

**Atlantic Herring Fisheries Disaster Relief  
New Hampshire Spend Plan**



**Submitted by**

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**1. Applicant Name:**

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**2. Introduction:**

The Atlantic herring is a valuable forage fish, which continues to be the preferred and primary bait for the lobster fishing industry, the most important commercial fishery in New Hampshire. The 2018 stock assessment indicated the Atlantic herring stock was experiencing record low recruitment from 2013 through 2017 and has continued to decline. This has necessitated drastic reductions in the quota available to the Atlantic herring fishery. These factors have resulted in a decline in New Hampshire Atlantic herring landings of greater than 90% in 2019 compared to the previous five-year average (2014-2018). New Hampshire's fisheries are an integral part of our economy and the declining Atlantic herring stock and lower quotas created a serious economic hardship for New Hampshire's commercial fishing community. Due to this Atlantic herring resource disaster the State of New Hampshire formally requested a commercial fishery failure in the Atlantic herring fishery under Section 312(a) of the Magnuson-Stevens Fishery Conservation and Management Act.

In November 2021, U.S. Secretary of Commerce Gina M. Raimondo announced her determination, at the request of several Northeastern states that a fishery disaster occurred for the 2019 Atlantic herring fishery. To reach a determination, the U.S. Secretary of Commerce works with NOAA Fisheries to evaluate the fishery disaster requests based primarily on data submitted by the requesting states. Fishery disasters must meet specific requirements under the Magnuson-Stevens Fishery Conservation and Management Act and/or the Interjurisdictional Fisheries Act, such as causing economic impacts to a commercial fishery and declines in fishery access or available catch resulting from specific allowable causes.

**3. Objective:**

The objective is to equitably distribute the New Hampshire allocated Atlantic herring disaster funds of \$597,244 to those harvesters that were affected by the Atlantic herring fishery disaster with a landing history of Atlantic herring in New Hampshire between 2014 and 2018 time period.

**4. Approach:**

*A) General Approach:*

The NH Fish and Game's (NHFG) Marine Division has collaborated with the States of Rhode Island, Massachusetts, and Maine to establish some common eligibility criteria (see below).

In New Hampshire (NH), the funds will be proportionally distributed to 2022 commercial saltwater licensees with a history of Atlantic herring landings during the 2014-2018 calendar years. The funds

will be distributed proportionally based on landings through mandatory reports submitted to New Hampshire Fish and Game Department (NHFG) or NOAA Fisheries.

Once the Spend Plan is approved, NHFG will prequalify licensees based on the below criteria, notify the individuals of their qualified amount with an application, provide an appeal process, then distribute the funds to qualified individuals that applied.

*B) Direct Payment General Qualifying Criteria:*

All identified recipients, must meet the following minimum criteria:

**General:**

- Must be 18 years or older upon date of application.
- Vessel owners that experienced the herring disaster 5-year period but do not hold a state or federal license in 2022 will be ineligible.
- The applicant:
  - Must have a 2022 NH Commercial Saltwater or Wholesale Marine Species license, and/or
  - Must have a valid FY 2022 NOAA permit.
- Held the appropriate NH Commercial Saltwater or Wholesale Marine Species license and landed Atlantic herring within the five-year period of 2014 and 2018 provided by official mandatory landings reports required by NH.
- Complete an application to receive funds by the timeline's deadline.

**State or Federal Violations:**

An applicant must:

- Not had any state or federal reporting deficiencies or inaccuracies during landing years between 2014 and 2018;
- Not had any conviction for commercial fisheries violations during landing years between 2014 and 2018 from any state or federal agencies; and/or
- If pending litigation for violations, funds will be placed in escrow until disposition of any court case that will define qualification of access to funding.

**Eligibility:**

- Applicant's 5-year period total landings must be greater than or equal to 1,000 pounds of landed Atlantic herring.
- Must have relief payment that exceeds \$200.
- If vessel/federal permit ownership changed during the 5-year time period (2014-2018), the most recent owner would be the eligible recipient, if meet all eligibility criteria.
- If the owner who experienced the disaster during the 5-year time period no longer owns the federal herring permit after the time period, but still has a commercial fishing license, the original owner who experienced the disaster would be the eligible recipient.

***Direct Payment distribution:***

- 1) Application process:

- Announce NH’s Atlantic Herring Spend Plan, qualifying period, and qualification criteria to the fishing industry through public media and NHFG website.
- Notify all pre-qualifiers of their eligibility based on the criteria guidelines.
- NHFG will provide all participants with an affidavit and application form, to be completed and submitted to NHFG to qualify for funds.
  - Applications will be available for download from NHFG’s website, email, or at NHFG’s Region 3 Office in Durham, NH.
  - Applications must be submitted as a hard copy with original signatures at NHFG’s Region 3 Office in Durham, NH, by the application deadline.
- NHFG will publish a firm, 15-day application period. Applications received after the published due date will not be reviewed or considered.

2) Verification of applications:

- NHFG will review all applications within two weeks of receipt:
  - To assure a complete application.
  - To assure the applicant meets the minimum thresholds and qualifications to receive funds.

3) Direct payment appeal process:

If an applicant does not meet the qualifications or does not agree with NHFG’s final determination for funds, NHFG will allow an appeal to be addressed within two weeks after close of the application process. The applicant must submit a letter detailing the rationale for an appeal consideration based on the original submitted application and supply documentation supporting the rationale. An Advisory Work Group will assist NHFG in reviewing appeals. The applicant will be notified of the appeal decision. Appeals will not be accepted for applications received after the published application due date.

4) Distribution of Direct Payment Funds:

Each successfully qualified applicant will be assigned a direct payment as described in this Spend Plan. NHFG, after completing the appeals review process, will provide ASMFC; a spreadsheet of qualified applicants, addresses, pertinent individual tax information, amount to be directly paid, and copies of applications and affidavits, etc.

**5. Expected Benefits:**

Provide funds for Atlantic herring fishery relief to qualified licensees landing Atlantic herring in NH during the 5-year qualification time period (2014-2018).

**6. Milestone Schedule:**

Tasks	Sep	Oct	Nov	Dec
Spend Plan Development	X	X		
Data processing	X	X	X	
Direct Payment Applications/Qualifying Process		X	X	

Appeals Process			X	X
Distribution of Funds			X	X

**7. Geographic Location:**

New Hampshire

**8. Cost Summary (Budget):**

Project Budget Summary:

1. NHFG will allocate the \$597,244 of NH's funding allocation among the qualified individuals or businesses.
2. NHFG will work with ASMFC to distribute the funds to NH's qualified licensees in the Atlantic herring fishery affected by the fishery disaster in direct payments.

Budget Table:

NH Atlantic Herring Disaster Relief Allocation	\$597,244
NH Administration (1%)	\$5,972
Direct payment to qualified NH Commercial Saltwater or Wholesale Marine Species licensees	\$591,272
<b>Total</b>	<b>\$597,244</b>