



April 12, 2022

Emilie Franke
Fishery Management Plan Coordinator
Atlantic States Marine Fisheries Commission
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Dear Ms. Franke,

On behalf of America's 7.5 million striped bass anglers and the sportfishing industry, we appreciate the opportunity to provide comments to the Atlantic States Marine Fisheries Commission (ASMFC) regarding Draft Amendment 7 to the Atlantic Striped Bass Interstate Fishery Management Plan.

Recreational anglers and the sportfishing industry recognize that a healthy striped bass population and fishery is critical to the east coast outdoor recreational economy and is a significant driver of angler engagement and participation along the Atlantic coast. While the population is significantly healthier than it was when the moratorium was enacted in the 1980s, recent declining trends in the population and its fishery continue to be a cause for concern. However, the sportfishing community stands by the cooperative process of the ASMFC and believes that the states and its stakeholders can rebuild the striped bass fishery together again.

To help assist ASMFC in taking final action on Amendment 7 for Atlantic striped bass that is responsible to the resource and its fisheries, we submit the following comments for Board review.

Section 4.1 Management Triggers (pg. 44)

Tier 1: Fishing Mortality Management Triggers (pg. 46)

Option A: Timeline to Reduce F to the Target – this is the amount of time allowed for management to respond after a fishing mortality trigger is tripped.

Recommendation and Justification:

- We support Sub-option A1 (status quo) 1 year.
- Management action can be accomplished in one year through ASMFC's addendum process while providing the opportunity for public input on potential management changes.

Option B: F Threshold Trigger – identifies an overfishing determination and management response.

Recommendation and Justification:

- We support Sub-option B1 (status quo) If F exceeds the threshold in a single year, action must occur to reduce F to the target within timeframe selected under sub-option A (supported A1 above).
- We support managing to F target so if the threshold is reached management response should be immediate to reduce F to the target.

Option C: F Target Triggers – this is a trigger to maintain F at or below the target level.

Recommendation and Justification:

- We support Sub-option C1 (status quo) if F exceeds the F target for two consecutive years and female SSB falls below the SSB target in either of those years, must reduce F to a level that is at or below the target within the timeframe selected under sub-option A (supported A1 above).
- Again, we support managing to F target and including an evaluation of SSB as part of the F target trigger to address both the F and SSB target triggers.

Tier 2: Female Spawning Stock Biomass Management Triggers (pg. 47)

Option A: Deadline to Implement a Rebuilding Plan – this is the amount of time to establish a rebuilding plan.

Recommendation and Justification:

- We support Sub-option A2: Two-Year Deadline to implement a rebuilding plan when SSB trigger trips.
- Controlling F is the rebuilding plan. Establishing a two-year deadline will clarify that fact and relate it to a specific timeline.

Option B: SSB Threshold Trigger – identifies an overfished determination and management response.

Recommendation and Justification:

- We support Sub-option B1 (status quo) Rebuild when SSB in a single year falls below the threshold.
- We support managing to SSB target so if the threshold is reached management response to begin rebuilding should be immediate. Again, management response is to control F.

Option C: SSB Target Triggers – this trigger determines when action is required based on the SSB target level.

Recommendation and Justification:

- We support Sub-option C3. No management trigger related to SSB target.
- Using the F target trigger, managers will be taking precautionary action to achieve SSB target consistent with objective 1 of the FMP (pg. 29). Controlling F is the only mechanism within the ASMFC toolbox to increase SSB if fishing mortality is driving the population.
- The reference points are linked, meaning maintaining F target achieves SSB target over time. If F target is maintained and SSB continues to decline below its target, then that is likely a recruitment issue which is addressed with the recruitment trigger (next topic, tier 3 recruitment trigger).
- If SSB is declining because F target is being exceeded, then the F target trigger will address that because it has an SSB target component (see F target trigger in tier 1 above).

Tier 3: Recruitment Triggers (pg. 48)

Option A: Recruitment Trigger Definition – this trigger is designed to identify extended periods of low recruitment.

Recommendation and Justification:

- We support Sub-option A2: Moderate Sensitivity Recruitment Trigger.
- Looking at [table 2 on page 50](#), it's clear there were extended periods of below average recruitment (e.g., 2005-2009) that would be better identified with Sub-option A2.

Option B: Management Response to Recruitment Trigger

Recommendation and Justification:

- We support a variation of Sub-option B2. The Board implements an interim F target calculated using the low recruitment assumption, and then during the next stock assessment, it evaluates F against the new interim F target and simultaneously evaluates all the other management triggers to determine if action is needed.
- This avoids logistical challenges of responding to the recruitment trigger between stock assessments and aligns management response with all the other management triggers.
- This approach also eliminates the potential for annual changes to management measures if the recruitment trigger were to trip between assessments which aligns with objective 6 of the FMP.

Tier 4: Deferred Management Action (pg. 53)

We view this section as the opportunity to take a step back and think holistically about how all these management triggers work together to provide a logical management program for striped bass that's consistent with the goal and objectives of the FMP.

Recommendation and Justification:

- We support Option A. No deferred management action. Management response follows stock assessments.
- Aligning management response to the recruitment trigger with all the other management triggers commits the Board to take action when needed based on results of stock assessments.
- The management triggers we support are precautionary, and we must balance that with allowing the most recent management changes the opportunity to have a positive impact on the stock.
- Therefore, stock assessments following a management change should be scheduled to enable evaluation of two fishing years under the new management measures, providing an opportunity for the population to react to the corrective management action while creating management stability for two years.

Section 4.2.2 Measures to Address Recreational Release Mortality (pg. 56) – The popularity of catch and release fishing for striped bass, combined with strict size and bag regulations, creates a very high proportion of fish being released. [Table 12, pg. 129](#) shows that release mortality now accounts for the highest percent of total removals since 2017. Currently, the only measure to address release mortality is a requirement to use circle hooks when recreationally fishing for striped bass with bait. To further address release mortality, Amendment 7 considers seasonal closures, gear restrictions, and outreach and education.

Option B (pg. 59): Seasonal Closures – the intent of these closures is to reduce the number of fishing trips for striped bass.

Recommendation and Justification:

- We support Sub-options B2 Spawning Area Closures.
- We support thoughtful closures to protect spawning fish but urge the Board to be mindful of the economic benefits of spring fisheries. When closures occur, they need to apply to both sectors to maximize benefits.
- If no-targeting closures are used, they need to be measurable and justified, and given difficulties with enforceability, states need to educate anglers about the purpose and intent of the no-targeting closure.

Option C (pg. 64): Additional Gear Restrictions – besides the use of circle hooks, this option considers allowing only nonlethal devices to remove striped bass from the water and clarifies that if you accidentally catch a striped bass while fishing with a baited J-hook (targeting fluke for example), the striped bass must be released.

Recommendation and Justification:

- We support Sub-options C1 and C2. Approximately 90% of striped bass are released which supports the use of nonlethal devices to remove them from the water, but we are concerned that sub-option C1 is vague, and similar vagueness on circle hooks created significant implementation challenges in Addendum VI.

Option D (pg. 64): Outreach and Education – ASMFC should focus on education and outreach to address release mortality because this issue is difficult to control through regulation as discussed.

Recommendation and Justification:

- We support Sub-option D1. States are required to promote best striped bass handling and release practices by developing campaigns.
- We previously worked with industry partners to develop education and outreach materials on best handling practices and made those materials available to all the states and across our recreational fishing community. Under this requirement, states should work with industry to continue these education and outreach campaigns.

Section 4.4 Rebuilding Plan (pg. 67) – To address the overfished status, the Board must adjust striped bass management to rebuild SSB to the target level no later than 2029.

Section 4.4.1 Recruitment Assumption for Rebuilding Calculation (pg. 67) – Technical analysis of the recruitment data indicates 2007-2020 is a low recruitment period. However, average recruitment instead of low recruitment is currently being used for rebuilding projections. Therefore, this section considers using a low recruitment assumption as part of the rebuilding plan.

Recommendation and Justification:

- We support Option B: Use a low recruitment assumption for the 2022 stock assessment.
- Long term stock projections are uncertain but using a low recruitment assumption for the 2022 assessment will assist rebuilding because F is expected to be lower under a low recruitment assumption.

Section 4.4.2 Rebuilding Plan Framework (pg. 68) – This section simply considers whether to enable ASMFC to respond quickly to results of the 2022 stock assessment, expected in October 2022. Under status quo, an addendum process would be used to consider changes to management measures if the results of the 2022 assessment warrant management response. However, with an addendum, management change wouldn't occur until the 2024 fishing season. Option B enables the Board to act immediately for the 2023 fishing year if the results of the 2022 assessment warrant management response for rebuilding.

Recommendation and Justification:

- We support Option B: Enable ASMFC to respond quickly through Board action if the 2022 stock assessment indicates at least a 5% reduction in removals is needed to achieve F rebuild.

Section 4.6.2 Management Program Equivalency (pg. 74) – also called conservation equivalency (CE), it allows states flexibility to implement management measures that better fit the needs of their fishery while achieving the same quantified level of conservation. However, the current use of CE for striped

bass is not working, likely because of the dynamics between harvest and catch and release fishing combined with uncertainty in the MRIP data.

Recommendation and Justification:

- We support Sub-options B1-a and B1-c (pg. 76): Conservation equivalency would not be allowed when the stock is overfished and/or experiencing overfishing.
- We support Sub-option C3 (pg. 78): Conservation equivalency proposal would not be able to use MRIP estimates with PSE's exceeding 30 percent.
 - NMFS warns data with PSEs exceeding 30 percent "are not considered sufficiently reliable for most purposes and should be treated with caution"¹.
- We support Sub-option D1 (pg. 78): 10% uncertainty buffer for conservation equivalency (CE) proposals.
 - We support the idea of an uncertainty buffer for striped bass CE proposals considering the unique dynamics of this fishery (e.g., 90% of fish caught are released).
 - However, rather than an arbitrary uncertainty buffer, we prefer an analysis that links a buffer percentage to precision issues of MRIP or poor performance of previous CE proposals.
- Option E. Definition of Equivalency for CE Proposals with Non-Quota Managed Fisheries (pg. 79).
 - We are supportive of constraints on CE, but this option oversimplifies how the fishery dynamics across the management unit impact the use of CE.
 - We recommend referring this to the subgroup of ASMFC's management and science committee working on revisions to the broader CE policy to further consider its implications and provide analysis of the performance of CE programs relative to coastwide measures to help better inform this discussion.

Thank you for the opportunity to comment.

Sincerely,

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Center for Sportfishing Policy

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¹ <https://www.fisheries.noaa.gov/recreational-fishing-data/recreational-fishing-survey-and-data-standards>