Access Category A permit that have declared into the Area 1A fishery may land herring five consecutive days a week. The week shall begin at 6:00 p.m. on Sundays and conclude at 6:00 p.m. on Fridays. One landing per 24-hour period. Vessels are prohibited from landing or possessing herring caught from Area 1A during a day out of the fishery.
- Small mesh bottom trawl vessels with an Atlantic herring Limited Access Category C or Open Access D permit that have declared into the fishery may land herring six consecutive days a week. The week shall begin at 6:00 p.m. on Sundays and conclude at 6:00 p.m. on Saturdays.

Weekly Landing Limit

- Vessels with an Atlantic herring Category A permit may harvest up to 240,000 lbs. (6 trucks) per harvester vessel, per week starting Sunday, July 19, 2026 at 6:00 p.m.

At-Sea Transfer and Carrier Restrictions

The following applies to harvester vessels with an Atlantic herring Category A permit and carrier vessels landing herring caught in Area 1A to a Maine, New Hampshire, or Massachusetts port.

- A harvester vessel may transfer herring at-sea to another harvester vessel.

- A harvester vessel may not make any at-sea transfers to a carrier vessel.
- Carrier vessels may not receive at-sea transfers from a harvester vessel.

Harvesters are prohibited from landing more than 2,000 pounds of Atlantic herring per trip from Area 1A until July 19, 2026 at 6:00 p.m. Landings will be closely monitored and the fishery will be adjusted to zero landing days when the season 1 quota is projected to be reached.

For more information, please contact Caitlin Starks, Senior Fishery Management Plan Coordinator, at cstarks@asmfc.org.

Motions

Move to implement for the 2026 Area 1A herring fishery in Season 1:

- **Zero landing days before Sunday, July 26 at 6:00pm, then move to 5 landing days per week**
- **For Category A vessels, a 6 truck (240,000 lbs) weekly landing limit**
- **Move to allow harvester-to-harvester transfers but not allow transfers to carriers**
- **For Category C/D SMBT vessels, 6 landing days per week**

Motion made by Ms. Ware and seconded by Ms. Zobel. Motion substituted.

Motion to Substitute

Move to substitute Sunday, July 19 for July 26.

Motion made by Ms. Ware and seconded by Mr. Kane. Motion passes without objection.

Main Motion as Substituted

Move to implement for the 2026 Area 1A herring fishery in Season 1:

- **Zero landing days before Sunday, July 19 at 6:00pm, then move to 5 landing days per week**
- **For Category A vessels, a 6 truck (240,000 lbs) weekly landing limit**
- **Move to allow harvester-to-harvester transfers but not allow transfers to carriers**
- **For Category C/D SMBT vessels, 6 landing days per week**

Motion passes by unanimous consent.

The announcement can also be found at <https://asmfc.org/news/press-releases/atlantic-herring-area-1a-effort-controls-2026/>

Tina Berger

Director of Communications

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UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
1315 East-West Highway
Silver Spring, Maryland 20910

May 1, 2026

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

Dear Cate,

Thank you for your letter documenting the decisions of the New England Fishery Management Council in response to our request to the Council related to Executive Order 14276, *Restoring American Seafood Competitiveness*, signed by the President on April 17, 2025. We appreciate that the Council considered public comments submitted during the December 2025 open comment period and understand that the Council is not recommending changes to its original September 30, 2025, list of activities and workplan for Executive Order 14276. In particular, we note that the Council considered, but did not recommend, revisiting the industry-funded monitoring (IFM) program developed for the Atlantic herring fishery. For the reasons provided below, we respectfully request that the Council reconsider this decision and agree to proceed with a Council action to revise and potentially withdraw the IFM provisions for the herring fishery.

After careful consideration, we have determined that an action removing Atlantic herring monitoring requirements at 50 CFR part 648.11(m) may be warranted to remove unused provisions that are not achieving their intended goals and thereby reduce regulatory burdens on Atlantic herring fishery participants. The herring IFM program was developed to provide: (1) accurate estimates of catch (retained and discarded); (2) accurate catch estimates for incidental species with catch caps (haddock and river herring/shad); and (3) affordable monitoring for the herring fishery. The Council intended that the program be evaluated within two years of its implementation to determine what level of coverage may best achieve its stated goals. However, to date, due to a number of unexpected complications, there has been insufficient IFM coverage to support a meaningful evaluation or to show that the program is achieving its stated goals. In particular, we announced in November 2022 that we were suspending the herring IFM program for the foreseeable future due to a lack of resources to effectively implement the program.

Because the herring IFM program imposes costs on NOAA's National Marine Fisheries Service (NMFS) as well as the herring industry itself in order to be effectively implemented, in the face of declining resources and the need to prioritize our activities to support the Administration's goals and objectives of Executive Order 14276, it is unlikely that NMFS will have the resources necessary to support this program. In total, since this program was initially approved in January 2020, it has never been fully implemented at the levels intended (50 percent of trips), and during the two years that the program was partially effective, NMFS fully reimbursed all participating vessels for their costs.

Since this time, the President issued Executive Order 14276, requiring the Secretary of Commerce to consider rescinding regulations that overly burden America's fishing industry, in

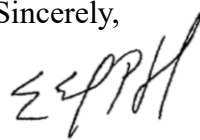


cooperation with regional fishery management councils. Likewise, the Executive Office of the President, Office of Management and Budget (OMB), published a *Notice of Request for Information* seeking proposals for rescinding unnecessary regulations. Among the many suggestions received in response, the Secretary received requests to rescind the herring IFM requirement from herring fishery participants due to its potential costs.

Therefore, for these reasons, the Secretary requests that the New England Fishery Management Council reconsider its decision to not initiate an action to consider rescinding the Atlantic herring IFM regulations at § 648.11(m). Rescinding these regulations is consistent with the objectives of Executive Order 14276 due to their disuse and inability to demonstrate they are achieving their stated goals. We are also aware that herring fishery participants have expressed concerns about the potentially high level of costs of IFM in relation to the recent low level of biomass and low productivity rate of Atlantic herring. The Council should consider and act on this request as soon as possible to initiate and develop an action for Secretarial review.

If the Council is unable to initiate an action within a reasonable time, the Secretary is authorized to prepare an amendment to rescind these measures. The Secretarial amendment process requires public hearing at appropriate times in the geographical areas concerned and to provide the Council with an opportunity to consider and comment on the proposed amendment. As you are aware, the Atlantic herring IFM regulations are the subject of litigation in *Loper Bright Enterprises*, pending in the D.C. Circuit Court of Appeals, and *Relentless*, pending in the 1st Circuit Court of Appeals. An action removing the Atlantic herring IFM requirements at § 648.11(m) is an important step toward resolving both of these cases and bringing an end to the litigation over the herring IFM program.

Sincerely,

A handwritten signature in black ink, appearing to read 'E Piñero Soler', written in a cursive style.

Eugenio Piñero Soler
Assistant Administrator
for Fisheries



New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492

Daniel Salerno, *Chair* | Cate O'Keefe, PhD, *Executive Director*

May 11, 2026

Mr. Michael Pentony
Regional Administrator
NOAA Fishery Service
Greater Atlantic Regional Fisheries Office
55 Great Republic Drive
Gloucester, MA 01930

RE: Comments on MA DMF Herring Genomics EFP

Dear Mike:

The New England Fishery Management Council has no objection to continuation of the exempted fishing permit to support a study developing a genomic tool to evaluate the genomic population structure of Atlantic herring as published in the *Federal Register* on May 4, 2026.

Please contact me if you have questions.

Sincerely,

A handwritten signature in blue ink that reads "Cate O'Keefe". The signature is fluid and cursive.

Cate O'Keefe
Executive Director



New England Fishery Management Council

50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492

Daniel Salerno, *Chair* | Cate O'Keefe, PhD, *Executive Director*

Joint New England and Mid-Atlantic Fishery Management Council

Meetings of all Advisory Panels:

Input on Vessel Baseline Restrictions Evaluation

The New England and Mid-Atlantic Councils are holding three joint webinar meetings for the Advisory Panels to provide input to help inform the Councils' ongoing evaluation of vessel baseline restrictions. These restrictions apply to most commercial limited access fisheries managed by the Councils and require that vessel replacements or upgrades must be within 10% of the length and 20% of the horsepower of the permit's baseline vessel. Some industry participants have reported challenges in acquiring suitable replacement vessels or engines that meet these specifications, particularly for smaller vessels.

The Councils are evaluating these restrictions and may consider initiating a joint management action to consider possible modifications. Input provided by advisors during these meetings will help inform Council discussions of this issue. If the Councils agree to initiate a management action, work on an action would occur in 2027 and there would be additional opportunities for Advisory Panel and public input in the future.

Date and Time

Webinar Link

Webinar Thursday, May 21, 2026 10:00 AM – 12:00 PM	https://nefmc-org.zoom.us/meeting/register/PmGbLGFwS2uRxaWpZ23bUw
Webinar Thursday, May 21, 2026 6:00 – 8:00 PM	https://nefmc-org.zoom.us/meeting/register/WYkJuslmRSeo94ftNEPV6g
Webinar Tuesday, May 26, 2026 2:00 – 4:00 PM	https://nefmc-org.zoom.us/meeting/register/I27AMyKCR2qSG7SC6vqPBA

Agenda: During each meeting, Council staff will provide background information on vessel baseline restrictions, vessel data, and questions for consideration. Advisors will then have an opportunity to comment. Public comments will also be allowed.

Online access: These meetings will be broadcast online via Zoom. Use the above links to register. Use VoIP with a microphone and speakers for audio. A headset is recommended. After registering, you will receive a confirmation email containing information about joining the webinar. For the best audio and visual experience, your Zoom desktop application must be updated prior to the meeting.

Call-in information: After registering for a meeting, the confirmation e-mail will include a call-in number. Please note that this is not a toll-free number.

Written comments: Members of the public may submit written comments directly to the New England Fishery Management Council. Written comments will be accepted **through Friday, May 29, 2026**. Comments should be addressed to: Cate O’Keefe, PhD, Executive Director, New England Fishery Management Council, 50 Water Street, Mill #2, Newburyport, MA 01950; and sent by postal mail or by email: comments@nefmc.org. Please note on your correspondence: **“Vessel Baseline Comments.”**

For information about meeting materials and detailed agenda, please consult the Councils’ websites at www.nefmc.org or www.mafmc.org.

These meetings will be recorded. Consistent with 16 U.S.C. 1852, a copy of the recording is available upon request.

This schedule is subject to change. If you have questions, please call the Council office.

TA #: 26-82; 26-83; 26-84
cc: all Advisors; Council Members
Notice date: April 15, 2026