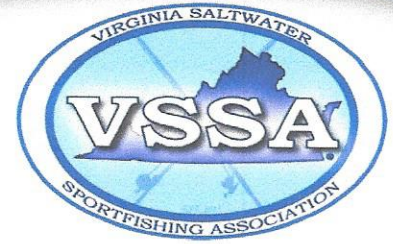


Virginia Saltwater Sportfishing Association, Inc (VSSA)

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President

March 31, 2021

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Atlantic States Marine Fisheries Commission
1050 North Highland Street, Suite 200A-N
Arlington, Virginia 22201

Mike Avery
Treasurer

Mike Avery
Secretary

Re: Striped Bass PID

Dear Ms. Franke and members of the ASMFC Atlantic Striped Bass Management Board,

On behalf of the entire Virginia Saltwater Sportfishing Assn. (VSSA) membership, thank you for the opportunity to comment on Amendment 7 for the Striped Bass Fishery Management Plan. The issues raised and information presented in this PID are large and more complex than the average person can comprehend. In an attempt to simplify, VSSA maintains there are only two questions. first, what do we want the fishery to be, and second how will we get there. Issues 1. (Goals & Objectives), 2. (Biological Reference Points), 3. (Management Triggers) all relate to what we want the fishery to be. All of the remaining issues outlined in the PID, deal with how to get there.

Recreational and Commercial fisherman alike want the fishery to return to what we had in the early 2000's with an abundantly large population consisting of a diverse age distribution. The only way to get there is to reduce mortality, that is to kill less fish, and the only way to do that is by a reduction in the size, seasons, and/or harvest (bag) limits.

In the following, VSSA will comment on each issue individually. Our comments will return to the themes, "we want a large healthy diverse population:" and we need to "kill fewer fish" (reduce mortality)." The previous Striped Bass recovery provides a much-needed success story for a recovered fishery. Striped Bass recovered once before, and it can recover again, if we take the necessary, bold, and unpopular actions now. Mortality must be reduced sooner rather than later.

Issue 1. The current goal and objectives of the Atlantic Striped Bass FMP: VSSA believes the Goal and objectives set forth in Amendment 6 still apply and should remain for Amendment 7.

The results of the 2018 benchmark are clear, the Atlantic striped bass stock is overfished and overfishing is occurring. Female SSB is below the threshold and has been since 2013. Female SSB peaked in the years 2003-2010. Unfortunately, it has been declining since then. Fishing Mortality has been increasing since 1987 and skyrocketed in 1995. Mortality has remained consistently

above the target since then. There is no science to justify any changes to the Goal or any objectives of the current plan.

Board of Directors

Curtis Tomlin,
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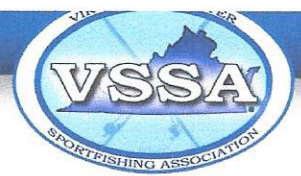
David Tobey

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John Powers



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The stock needs to be rebuilt and Mortality has to be reduced. There is no science or data to support, warrant, or justify changing the goal or any of the objectives contained in Amendment 6. The existing goal and objectives should be retained.

Issue 2. Biological reference points (BRPs): Recreational and Commercial fisherman alike want an abundant fishery. That means healthy population with a well stratified stock of age and size fish throughout the population. The 1995 estimate of Spawning Stock Biomass (SSB) is still valid. SSB was above the threshold for several years beginning in 2003. Some will argue we have never reached the target SSB. Just because we haven't reached it doesn't mean we can't. There is no science to support or justify changing any of the reference points. Any changes to the BRP's for Striped Bass may adversely impact and/or jeopardize the recent work and historic actions on Ecological Reference Points (ERP's) for Atlantic Menhaden.]

As additional information page 7 of the PID contains a statement that reads: *"the current reference points may be unattainable given the current objectives for fishery performance."* There is no evidence or science to support this statement. The BRP's were developed at a time the stock was healthy and we need to return the stock to those levels. VSSA strongly believes not reaching the reference points would be the absolute wrong reason to change reference points. The Striped Bass reference points should remain where they are until the total population stabilizes over an extended period of time.

Issue 3. Management Triggers: The Atlantic States Marine Fisheries Committee's Atlantic Striped Bass Management Board number 1 priority should be to maintaining the long-term health and sustainability of the striped bass fishery. The decline in the Spawning Stock Biomass has to be stopped and fishing mortality reduced. Continued Overfishing will never return the stock to healthy levels.

The triggers in the current plan address three different issues: Spawning Stock Biomass, fishing mortality, and the recruitment. VSSA believes fishing mortality is the most important of the three, because fishing mortality is directly related to maintaining the spawning stock biomass at acceptable levels. In reality, the Board has minimal control over recruitment, but we believe that measures such as restricting commercial harvest in critical nurseries such as the Chesapeake Bay region during the peak spawning period of Feb/March could aid recruitment. Fishing mortality is the only one of the three issues the Board can easily control. The Atlantic Striped Bass Management Board should have never allowed "overfishing" to occur. VSSA believes Triggers 1 through 4 should remain as is and Trigger 5 - juvenile abundance index (JAI) should be modified to reflect a rolling 3-year average vs. 3 consecutive years and requiring action.

Issue 4 Stock Rebuilding and Time Frame: The trigger on overfishing was breached in 2014 with no action on rebuilding the stock. Delaying action may satisfy the boards desire for "Management Stability" but it does nothing to rebuild the stock or reduce mortality. Management Stability does nothing to



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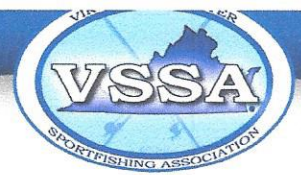
rebuild the stock and should be set aside to the immediate response required for the “overfishing trigger”. The board needs to act sooner and put corrective measures in place more rapidly (i.e., take effect in the next year). Rather than the 10-year plan outlined in Amendment 6 that has been ignored, VSSA wants to see a 5–7-year rebuilding plan.

Issue 5 Regional Management: VSSA believes, the regional management should be maintained for the Chesapeake Bay and Ocean Regions, but VSSA also believes there is a major equity issue relative to harvest and Fishing Mortality among the states. **Maryland alone is responsible for an average of 41.86% of the total east coast recreational harvest**, dwarfing Virginia’s 3.41% (Source: pg. 15, Addendum VI to Amen 6 for Atl. Str. Bass. ISMFP Oct 30, 2019 using the 2016-2019 3 yr. avg.). **Maryland alone is also responsible for more recreational dead releases than any other state averaging 32.74%** of the entire east coast (Source: pg.28, 2016 Atlantic Striped Bass Stock Assessment Update – Technical Committee Memo to Atlantic Striped Bass Management Board, using 2013-2015 3 yr. average). This cannot continue and needs to be addressed.

Given Maryland, Virginia, and the Potomac River Fisheries Commission all manage some portion of the Chesapeake Bay region, and that one can traverse from one jurisdiction to another in minutes, VSSA believes there is a need for more similarity in the jurisdictional regulations pertaining to size, season, and bag limits for Striped Bass. Virginia has taken the lead in conservative actions and the other jurisdiction’s need to follow. Stock-specific reference points have already been identified as a research priority, and tools have been identified that may be used to pursue potential alternate approaches in regional management.

Issue 6 Conservation Equivalency (CE): Conservation Equivalency (CE) has turned into a free for all, and just another way for a state to get more fish. There are 15 states. yet in the last addendum, there were over thirty-five (35) CE proposals. VSSA strongly recommends the existing guidelines be modified to restrict the number of CE proposals to a maximum of one per state and no CE allowed when the fishery is overfished or overfishing is occurring. Additionally, any approved CE measure must have a method to quantify results. Actual results that do not deliver the projected results should require immediate corrective action in the following year. Those corrective measures may result in further reductions to size, seasons, or bag limits. The Marine Recreational Information Program (MRIP) data is so imprecise, that under no circumstances should MRIP data be used to evaluate Conservation Equivalency.

Issue 7. Recreational releases...and released alive: VSSA agrees release mortality is far too high with recent numbers exceeding 2 Million fish annually. We agree that circle hooks should be required when bait fishing and may help reduce this number, but further action is necessary. Since we know release mortality is much higher in warm summer months, VSSA believe fishing should be more heavily restricted during these times. We are aware that the charter business could be particularly impacted by such



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restrictions, especially in the mid-Atlantic where water temperatures can become very high. The Board should develop a plan to reduce this type of fishing by at least half, perhaps only allowing fishing on odd or even days during periods of peak warm weather/water. While limiting throw backs to a certain number per day would help, we don't believe this is an enforceable practice. **Starting in 2011, Maryland has had more dead discards than any other state.** Maryland's dead releases have grown larger in each subsequent year. In the three-year average of the years 2013 -2015 **Maryland's dead discards were six and one half (6 ½) times the number in Virginia.** (Source: pg.28, 2016 Atlantic Striped Bass Stock Assessment Update – Technical Committee Memo to Atlantic Striped Bass Management Board). **This is unacceptable in light of the current overfished status and should not be allowed to continue.**

Issue 8. Recreational Accountability: VSSA is cognizant the commercial sector, with hard quotas, is far more accountable for its share of striped bass fishing mortality than the recreational sector. VSSA believes improving recreational accountability is critical to ensure the long-term vitality of the striped bass fishery. The current recreational data collection efforts such as the Marine Recreational Information Program (MRIP) are still imprecise and not suitable for in-season monitoring. While a Recreational Harvest Limit (RHL) would in theory be an ideal way to promote such accountability, we are aware of the challenges inherent in this system as well. The Mid-Atlantic Fishery Management Council is currently addressing this issue through its Recreational Reform Initiative, in partnership with ASMFC. The issue of recreational accountability is a complex challenge that applies not only to striped bass but also to all recreational species under the jurisdiction of the ASMFC. We at VSSA applaud ASMFC's participation in this reform initiative and pledge to keep informed on it, participating whenever possible in its deliberations.

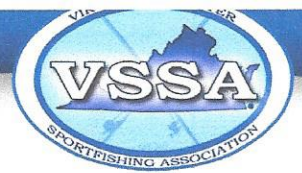
Recreational Accountability is extremely difficult and so complex, VSSA recommends delaying action to a subsequent addendum.

Issue 9. Coastal Commercial Quota Allocation

VSSA agrees continuing to use 1972 – 1979 landings as a baseline for commercial harvest is no longer appropriate. Beyond that, VSSA believes Striped Bass Management Board and Technical Committee have more work to do than can be effectively and appropriately be handled in Amendment 7. Accordingly, we recommend postponing action on the Commercial Quota Allocation to a subsequent addendum.

Issue 10. Other Issues

VSSA believes additional research is needed on migratory patterns and proportion of male and female fish in the total population. Such research may include a Chesapeake Bay-wide tagging study to shed additional light on migratory patterns and proportions of male and female fish. It appears that only large fish are migratory and therefore the bay stock may need more restrictive management measures than have been employed to date.



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VSSA believes the industrial harvest of Menhaden in the Virginia Chesapeake Bay is detrimental to the Chesapeake Bay striped bass population. Studies have shown the striped bass diet in the bay consists of up to 40% menhaden. We also know that with the exception of 2019, Industrial Bay menhaden fishery has not reached their bay harvest quota in many years. This alone suggests localized depletion of this critical forage fish. Furthermore, the ecological modeling work of Dr. Andre Buchheister, and the recent adoption of ERP's by ASMFC clearly indicates the importance of Menhaden to striped bass. We strongly believe that conservation is imperative and the menhaden "bay cap" should be reduced by 10% consistent with the recent menhaden TAC reduction. Furthermore, research is needed to better understand Menhaden dynamics in the bay and whether further reduction of the menhaden "bay cap", or a total moratorium, is necessary to support our ailing striped bass in the Chesapeake Bay. We should note that the economic impact of striped bass, estimated at over \$100 million per year in Virginia alone (down from \$200 million in 2010), far exceeds the economic impact of industrial netting of Menhaden in the bay. With current regulations, the industrial harvest of menhaden in the bay is approximately 30% of the total allowable catch along the entire Atlantic coast. This is too high.

Finally, recruitment in the Chesapeake Bay has been poor to just average for many recent years. VSSA believes the practice of commercial netting of striped bass in the Chesapeake Bay during the peak spawning season of February and March must stop. This practice reduces the spawn and likely results in killing thousands of fish that otherwise would have helped with recruitment. While many of the larger fish are not actually caught in a gill net, the heavy presence of nets is likely to disturb the spawn and reduce recruitment. Given the overfished status of striped bass this practice must stop. Commercial netting should only occur after the critical spawning period.

To summarize, VSSA believes the current goal and objectives as outlined in Amendment 6 as well as current Management Triggers remain applicable today and should not be changed. What must change is Mortality must be reduced, the use of Conservation Equivalency modified, and the Striped Bass Management Board needs to react more quickly when triggers are achieved. We believe the issues of Regional Management, Recreational Releases, Recreational Accountability, and Commercial Quota Allocation would be more appropriately and effectively handled in subsequent actions or addendums.

This iconic fishery recovered once and it can recover again. Thank you for considering our comments.

Respectively,

A handwritten signature in blue ink that reads "John Bello".

Chairman – Government Affairs

CC: Steven G. Bowman, Commissioner
Senator Monty Mason
Mr. J. Bryan Plumlee
Matt Strickler, Secretary of Natural Resources