



Atlantic States Marine Fisheries Commission

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MEMORANDUM

July 3, 2020

TO: Atlantic Herring Management Board
FROM: Atlantic Herring Technical Committee
RE: Review of Isles of Shoals Ocean Dredge Disposal Site

Attendees: Renee Zobel (NHFG; Chair), Micah Dean (MADMF), Deirdre Boelke (NEFMC), Carrie Nordeen (GARFO), Jon Deroba (NEFSC), Matt Cieri (MEDMR)

Staff: Kirby Rootes-Murdy

This memorandum serves as a summary of the Atlantic Herring Technical Committee (TC) call on March 12, 2020. The following outlines the TCs discussion and recommendations.

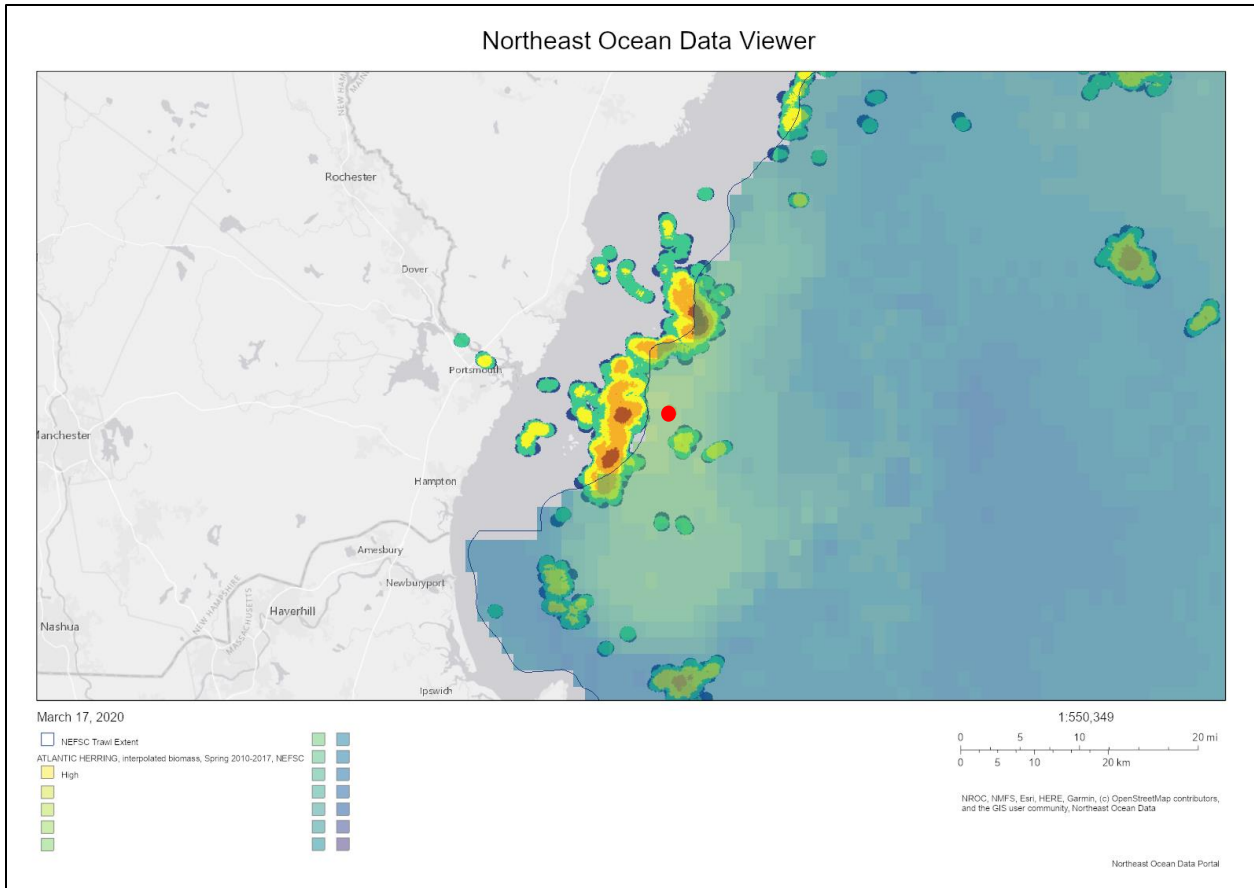
Background

In October 2019, the Board requested the TC review the Environmental Protection Agency (EPA) designation of an ocean dredge material disposal site located near Isles of Shoals off the coast of New Hampshire. The Board requested the TC review the designated disposal site and its potential impact on Atlantic herring spawning based on concerns raised by AP Chair. The public comment period for the proposed rule on the designated site closed on October 18.

Based on the [Environmental Impact Statement](#) (EA), the Isles of Shoals site would be for the disposal of dredged material 'determined to be suitable for ocean disposal to support the operation and maintenance of several federal authorized navigation projects in southern Maine, New Hampshire, and northern Massachusetts' (pg 1). The proposed disposal site would be inside of the Massachusetts/New Hampshire spawning closure area.

Call Summary

- The TC examined maps provided through the Northeast Ocean Data Portal which included the following layers for herring presence (figure below; site in red):
 - Isles of Shoals Ocean Dredge Disposal Site
 - Herring commercial catches 2015-2016
 - NEFSC trawl survey abundance indices for herring
- The TC discussed the documented timing of when dredged materials would be disposed and timing of herring spawning. There is no set time or restrictions on time of year discussed in the EA documentation, and this question has not been posed to the TC in the past as part of the Army Corps permitting process.



- States were involved in the review and permitting process, but members of the Atlantic Herring TC were not active participants in any state process and do not have detailed knowledge of the review.
- The TC has information on the location of pre-spawning fish through spawning sampling, but this information is reliant on historical data for known spawning locations. While the disposal site falls within the MA/NH spawning area and is in an area where herring are present, the known historic spawning location in closest proximity to the disposal site is Jeffrey’s Ledge.

TC consensus statements:

- This disposal area has already been approved, therefore options for action are limited.
- Without information on disposal timing or analysis of the other disposal site options considered prior to approval, the TC cannot provide any recommendations on the specific site itself.

Recommendation

In light of the status of Atlantic herring and measures currently being evaluated to protect spawning and egg beds, the TC recommends that in the future, Board members direct state staff involved in the review process of potential dredge projects to take timing of disposal into consideration to avoid the typical spawning window in Spawning Closure Areas when providing comments during the federal consultation process. The TC also notes there is an extensive list of species present at the disposal location throughout the year and that federal agencies needing to weigh protection requirements of these species may take priority for determining timing of disposal activities.