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August 18, 2020

The Honorable Wilbur Ross, Secretary
U.S. Department of Commerce
1401 Constitution Ave NW
Washington, DC 20230

Re: Atlantic Herring Fishery Disaster Request

Dear Secretary Ross:

The valuable Atlantic herring fishery is in crisis. Record low recruitment has driven the resource to historically low levels resulting in a decline in fishery landings exceeding 80% with further quota reductions imminent. On behalf of the Commonwealth of Massachusetts' fishermen and fishing communities, I write to you to formally request a fishery failure in the Atlantic herring fishery under Section 312(a) of the Magnuson-Stevens Fishery Conservation and Management Act.

This letter follows a July 6th request from the State of Maine. The severe losses due to a commercial fishery failure, as noted in that correspondence, are similarly impacting the Massachusetts herring fleet. Massachusetts herring fishermen have suffered an 81% decline in herring landings and 64% decline in ex-vessel value (2019 compared to 2014-2018 average).

Year	Landings (Pounds)	Ex-Vessel Value	Ex-Vessel Price/LB
2014	78,048,111	\$9,252,553	\$0.12
2015	70,887,578	\$8,804,581	\$0.12
2016	46,969,494	\$7,558,865	\$0.16
2017	30,705,711	\$6,718,520	\$0.22
2018	26,648,887	\$4,996,985	\$0.19
2019	9,873,088	\$2,685,091	\$0.27

Most Massachusetts herring landings (by volume) come into ports of Gloucester and New Bedford aboard large vessels that are 100' feet or more in length with trips that typically exceed 200,000 lbs. The active fleet consists of approximately a dozen vessels using mid-water trawls or purse seines. Landed fish are stored at shoreside facilities and/or shipped to other ports primarily for use as lobster bait. Impacted entities include – but are not limited to - vessel owners, captain and crews, shoreside plants, and transport businesses.

However, unlike Maine's request, it is the Commonwealth of Massachusetts' request that our herring fishermen who fish not just in Management Area 1A (inshore Gulf of Maine) but also in Management Areas 1B, 2 and 3 encompassing fishing grounds on Georges Bank and in southern New England be included in any disaster declaration and subsequent relief. This single unit stock has undergone a sudden, unexpected and large 77% decline in Spawning Stock Biomass (SSB) that has resulted in significant loss of access to the fishery resource in all Herring Management Areas.

Numerous management actions have been taken to constrain fishing mortality on the resource and the commercial fishery has stayed well within those limits during this time. Since at least 2003 the fishery has not exceeded total allowable landings (See Table 22 in Framework 6 to the Atlantic Herring Fishery Management Plan.) Despite fishermen's adherence to declining catch limits, the Atlantic herring stock is not rebuilding. Poor recruitment drove the recent SSB decline and appears situated to further propel Atlantic herring on a downward stock status trajectory for the next few years at least. The reasons behind recent low recruitment is poorly understood leading the New England Fishery Management Council's Science and Statistical Committee (SSC) to recommend further investigation. While this fishery failure may spring from an unknown source, NOAA does not have to leave unresolved the disastrous impacts to the herring fishery and its dependent communities. Previous disaster determinations, including the most recent Northeast Multispecies commercial fishery failure, were predicated on such "undetermined causes" as allowed under MSA Sec. 312(1).

Low levels of the herring stock are causing severe economic hardship in the targeted herring fishery. Already significant herring quota decreases have driven marked declines in commerce with herring fishery revenue more than halved from the recent 5-year average. And further anticipated quota cuts will not just exacerbate this problem in the directed herring fishery but cause run-on economic problems for the American lobster, Atlantic mackerel and Silver hake (whiting) fisheries.

I would like to take a moment to address this request relative to recent federal aid provided to commercial fishermen impacted by COVID-19. Massachusetts was allocated \$28 million, the third highest allocation in the country, behind Alaska and Washington. While these funds for seafood processors, for-hire fishermen, aquaculture businesses and commercial fishermen are appreciated, \$28-million represented the loss in revenue by the Commonwealth's commercial fisheries in the month of April 2020 alone. The Atlantic herring commercial fishery was faced with a fishery disaster long before this public health crisis. And it is a fishery failure deserving of its own response as provided for in federal law (MSA Sec. 312(1)).

The Commonwealth's Division of Marine Fisheries stands ready to assist you and NOAA Fisheries in making a successful final determination, including more detailed analysis of the socio-economic impacts this fishery disaster has had on the Massachusetts herring fleet and associated businesses. This is especially important because the vessels that target herring are federally managed and many move among states to offload the fish.

Sincerely



Charles D. Baker
Governor

Cc: Chris Oliver, NOAA Assistant Administrator
Michael Pentony, GARFO Regional Administrator
Kathleen Theoharides, Secretary MA EEA
Ron Amidon, Commissioner MA DFG
Daniel McKiernan, Director MA DMF