September 12, 2014

Ms. Eileen Sobeck
Assistant Administrator for Fisheries
National Marine Fisheries Service
1315 East-West Highway, Room 14636
Silver Spring, MD 20910

Dear Ms. Sobeck:

On behalf of the nation's recreational fishing and boating community, we applaud NOAA Fisheries for committing to develop a national saltwater recreational fishing policy. Approximately 11 million Americans participate in saltwater fishing each year, generating more than $70 billion in economic output and supporting more than 450,000 jobs. However, despite the significant economic, conservation and social benefits of recreational fishing, the recreational fishing community has historically not received the support it believes it is due by NOAA Fisheries. This relationship has improved significantly in recent years and the establishment of a thorough and meaningful national saltwater recreational fishing policy would go a long way toward realizing the full range of saltwater recreational fishing's benefits for the nation. It is our hope that this policy can be harnessed to affect actual policy and management improvements within the agency that result in on-the-water improvements for the nation's anglers. Once established, the agency must work with stakeholders to ensure meaningful implementation of the national saltwater recreational fishing policy.

When compared with other natural resource management agencies, particularly the state fish and wildlife agencies and the US Fish and Wildlife Service, NOAA Fisheries has not yet developed the close relationship with the recreational fishing community that facilitates trust and stakeholder buy-in. In large part this can be attributed to the origins of the agency when commercial fishing was the primary focus. Over time, while tremendous growth has occurred within the recreational fishing community, a proportional elevation in focus on recreational fisheries management has not occurred. While saltwater recreational fishing accounts for just two percent of the overall finfish harvest in the U.S., compared to 98 percent by the commercial sector, recreational fishing supports over 450,000 jobs, compared to 380,000 by the commercial sector when excluding imports. Clearly both sectors are important to the economy and livelihoods across the coast, but a disproportionate amount of focus has been

paid to the commercial sector, to the detriment of the recreational fishing community. Again, we are hopeful that the establishment of a national recreational fishing policy will mark a sea change in the agency's focus to one that fully embraces the importance of well-managed recreational fisheries.

NOAA is to be commended for its work over the past five years to strengthen its relationship with the recreational fishing community and better understand the motivations and needs of anglers. This has included two National Recreational Fishing Summits, a recreational fishing action agenda and overall greater communications between the agency and stakeholders. As a result of these collaborative efforts, many of our community's priorities have been identified by NOAA, as evidenced by the National Saltwater Recreational Fisheries Policy Discussion Guide. In addition, many of our non-legislative management improvements have previously been articulated to the agency in our 2011 comments on the National Standard 1 guidelines. As such, this letter will focus on recommendations that should be incorporated into the policy in addition to or building upon those identified in the two documents referenced above.

1. Recreational species should be managed for abundance and age structure

Recreational fisheries should be managed for expectation as opposed to yield. Anglers need to believe they will have opportunity to encounter fish, with the hopes they may catch some, possibly including some large enough to take home, and perhaps even catch a trophy-sized fish. Instead of yield, abundance and age structure are key elements to recreational fisheries, since those factors govern both the rate of encounters and the size of the fish caught. Maximizing yield has little meaning in most recreational fisheries; since more conservative fishing mortality targets produce increased abundance and a better age structure, they actually lead to a greater number of satisfied anglers.

2. The catch and harvest should be allowed to move up or down with the population level

In commercial fisheries, harvest can be controlled in real time; in recreational fisheries management harvest control is much more elastic. In reality, managers attempt to modify behavior. Harvest is usually not known for months after it has occurred. Compounding the problem, angler effort responds to abundance. As abundance increases effort rises; as abundance decreases effort correspondingly declines. Thus, anglers are responding to the population as it exists today, not to how stock projections indicated it should be.

An example from the wildlife world is duck hunting. The season is determined well in advance of the fall, by viewing estimates of the general abundance of the most abundant species (mid-Continent mallards) and indexing the abundance of most other species to that of mallards. Then, the season structure is set in terms of days of duck hunting for the various Continental flyways. The season structure is usually a high, medium or low number of days of hunting, with some minor tweaks to the bag limits. Once set, this will dependably be the season until after the season is over. Then, the season structure will be evaluated as to whether it actually produced the level of mortality that was intended on the key limiting duck species. There are no daily kill estimates or in-season surveys done to track duck kill against a quota. There are no disruptive premature closures in duck hunting.

Managing to a hard quota is at best problematic in recreational fisheries, so management should be tailored to the available data, not vice versa. A better control method is to manage for a rate of extraction rather than a hard quota. This strategy has worked well in the management of Atlantic striped bass by the Atlantic States Marine Fisheries Commission (ASMFC). When the population was declared recovered in the mid-1990s, the ASMFC set a hard commercial quota and put in place harvest control measures to insure the fishing mortality rate did not exceed fishing mortality target. The recreational fishery expanded by more than 300 percent over the next few years, yet did not exceed those Amendment 6 reference points while they were in use. The stock expanded until several years of below average recruitment caused a decline in abundance and harvest. The ASMFC is proposing new harvest restrictions for the 2015 season to meet harvest rate targets, demonstrating the ability of such a management approach to respond to fluctuations in the population before overfished/overfishing conditions occur.

Another key element is to have some indication of recruitment. That way, managers would know that an increase in harvest levels may be due to an increase in recruitment and not adjust management.

Managing to a hard quota via outdated projections often leads to counterintuitive and nonsensical outcomes. If abundance increases and the projected quota is exceeded, managers must then reduce harvest. Thus, a healthy expanding population has created a situation where anglers are punished by stricter management measures. Conversely, if the population declines and harvest is below the annual catch limit, everything is fine. Under the current system, anglers are often punished for healthy stocks and rewarded for declining stocks.

3. Managing for stability

Where possible, managers should attempt to maintain consistent regulations over time. Stability in management measures is usually never discussed as a management goal, but is valued by the recreational sector. Recreational fishing is a pastime pursued by millions of individuals, making frequent regulatory changes difficult to communicate. While it's to be expected that management changes will be needed over time as population levels fluctuate, such as with Atlantic striped bass, it should be a goal of managers to anticipate these fluctuations where possible and account for them when setting regulations that have multi-year consistency.

4. Limiting the implementation of catch shares, particularly in mixed-sector fisheries

Catch shares are a wholly inappropriate management tool for recreational fishing and therefore should never be allowed within the recreational sector. In mixed-sector fisheries with a significant recreational component, catch shares are problematic. They become property rights, for all intents and purposes, and thus, changes in the allocation between the commercial and recreational sectors become all but impossible. We must note our dismay that certain provisions in NOAA's Catch Shares policy have not been implemented.

5. Allocations between the commercial and recreational sectors should be set using economic valuation as one of the primary metrics, not just past catch history

For many mixed-sector fisheries, allocations of harvestable quota for each sector are based on decisions in fisheries management plans written decades ago. In its current language, the Magnuson-Stevens Act calls for allocations to be:

- Fair and equitable to all such fishermen
- Reasonably calculated to promote conservation
- Carried out in such a manner that no particular individual, corporation or other entity acquires an excessive share of such privileges

However, because no formalized process exists to prompt the regional fishery management councils toward reallocation, and because allocation discussions have been historically contentious, fisheries managers lack the necessary incentives to reexamine allocations regardless of how outdated and/or inequitable they may be.

There are simply too many economic, conservation and cultural values at stake to allow flawed allocations to remain in place due simply to the reluctance of Council members.

NOAA Fisheries should work with stakeholders and the regional fishery management councils to develop guidelines and criteria that the councils must consider for allocation of all mixed-sector fisheries. In addition, procedures should be established for allocation reviews and adjustments based on those guidelines to occur at regular intervals. To help provide necessary information for managers to consider, the NMFS must enhance its existing economic program for mixed-sector fisheries.

Thank you for the opportunity to comment on the national saltwater recreational fishing policy. We believe this is a significant step forward in NOAA fisheries' relationship with the anglers. We look forward to continuing to work with the agency to ensure this policy facilitate a more productive relationship between anglers and NOAA fisheries, and ultimately ensures the conservation of our saltwater resources so their recreational benefits are available for current and future generations to enjoy.

Sincerely,

Mike Nussman, President and CEO
American Sportfishing Association

Jeff Angers, President
Center for Coastal Conservation

Patrick Murray, President
Coastal Conservation Association

Jeff Crane, President
Congressional Sportsmen's Foundation

Steve Stock, President
Guy Harvey Ocean Foundation

Rob Kramer, President
International Game Fish Association

Thom Dammrich, President
National Marine Manufacturers Association

Ellen Peel, President
The Billfish Foundation