



April 15, 2022

Dustin Colson Leaning, FMP Coordinator
Atlantic States Marine Fisheries Commission
1050 North Highland Street
Suite 200
Arlington, VA 22201

Dear Mr. Colson Leaning,

Thank you for the opportunity to provide input on the Harvest Control Rule Draft Addenda/Framework for summer flounder, scup, black sea bass and bluefish. Our organizations represent the recreational fishing and boating industry and our nation's anglers, and we appreciate the continued efforts by the Atlantic States Marine Fisheries Commission (ASMFC) and the Mid Atlantic Fishery Management Council (MAFMC) to find solutions that are better suited for managing the recreational fishery.

The harvest control rule (HCR) alternatives aim to address numerous challenges currently facing recreational fishery management, including uncertainty in the MRIP data, the need to change measures (sometimes annually) based on those data, and recreational measures (bag, size and season) not reflecting stock status. Most recently, the 2022 fisheries specification process exemplified these challenges and demonstrates the need for alternative approaches to setting bag, size and season. As a result, we offer the following input on the HCR alternatives. While we believe several of the management alternatives presented hold tremendous potential for more efficiently managing both the recreational sector and our fisheries resources, we urge the ASMFC Policy Board and MAFMC to seriously consider which alternatives would be ready for implementation beginning in 2023.

Section 3.1 Management Options to Set the Recreational Management Measures.

We support Option B, the Percent Change Approach, as an interim approach until options C, D and E can be developed further to include the setting of measures within the bin(s) and backtesting.

Option B is currently the only option that has been backtested by looking at what the management responses would have been if option B was implemented in previous years versus management actions that occurred under the no action alternative. This performance testing is critical to understanding the rest of the HCR options, but the modeling approaches are not developed enough to complete that analysis. Additionally, we have consistently maintained the importance of putting alternatives C, D and E in terms that the recreational fishing community understands to illustrate the differences in setting the recreational measures across the alternatives and provide the opportunity to evaluate the trade-offs of each approach. However, to date, that has not been accomplished for options C, D and E.

Nonetheless, we strongly support the opportunity to reconsider options C, D and E once the outcomes are known and analyses have been completed to demonstrate the performance of each approach.

Section 3.2 Target Metric for Setting Measures

The document states that the options in section 3.2 do not apply because we selected Option B in section 3.1, however we thought it would be prudent to provide input on section 3.2

Primary: We support Option C, Fishing Mortality Target (F).

Secondary: We support Option B, Annual Catch Limit (ACL).

Selecting fishing mortality or ACL as the target for setting recreational measures incentivizes fishery managers to directly manage discards. Currently, when management measures are adjusted to achieve the RHL, the impacts on discards are poorly understood because of limited data on discarded fish. Setting measures on F or the ACL incentivizes fishery managers to collect length frequency data on discarded fish through both improvements to the MRIP sampling design and state volunteer angler surveys. The discard length frequency data is then used to better understand how changes to the management measures impact the number of discards.

Section 3.3 Conservation Equivalency Options

We support Option A that allows the continued use of conservation equivalency. Option A provides flexibility that may alleviate challenges associated with implementing a new HCR approach. The conservation equivalency process exists because it is too challenging to establish one set of bag, size and season limits that work across a broad geographic range of fish availability and angler preferences. Option A does not require conservation equivalency but allows it if needed.

Section 3.4 Accountability Measures Comparisons

We support Option B which would utilize fishing mortality relative to the fishing mortality threshold in response to the application of accountability measures. The document states that the most recent fishing mortality estimate considers more recent information than the information used to set a previous year's ACL. Therefore, option B clearly represents the use of best available science which is timelier and more consistent with National Standard 2.¹

Thank you for considering our input. We appreciate the ASMFC Policy Board and Council for their continued support of the recreational management reform initiative and the Fishery Management Action Team for their work on the harvest control rule addenda/framework.

Sincerely,

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Jeff Angers
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¹ <https://www.fisheries.noaa.gov/national/laws-and-policies/national-standard-2-related-resources>