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June 9, 2021

Samuel D. Rauch, III,
Deputy Assistant Administrator for Regulatory Programs
National Marine Fisheries Service, NOAA Fisheries
1315 East-West Highway Silver Spring, MD 20910

RE: Comments on the May 26, 2021, Proposed Rule for 2021-2022 Specifications for Atlantic Mackerel, Squid, and Butterfish Fisheries, NOAA-NMFS-2021-0048¹

The Pew Charitable Trusts (Pew) appreciates the opportunity to comment on NOAA Fisheries' proposed 2021-2022 Atlantic mackerel specifications. We urge NOAA Fisheries to reduce U.S. Atlantic mackerel catch for 2021-2022 in response to the species' declining populations² and the recent Fisheries and Oceans Canada (DFO) decision to reduce catch by 50%³.

As prey for a wide array of fish, seabird and marine mammal predators, mackerel are an important component of the forage base that supports the Northeast Shelf Large Marine Ecosystem (NES LME). A broader look at the NES LME forage base reveals other depleted forage species – in fact this very rule is recommending a 72% reduction in butterfish due to lower than expected recruitment. Scientists increasingly agree⁴ that catch levels for forage fish like mackerel should be set to maintain high abundance to ensure that the species' predators have plenty to eat. Healthy mackerel stocks would benefit the Atlantic ecosystems and the coastal communities that depend on them. In 2018, commercial landings of mackerel were valued at \$10.7 million in Canada and \$4.3 million in the United States,^{5,6} and these values do not consider the additional economic and ecological values that mackerel provide as forage.

In 2019 when the current rebuilding plan and specifications were established, we and others pointed out that the fishery has a retrospective pattern. Every time there is a sign of recovery, managers increased catch leading to its current overfished and overfishing designations.⁷ We argued that it was a mistake to increase catch on a stock that had just been declared overfished and subject to overfishing based on projections from the terminal year of a stock assessment and in such a way that required the Mid-Atlantic Fishery Management Council (MAFMC) to adjust its own risk policy⁸.

Unfortunately, those concerns have been realized as the best available science shows stronger conservation is necessary. The 2021 Canadian stock assessment indicates that “the number of spawning-age mackerel are at a historic low”⁹. In response to this latest science and to recover the fishery, DFO is taking a significant step of reducing catch by 50% as compared to 2020. In this decision, The Honourable Bernadette Jordan, Minister of Fisheries, Oceans and the Canadian Coast Guard, stated, “if the spawning biomass does not increase over the next two years, we are likely heading towards a commercial Atlantic mackerel fishery closure”¹⁰.

¹ Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Specifications, National Oceanic and Atmospheric Administration. Federal Register, Docket No. 210517-0107, May 26, 2021, [Link](#)

² Mid-Atlantic Fishery Management Council, Atlantic Mackerel Rebuilding Framework with Specifications (MSB Framework 13), Accessed June 8, 2021, [Link](#)

³ Fisheries and Oceans Canada, Minister Jordan announces Atlantic mackerel quota for 2021, Press Release, May 21, 2021, [Link](#)

⁴ Lenfest Ocean Program, Lenfest Forage Fish Task Force, May 1, 2008, [Link](#)

⁵ Fisheries and Oceans Canada, Minister Jordan announces Atlantic mackerel quota for 2021, Press Release, May 21, 2021, [Link](#)

⁶ NOAA Fisheries, Atlantic mackerel, Species Directory, accessed June 3, 2021, [Link](#)

⁷ “64th Northeast Regional Stock Assessment Workshop (64th Saw) Assessment Summary Report,” (2018), [Link](#)

⁸ Fisheries of the Northeastern United States; Framework Adjustment 13 to the Atlantic Mackerel, Squid, and Butterfish Fishery Management Plan, Docket No. 191022-0069, November 29, 2019, [Link](#)

⁹ Fisheries and Oceans Canada, Minister Jordan announces Atlantic mackerel quota for 2021, Press Release, May 21, 2021, [Link](#)

¹⁰ Ibid.

We strongly recommend that NOAA Fisheries, MAFMC and its Scientific and Statistical Committee, review this new Canadian science now and reduce the 2021 annual catch limit appropriately. Although the comment deadline for this Proposed Rule precedes the 2021 management track assessment peer review later this month, and the next mackerel stock assessment update does not take place until 2022, we recommend that NOAA Fisheries reduce 2021 and 2022 catch, and make additional necessary adjustments to the mackerel rebuilding plan moving forward.

The next few years will be critical for Atlantic mackerel. The Magnuson-Stevens Act calls for rebuilding mackerel as quickly as possible and applying the best available science. We encourage NOAA Fisheries to embrace this opportunity to effectively rebuild one of the most important forage fisheries on the east coast, taking into consideration the shared nature of the mackerel stock and the recent actions taken by DFO, and finalize U.S. catch limits for 2021-2022 that will have a high likelihood of success. Reducing U.S. catch now would be a wise investment in the longevity of the fishery to the benefit of fisheries, communities, predators and our shared ecosystem.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Gordon', with a stylized flourish at the end.

Joseph Gordon
Project Director, Conserving Marine Life in the United States
The Pew Charitable Trusts