

River Herring Moratorium Draft FAQ  
For Review by the Sport and Tidal Fisheries Advisory Commissions  
May 17, 2011

The Department will be implementing a recreational and commercial fishing moratorium on River Herring beginning January 1, 2011. A moratorium is required by Amendment 2 to the Atlantic States Marine Fisheries Commission (ASMFC) Fishery Management Plan. To view this plan, click on <http://www.asmfc.org/> go to 'managed species' and then to the 'shad and river herring' link. Amendment 2 mandates that all river herring fisheries from Maine through South Carolina be closed by January 1, 2012 with exceptions for sustainable fisheries.

The following are frequently ask questions concerning the upcoming closure of Maryland's commercial and recreational river herring fisheries. The river herring fishery includes two species, the alewife herring and the blueback herring. More information can be found on these species on the Fisheries Service webpage at [www.dnr.state.md.us/fisheries/fishfacts/herring.asp](http://www.dnr.state.md.us/fisheries/fishfacts/herring.asp).

**1. Why is change necessary? Current stock status?**

River herring are managed through a cooperative effort among all of the states along the east coast of the Atlantic Ocean through the Atlantic States Marine Fisheries Commission (ASMFC). ASMFC develops fishery management plans for all of the migratory species under its jurisdiction. Amendments to these plans are developed when a change to current management is required. The Commission may initiate an addendum to change management strategies for many reasons including, changes to the targeted fish population, shifts in the fisheries targeting the population, or new data that indicates change would be beneficial for the population and/or the dependent fisheries. In May of 2009, Amendment 2 of the ASMFC fisheries management plan for shad and river herring was adopted in response to continued declines in river herring abundance. Coast wide commercial landings had decreased 93% between 1985 and 2007. Amendment 2 requires the closure of all commercial and recreational fisheries by January 1, 2012 with exceptions for sustainable fisheries. States are required to submit Sustainable Fishery Plans (SFP) to the ASMFC in order for any fishery to remain open. The plan must prove the fishery will not diminish potential future stock reproduction and recruitment, detail how the state will monitor the fishery and set a target level at which the fishery would no longer be considered sustainable.

**2. Why isn't Maryland Submitting a Sustainable Fisheries Plan?**

The Sustainable Fishery Plan requires setting targets for individual river systems based on fish abundance or biological indicators within the river system. The targets have to be set at a level in which the population can remain stable or preferably increase, and the current population must be above the target. Maryland DNR does monitor the river herring population in one river system, but all biological indicators are decreasing, so the

current fishery would not be considered sustainable. Maryland DNR does not have a sampling program for river herring in any of our other river systems, and commercial landings throughout the state have also been declining. To illustrate this point, river herring landings averaged 3.6 million pounds from 1950 to 1969; 700,000 pounds from 1970 to 1989; 164,000 pounds from 1990-1999 and only 35,200 pounds from 2005 to 2010. This indicates the Maryland river herring population is depleted, and not able to sustain current mortality rates, and supports the protection of the remaining population to increase reproduction and aid in recovery.

**3. When will the moratorium begin?**

The moratorium will begin on January 1, 2012, as required by Amendment 2.

**4. Will there be any tolerance in the commercial fishery for possession of river herring?**

Maryland DNR's penalty work group is evaluating the penalty system for possession of fish out of season. A system is being explored in which having a very small number of a species of fish that are out of season will not invoke a suspension (but still may incur a fine and/or points). This system would allow for an honest mistake without resulting in license suspension. However, a more avoidable or deliberate taking of fish out of season would involve stiffer penalties.

**5. Are there any efforts underway to reduce bycatch?**

River herring are caught as bycatch in the Atlantic Ocean, especially in the squid, butter fish and Atlantic herring fisheries. Regulations are being developed to better quantify and reduce herring bycatch in these fisheries and others that incidentally take river herring along the east coast. DNR is also exploring the use of cull panels or other gear modification methods in fyke and pound nets during the spring river herring run to reduce bycatch within the state.

**6. What are other states along the coast planning to do?**

North Carolina closed most of its herring fisheries prior to adoption of Amendment 2, and has an accepted Sustainable Fisheries Management Plan to allow a four day season on one river system with a maximum total harvest of 4,000 pounds. All other areas will remain closed. Maine, New Hampshire and South Carolina have approved plans to allow harvest in river systems with stable or expanding populations. These states have the ability to estimate population size, generally through fish counts at dam passages, and the number of fish being removed from these river systems. This allows them to estimate the number of fish escaping the fishery that will be available to reproduce the following year. They have set target river herring population sizes or escapement rates that each river system can not fall below in order to keep the fishery open. New York is still developing a sustainable fishery plan, and will need to have it accepted by the end of 2011 or they will need to impose a moratorium. The states of Connecticut, Delaware, Florida,

Georgia, New Jersey, Pennsylvania, Rhode Island and Virginia, along with the District of Columbia, will be or already have imposed a moratorium. Like Maryland their fisheries are in decline and/or they do not have the data to prove they have a sustainable fishery.

Maryland commercial river herring harvest in pounds from 1950-2010 (2010 data are preliminary).

