

# Atlantic States Marine Fisheries Commission

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Executive Director

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*Working towards healthy, self-sustaining populations for all Atlantic coast fish species, or successful restoration well in progress, by the year 2015.*

April 14, 2003

Secretary Donald Evans  
U.S. Department of Commerce  
1401 Constitution Avenue, N.W.  
Washington, DC 20230

Dear Secretary Evans:

On February 26, 2003, the Atlantic States Marine Fisheries Commission approved Amendment 6 to the Interstate Fishery Management Plan for Striped Bass. The Amendment recommends that the Secretary of Commerce remove the moratorium on the harvest of striped bass in the Exclusive Economic Zone (EEZ) and implement federal regulations to compliment Commission measures. Copies of the Commission's action and rationale, as well as chart depicting striped bass abundance are enclosed.

With regards to regulations, the Commission requests that you implement a 28-inch minimum size limit for the recreational and commercial striped bass fisheries in the EEZ. The commission also recommends that the federal regulations allow states the ability to adopt more restrictive rules for fishermen and vessels licensed in their jurisdiction. The Commission will continue to closely monitor the striped bass population. If at some point in the future the Commission determines that the striped bass population is overfished or that overfishing is occurring, we may recommend further management measures for the EEZ.

The Commission takes great pride in our partnership with the Department of Commerce in fully restoring the Atlantic striped bass population to historic levels of abundance. We look forward to continuing that partnership as we allow the public to fully enjoy the benefits of this resource on a sustainable basis. Please call me, anytime, if I can be of further assistance to you or your staff.

Sincerely,

John V. O'Shea  
Executive Director

cc: Dr. William Hogarth, Assistant Administrator, NOAA Fisheries  
ASMFC Atlantic Striped Bass Management Board

Enclosures (3)

L03-30

#### **4.9 RECOMMENDATION TO THE SECRETARIES FOR COMPLEMENTARY ACTIONS IN FEDERAL JURISDICTIONS**

The Atlantic striped bass coastal migratory stock was declared recovered in 1995 and has since expanded to record levels of abundance. The Atlantic States Marine Fisheries Commission believes that the measures contained in Amendment 6 are necessary to prevent the overfishing of the Atlantic striped bass resource while allowing growth in both the commercial and recreational fishery. The management of striped bass in the exclusive economic zone (EEZ) is the responsibility of the Secretary of Commerce through the National Marine Fisheries Service (NMFS). The Atlantic States Marine Fisheries Commission recommends that the federal government promulgate all necessary regulations to implement complementary measures to those contained in *Section 4.2* and *4.3* in order to allow the harvest of striped bass in the EEZ. Specifically, the Commission recommends constraining the harvest of striped bass in the EEZ to a minimum size limit of 28 inches. The states should have the ability to adopt more restrictive regulations for fishermen and vessels licensed in their states. In addition, Amendment 6 calls for the Atlantic Striped Bass Management Board to make additional changes to Amendment 6 via adaptive management when overfishing is occurring or the stock is overfished. As necessary changes are made, the Board will recommend additional measures to the Secretary.

On an annual basis the fishery impacts on the resource will be evaluated by the Technical Committee and reported to the Management Board so that it may make appropriate EEZ management recommendations to the Secretary of Commerce at the end of each FMP planning horizon. Under this option, a management program would need to be established for the EEZ to compliment the state management programs and to ensure that the Goals and Objectives of this Amendment will be met.

## Management of Atlantic Striped Bass in the Exclusive Economic Zone

The Atlantic States Marine Fisheries Commission approved Amendment 6 to the Interstate Fishery Management Plan for Atlantic Striped Bass in February of 2003. This approval was the result of a development and review process that lasted for almost four years. The development of the Amendment involved extensive technical input, industry advisors input and opportunities for the public to comment on the future management of the species.

Management of striped bass in the Exclusive Economic Zone (EEZ) was one of the issues that was considered throughout the development and review process of Amendment 6. Based on the available information the Management Board determined that Amendment 6 would include a recommendation to the Secretary of Commerce to open the EEZ to fishing for and possessing striped bass in the EEZ. Throughout the Board's discussions there were numerous rationale supplied to justify opening the EEZ. The rationale are listed below:

- Ø The population was declared fully restored in 1995 and has since expanded to record levels of abundance.
- Ø The EEZ was closed to striped bass harvest in 1990 to protect strong year classes entering the population and to promote rebuilding of the overfished population.
- Ø The commercial harvest is controlled by hard quotas when reached the fishery is closed; any overages are taken out of next year's quotas. The Commercial quota will be landed regardless of whether or not the EEZ is open.
- Ø Currently, recreational and commercial catches are occurring the EEZ and this fish are required to be discarded. Opening the EEZ will convert discards to landings.
- Ø Stakeholders were told that the through sacrifices, such as closing the EEZ, the species would rebuild and provide greater fishing opportunities in the future. There are potential credibility issues associated with keeping the EEZ closed.
- Ø The recommendation to open the EEZ is part of Amendment 6 which includes a new definition of overfishing in terms of both mortality rate and spawning stock biomass. The overfishing threshold is  $F=0.41$  and the target is  $F=0.30$ , while the current estimate is  $F=0.28$ . The spawning stock biomass target is 38.6 million pounds and the threshold is 30.9 million while the current estimate is 57 million pounds.
- Ø The Amendment includes monitoring requirements and triggers to respond to increased mortality. Under the ASMFC process the Board can react in 6 months or less if necessary.
- Ø Bulk of the public comment (greater than 75%) received in opposition cited expansion of the commercial fishery as rationale not to open the EEZ. This rationale is incorrect because commercial fishery is controlled by a hard quota.