



Atlantic States Marine Fisheries Commission

NEWS RELEASE

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

FOR IMMEDIATE RELEASE
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ASMFC to Declare Maine Out of Compliance if Herring Spawning Closure Rule Fails Passage

Alexandria, VA – The Atlantic States Marine Fisheries Commission announces its intent to notify the Secretaries of Commerce and the Interior of its finding that the State of Maine is out of compliance with the required zero tolerance spawning provision contained in Technical Addendum 1 to Amendment 2 to the Interstate Fishery Management Plan (FMP) for Atlantic Herring. The notification will occur on September 24, 2007 if the State has failed to fully and effectively implement regulations that would bring it back into compliance. The spawning restrictions are necessary to protect the spawning aggregations that are highly susceptible to fishing so as to ensure continued recruitment to the stock. This action is taken pursuant to the provisions of the Atlantic Coastal Fisheries Cooperative Management Act of 1993.

At the Atlantic Herring Section meeting, the State of Maine reported that it has initiated its regulatory process to implement the spawning closure requirement. In the meantime, Maine's herring industry has declared its intention to voluntarily not fish in closed areas until the regulation has been approved. The herring industry has signed a Memorandum of Agreement (MOA) to this effect.

"The Atlantic Herring Section is very encouraged by the signing of a MOA between the Department of Marine Resources and its herring industry, affirming the industry's commitment to adhere to the spawning closure until the State formally promulgates and implements its regulation," stated Section Chair Eric Smith with the Connecticut Department of Environmental Protection. "Because of this, the Section has asked the Commission to give the State of Maine sufficient time to finalize its regulations and come into compliance with the required management measures."

Technical Addendum I, approved in August 2006, prohibited any directed herring fishing in closed spawning areas. Affected states were required to implement the required management measures by January 1, 2007. To date, the State of Maine has not implemented the spawning closure provision of Technical Addendum I. Its regulations allow commercial fishermen to target herring during a closure as long as the catch does not contain any spawn herring. The Maine Department of Resources twice proposed regulations that would have brought Maine into compliance with the spawning closure requirement but were not supported by the Maine Department of Marine Resources Advisory Council. Maine law requires the Advisory Council to approve fisheries regulations before they can be adopted.

Upon notification by the Commission, the Secretary of Commerce has 30 days to review the recommendation and determine appropriate action, which may include a federal moratorium on fishing for the affected species. For more information, please contact Robert Beal, Director, Interstate Fisheries Management Program, at (202) 289-6400.

The Atlantic States Marine Fisheries Commission was formed by the 15 Atlantic coastal states in 1942 for the promotion and protection of coastal fishery resources. The Commission serves as a deliberative body of the Atlantic coastal states, coordinating the conservation and management of nearshore fishery resources, including marine, shell and anadromous species.