

December 19, 2023

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Re: Striped Bass Draft Addendum II

Dear commissioners and commission staff,

Thank you for accepting my comments on the latest proposed changes to the Interstate Fishery Management Plan for Atlantic Striped Bass. I will summarize immediately below my preference (in bold) for each of the enumerated choices available in the draft document for public comment, followed by rationale for the same. As a precursor, choosing these options is the least that can and should be done to protect this resource given the options presented, and likely falls short of the stated goal:

3.1.1 Ocean Recreational Fishery Options **Option B**

3.1.2 Chesapeake Bay Recreational Fishery Options **Option B1**

3.1.3 For-Hire Management Clarification (if For-Hire Mode-Specific Limits are selected instead of 3.1.1 Option B or 3.1.2 Option B instead) **Option B**

3.1.4 Recreational Filleting Allowance Requirements **Option B**

3.2.1 Commercial Quota Reduction Options **Option B**

3.3 Response to Stock Assessment Updates **Option B**

So it's options B all around for this guide, angler and owner of two small businesses that depend largely - if not entirely - on a healthy striped bass population. Options A et al represent either a status quo that has failed to meet the moment in rebuilding this crucial resource or appear catered to pressure from interests vested only in killing more fish now rather than ensuring, or at the least aspiring to, a better collective future.

3.1.1 Ocean Recreational Fishery Options: By way of background and full disclosure my charters are made up primarily of fly fishers and I currently practice catch-and-release fishing only for striped bass. This is not a moral stance on the killing of fish, as that would be a position ignorant of both catch-and-release mortality and the truth of what fishing is from the perspective of the fish. As I consume fish and other meat, including stripers caught commercially, I wouldn't fool anyone, including myself, if I claimed any high ground here. In fact, as much as I revere the species and each individual fish I encounter, my decision to insist on catch-and-release is based as much on concern for the future of my businesses. We know based on data collected for both tracking young-of-the-year and juvenile recruitment, the near term future of a healthy, stratified striped bass population is in peril. The phenomenal recent success fishing for 2015 class fish has been a reminder for anyone paying attention

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of what we will lose if we don't take significant steps to reduce overall harvest, including both better catch-and-release practices and the implementation of further limits on fish harvested intentionally. Any of the other options in this section would either ignore the importance of giving the robust 2015 year class fish another opportunity to spawn or simply act to mollify the for-hire sector in which I participate, without significant benefit to its future success. I know I can't speak for all of my brethren in this regard but I personally prefer a healthy fishery in the long term rather than any potential short term gain through special treatment. Additionally, enforcement of disparate slots would be presumptively problematic, as has been highlighted during similar discussions among the board's various committees and members. To quote the Oct. 9, 2023 memorandum from the Plan Development Team: "*Simple, straightforward regulations are easier for the regulated community to understand and remember which is critical for voluntary compliance. They are also more enforceable because violations of simple regulations are easier to detect and to prove.*" The most simple, straightforward regulation in this case is Option B.

3.1.2 Chesapeake Bay Recreational Fishery Options: I grew up a few short miles from the Potomac River, upstream from the Chesapeake Bay. I wish I had fished there more when I was a child but my parents were originally from New York and we moved north while I was still young so my primary introduction to stripers came via stories about the heady days when my father fished Montauk and fishing trips to Cape Cod, where I now live, play and work. So, while I do not fish the Chesapeake or Montauk with any regularity I feel tied - as do many striped bass anglers - to the entire coast stripers call home. These regions are interconnected and interdependent. While I understand the rationale behind different regulations for the bay and other areas that may not see the same size fish over the same time period we enjoy farther north, it seems counterintuitive at this time to be even more liberal with regulations in the very places where the survival of these fish is so important to the overall population, where they are, in many ways, at their most vulnerable. The very least that should be done is to choose the most conservative approach proposed, albeit still short of protections needed, including those beyond this body's control. For that within your control, a precautionary approach is the only rational course. Choose Option B1.

3.1.3 For-Hire Management Clarification (if For-Hire Mode-Specific Limits are selected): As stated, keep it simple. Do not confuse anglers at this critical moment by allowing one group of individuals fishing side-by-side another group to take more fish. If you choose to differentiate for whatever reason, don't compound the problem by allowing captain and crew of for-hire operations to take advantage of such an allowance. The minimal benefit to them in the short term is counter to the long term success of the fishery and the benefit accrued to everyone in the future. Providing an advantage on top of an advantage disadvantages everyone.

3.1.4 Recreational Filleting Allowance Requirements: The draft document states it well enough. "*Minimum requirements for states that allow filleting would increase compliance.*" It seems the only reason to oppose minimum requirements would be if one were trying to get away with something. Choose Option B.

3.2.1 Commercial Quota Reduction Options: I can support commercial striped bass fishing within the confines of allotted quotas. The question that has yet to be dealt with, and won't be here, is whether those allotments continue to make sense based on the status of the fishery and preferential treatment of the Chesapeake Bay commercial fleet, which accounts for an astounding 80 percent of all striped bass (in number of fish) taken by commercial fishermen up and down the coast. In lieu of addressing that important question and given the purpose of this amendment, the status quo is a non-starter as alluded to in the draft document: "*Status quo has a reduced probability to achieve the objective of this addendum.*" It seems clear that iterations of Option B share the same problem, i.e. a 0% reduction in quota is the equivalent of the status quo of Amendment 7. Given the state of the fishery and the sporadic use of the

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full quota in any case, the board should choose the most conservative and aggressive approach of a 14.5% reduction in the quota. While this may not mean anything for the massive part the Chesapeake Bay commercial fishery plays in this process, it is the most the commissioners can do given the options to which you have limited yourselves in this area. Going forward the preponderance of commercial harvest from the bay over the ocean should be considered a problem worth addressing, as should the bay fleet's inability to reach its quota in the first place. Regulations should track reality and the reality is the bay commercial fleet takes more than its fair share of a shrinking pie even though effort and/or availability fail to equal regulatory allowances. In the absence of action in this area, the ocean commercial fleet is left holding the proverbial bag, an unfair if necessary outcome.

3.3 Response to Stock Assessment Updates: Nobody is more in favor of a fully transparent and public process than me. That being said, decisive management action is sometimes needed given the lag in available scientific data and a misalignment with typical management processes. The board's emergency action in 2022 was an admirable example of why allowing the board to take action in lieu of the addendum process can be vital to meeting the challenge of a sometimes unexpected increase in pressure on striped bass populations. Choose Option B. That being said, this ability must not be abused and language should be included to restrict it from being used to liberalize regulations. Any such liberalization should track the regular addendum process, recognizing the difference between a response necessary to preserve the fishery for all and one designed to appease one sector or another.

Regardless of the actions chosen through this addendum, it seems a paltry response to the problem at hand, i.e. the inevitable regression of what was once heralded a historic conservation success story. Please continue to work toward achieving a fully recovered stock within the required timeframe. Thank you for your attention in this matter.

Tight lines,



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Cape Cod on the Fly is catch and release only for striped bass.

cc: Mike Armstrong, Massachusetts Division of Marine Fisheries
Raymond Kane, Cape Cod Commercial Fishermen's Alliance
Massachusetts Rep. Sarah Peake
Rick Jacobson, U.S. Fish and Wildlife