

August 12, 2021

The Honorable Maria Cantwell  
Chair  
Senate Commerce Committee  
511 Hart Senate Office Building  
Washington, D.C. 20510

The Honorable Raúl Grijalva  
Chair  
House Natural Resources Committee  
1511 Longworth House Office Building  
Washington, D.C. 20515

Dear Senator Cantwell and Congressman Grijalva,

On behalf of the below signed organizations, we write to encourage your committees to adopt reconciliation language that will provide adequate funding to initiate a five-year bycatch study for key forage fisheries: Gulf menhaden, Atlantic menhaden, Atlantic herring, and Atlantic mackerel. Not only will this investment help to improve fisheries science, but it will also create jobs through the NOAA Fishery Observer Program. Additionally, as our marine resources undergo unknown impacts from climate change, we believe it is more important than ever to enhance forage base populations to ameliorate stress on this critical food source from warming oceans.

Forage fish are an essential part of the marine ecosystem, feeding predators and filtering water. They are key to the fishing economy in the United States, supporting it directly when sold as raw material or bait, and indirectly as prey for other seafood species. As a nutrient-rich superfood for larger fish, marine mammals, and seabirds, these schooling fish are fundamental to the ocean's food web.

In the Atlantic mackerel and Atlantic herring fisheries, American shad and river herring (e.g., alewife and blueback herring) are often caught incidentally by mid-water and pair trawlers that prosecute these fisheries in federal waters. These anadromous forage fish are consumed by a wealth of predators from riverine and marine waters, and they play a vital ecological role in the transfer of nutrients from ocean to inland ecosystems.

Given that shad and river herring are depleted to historically-low levels, it is important to understand bycatch events in order to avoid future interactions with these vulnerable species. An accurate accounting of incidental catch necessitates 100% observer coverage, along with genetic testing to identify origin rivers of bycatch species.

In the Atlantic and Gulf menhaden reduction fisheries, public concern is growing over bycatch of iconic species such as redfish, speckled trout, striped bass, turtles and dolphins. These two fisheries are the largest<sup>1</sup> in the lower 48 states, and predators are often caught while feeding on menhaden.

Despite the scale of this fishery, not a single reduction fishing trip was monitored while at sea by NMFS in recent years. In fact, when the Marine Stewardship Council (MSC) reviewed the Atlantic and Gulf menhaden fisheries, in both cases it stated that "the impacts on bycatch species are poorly known. Data on bycatch are only collected on an ad hoc basis at infrequent intervals."

Given the importance of these four fisheries to our marine ecosystem and coastal economies, it is essential to conduct baseline at-sea studies to adequately assess catch, bycatch, dead discards, and to discern patterns in

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<sup>1</sup> The 2019 catch was 1,506,102,457lbs of menhaden

bycatch events, such as consistent locations and seasons in order to effectively target efforts to minimize impacts to other wildlife, including economically-important fish stocks, protected species and seabirds.

As such, the conservation community supports the incorporation of following language and budget allocations into the reconciliation package:

As part of these studies, notwithstanding any other law, rule, or fishery management plan provision, including conservation and management measures under section 303(a)(11) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C.1853(a)(11)), for a minimum period of five years, not less than 100 percent of all relevant fishing trips, not fewer than one at-sea observer or an on-board electronic or video means of producing equivalent at-sea monitoring information, for any vessel using mid-water trawl or paired mid-water trawl fishing gear in the Atlantic herring and Atlantic mackerel fisheries and purse seines in the Gulf menhaden and Atlantic menhaden reduction fisheries.<sup>2</sup> In addition, for the shad and river herring studies, genetic testing shall be incorporated to identify specific populations impacted.

Further, these studies shall be made available to the public and all vessels conducting these fisheries shall be required to maintain automatic identification systems (AIS). If federal funding is not sufficient to cover the costs of these studies, then the fishing industry shall provide the necessary funding.

Thank you for your consideration of this request.

Sincerely,

American Sportfishing Association  
Angler Action Foundation  
The Billfish Foundation  
Bonefish & Tarpon Trust  
Center for Sportfishing Policy  
Coastal Conservation Association

Fly Fishers International  
International Game Fish Association  
National Marine Manufacturers Association  
National Wildlife Federation  
Theodore Roosevelt Conservation Partnership

cc:

The Honorable Gina Raimondo, Secretary of Commerce  
Janet Coit, NOAA Assistant Administrator for Fisheries  
The Honorable Patrick Leahy, Senate Appropriations Committee Chair  
The Honorable Rosa DeLauro, House Appropriations Committee Chair

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<sup>2</sup> Language adapted from Federal Forage Conservation Bill, S.1484, <https://www.congress.gov/bill/117th-congress/senate-bill/1484?r=9&s=1>