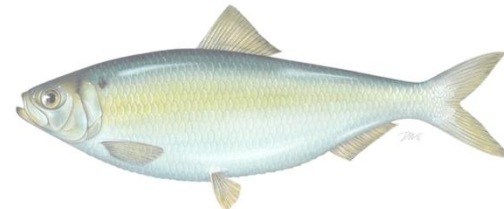
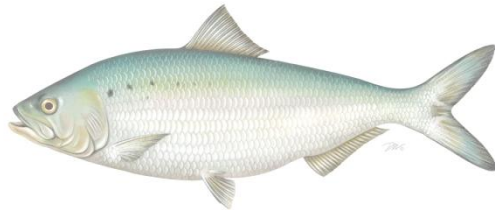
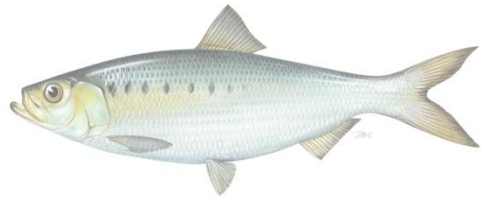
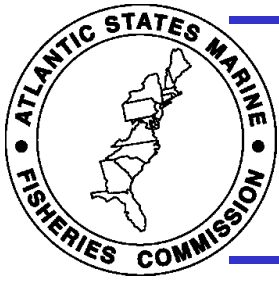




Working towards healthy, self-sustaining populations for all Atlantic coast fish species or successful restoration well in progress by 2015

Council Update



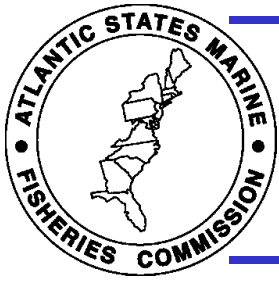


NEFMC

- **FMP Adjustments**

- Expands possession limit so that all vessels working cooperatively are subject to the most restrictive possession limit
- Pre-trip and pre-landing notifications reqs
- Federal dealers required to accurately weigh all fish and document how composition of mixed catch is estimated

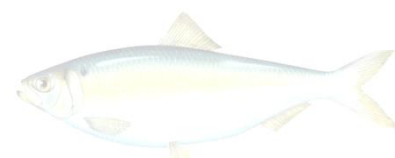
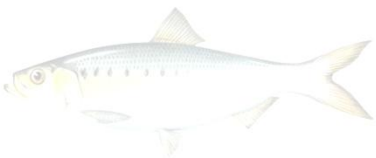


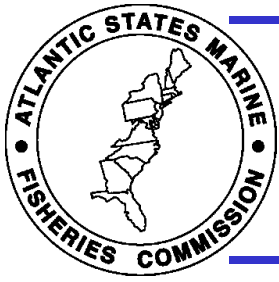


NEFMC

- **Catch Monitoring**

- 100% at-sea observer coverage on Category A and B vessels supported by funding from federal/industry and the use of state service providers.
- Trip termination after 10 slippage events for limited access vessels





NEFMC

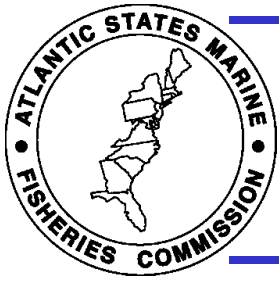
- **Bycatch**

- Two Phase bycatch avoidance approach
- Bycatch limits or catch cap approved for consideration in a subsequent action

- **MWT Access**

- 100% observer coverage on all trips in groundfish year-round closed areas

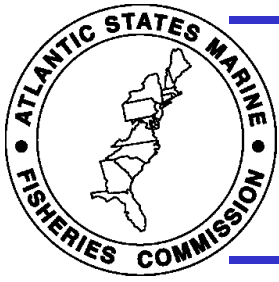




MAFMC

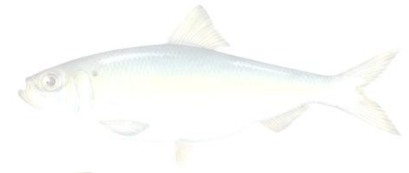
- Catch cap for river herrings and shads beginning in 2014
- Increased vessel and dealer reporting requirements
- Require 100% coverage on mid-water trawlers
- Reporting and monitoring requirements
- Initiation of Amendment 15

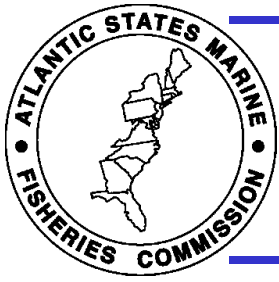




MAFMC

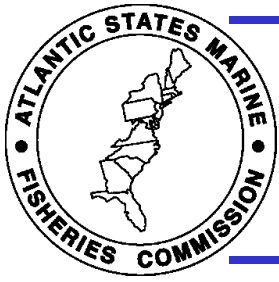
- Amendment 15 (SRH Stock in the Fishery)
 - Initiated June 2012
 - Scoping document comment period Nov 2012
 - FMAT develop alternatives w/input from committee and AP; Council approves DEIS submission to NMFS 2013
 - Public comment period early 2014
 - Final rule effective Jan 2015





Federal Court Ruling

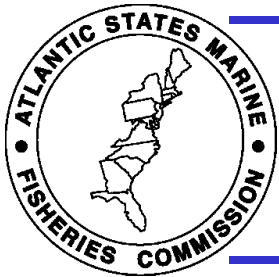
- Lawsuit filed April 2011
 - Claim 1) defendants violated the MSA and APA by failing to include SRH as stock in the fishery and create catch limits for them 2) failed to set adequate ACL/AMs for Atl. Herring
- Ruling orders that Amendment 4 is vacated (null), effective one year from now
- The court will retain oversight of the Agency's actions in this matter until NMFS fully complies with the Order.



Federal Court Ruling

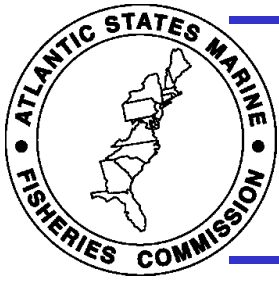
- Requires NMFS and NEFMC to review the most recent science and consider a full suite of protections for SRH
- Gives NMFS one year to take action to minimize the bycatch of SRH
- Orders NMFS to consider new approaches for setting the allowable catch for sea herring that accounts for its role as a forage species



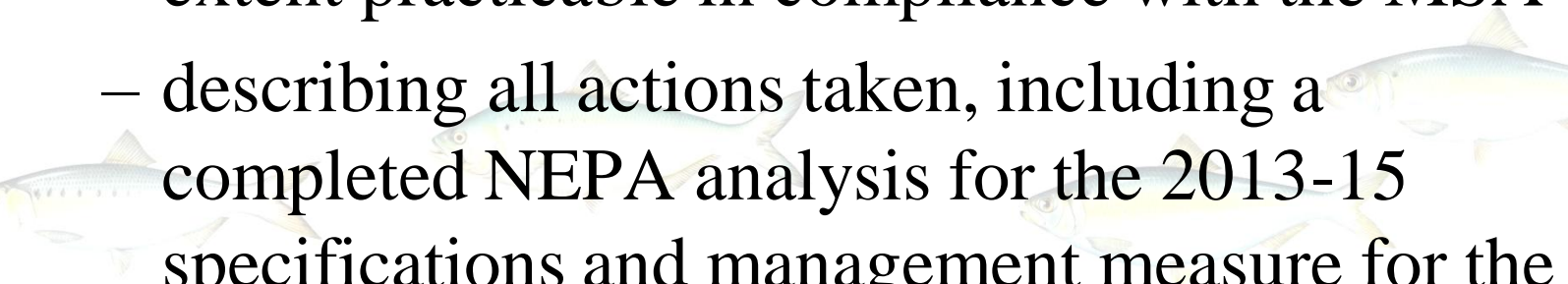


Federal Court Ruling

- One month:
 - NMFS will provide the court an explanation of whether Am4's definition of the fishery complies with the MSA
 - NMFS will send a letter to NEFMC recommending the Council consider SRH as a stock in the fishery, based upon:
 - 2012 RH and 2007 Shad Stock Assessment
 - NMFS's 2011 finding that listing river herring as a threatened may be warranted



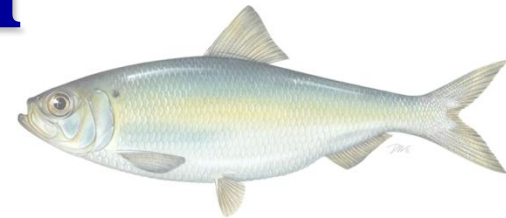
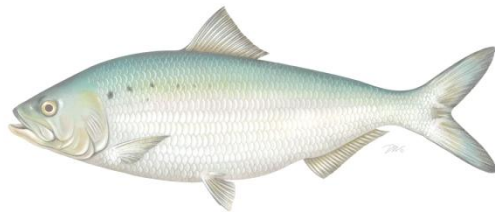
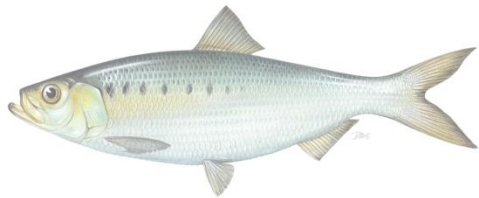
Federal Court Ruling

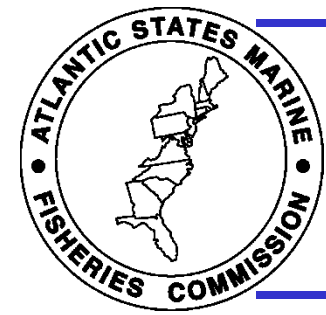
- Six Months:
 - NMFS shall file with the Court a status report describing the progress on the actions ordered
 - One year:
 - NMFS will provide to the court an explanation setting forth its consideration of whether the Atlantic herring FMP minimizes bycatch to the extent practicable in compliance with the MSA
 - describing all actions taken, including a completed NEPA analysis for the 2013-15 specifications and management measure for the
- 
- A decorative illustration of several fish, likely Atlantic herring, swimming horizontally across the bottom of the slide. The fish are rendered in a light, semi-transparent style, appearing to be part of the background.



*Working towards healthy, self-sustaining populations
for all Atlantic coast fish species or successful
restoration well in progress by 2015*

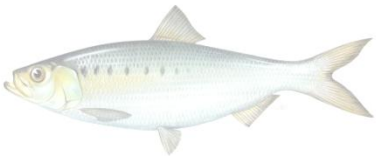
ESA Petition

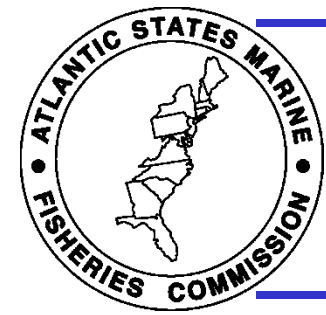




ESA Petition

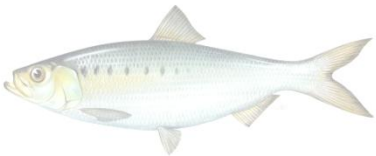
- Initial petition by NRDC – August 1, 2011
- 90 Day Finding – November 1, 2011
- Proposed Rule – Expected August 1, 2012

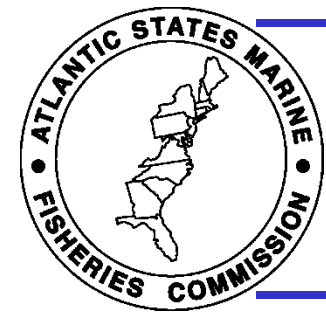




ESA Petition

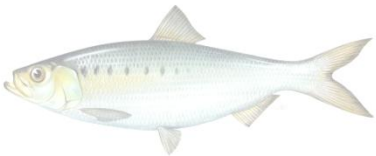
- In conjunction with the 2012 ASMFC Benchmark Stock Assessment for River Herring NMFS conducted three status review workshops
 - Stock structure
 - Extinction Risk
 - Climate Change
- Many TC and SAS members, along with ASMFC staff, were involved in these workshops.

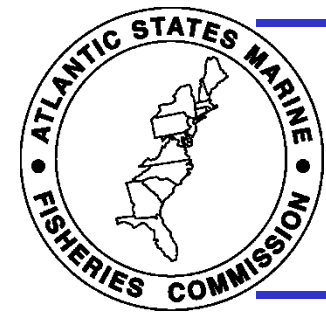




ESA Petition

- Workshop reports still being finalized. Sent to workshop participants for comments. Reports will be peer reviewed.
- The workshop reports, in addition to what data NMFS already has, will inform into the proposed listing determination
- As soon as possible





Five Factors for Listing

- Present or threatened destruction, modification, or curtailment of habitat
- Overutilization for commercial, recreational, scientific, or educational purposes
- Disease or predation
- Inadequacy of existing regulatory mechanisms
- Other natural or manmade factors affecting its continued existence.

