



Maine Professional Guides Association

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Dr. Christopher M. Moore
Executive Director
Mid-Atlantic Fishery Management Council
800 North State Street, Suite 201
Dover, DE 19901

Dr. Moore:

Monday, January 24, 2022

The Maine Professional Guides Association represents roughly 1000 Registered Maine Guides who offer a wide variety of quality outdoor opportunities to their clients. The association is concerned about the proposal to reduce recreational Atlantic mackerel catch in Maine waters by half. While we support the sustainable management of Atlantic coast fisheries and recognize the importance of rebuilding the Atlantic mackerel stock. Conversations with our members are contrary to the data presented at the informational meetings in mid-January. Many of them are reporting mackerel stocks that are already on the rebound along our coast.

The science presented does show significant population decline in stock levels overall. Leading us to question if there are regional variations in populations; perhaps there is a northern range difference that should be taken into account. The data also shows that the recreational catch is a fraction of current harvest and an even smaller component historically.

Mackerel in Maine are an important recreational fishery from docks and piers in harbors all along the coast. Primarily a family and kids' recreational fishery and a significant sustenance fishery in certain regions of our coast. In addition, many of our members use mackerel for bait either live or frozen as part of a guided trip for stripers inshore or tuna.

As you consider proposals to rebuild this stock, please be mindful of the potential impacts a seasonal closure will have on our recreational fishery. First, to some of our members who are already restricted from using bait for a portion of their striper fishing season and under the proposed seasonal closure would be denied a bait source only 31 days later. Please also consider how dead or frozen mackerel would be allowed as part of your regulations.

Second and more important though is the impact a season closure at the height of our season would have on the families and young people who fish from shore in our harbors. We would argue that is one of the most damaging actions that you could take to impact the future of recreational saltwater fishing.

We would suggest that rather than restricting the season length perhaps a numerical limit should be considered. Because the fishery is currently measured in tons instead of numbers of fish this will not be an easy transition in your method of measurement. We would suggest that perhaps a daily bag of 50 fish

An organization of professional guides dedicated to promoting a quality, ethical outdoor experience.

per angler would serve to significantly reduce the stock impact of the recreational fishery while preserving the season.

Thank you for your consideration in this matter. As you formulate the plan to recover the mackerel populations please keep us on the list of folks with serious concerns about any action you might consider. If I can answer any questions on our perspective, please do not hesitate to be in touch.

Best regards,

A handwritten signature in cursive script, appearing to read "Don Kleiner".

Don Kleiner
Executive Director

Cc Commissioner Keliher



39 Industrial Park Road, Unit C
Plymouth, MA 02360
www.stellwagenbank.org

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January 5, 2022

Christopher M. Moore, Ph.D.
Executive Director
Mid-Atlantic Fishery Management Council
800 N. State St, Suite 201
Dover, DE 19901

RE: Comments to the Atlantic Mackerel Stock Status and Rebuilding

Dear Dr. Moore:

On behalf of the Stellwagen Bank Charter Boat Association (SBCBA) whose membership includes the for hire fleet, recreational anglers and commercial fisherman that fish the state and federal waters off the coast of Massachusetts, we offer the following comments to the Atlantic Mackerel Stock Status and Rebuilding measures:

- The observations of the recreational and commercial fisherman in state and federal waters from Maine to south of Massachusetts is that there has been no lack of mackerel, from small to large, in these waters in the past several years.
- No doubt, due to increased temperatures, the stock has shifted farther north. Fewer mackerel landings in the Mid-Atlantic may well be due to stock relocation to cooler waters rather than poor stock status. A northerly shifting stock would be consistent with the movement of multiple other examples of species.
- Since the commercial herring quota has been significantly reduced, less mackerel is being caught. This has contributed to a significant reduction in commercial mackerel landings. There is no lack of mackerel; they are just not being landed as a result of reduced herring quota and seasonal closures.
- A lack of dockside intercepts and/or telephone interviews necessitates flawed assumptions regarding recreational landings. This distorts MRIP recreational data. The National Academy of Science recent MRIP review would suggest that this MRIP data needs to be reassessed and revised for it to be at all reflective of the New England fishermen's catch.



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- The recreational and commercial community rely on mackerel for live line or fresh bait to catch striped bass, bluefin tuna and many other species. Many also rely on a day of fishing, especially with kids, catching mackerel when few other species are available. We know that recreational landings are a drop in the bucket in comparison to the commercial landings. However, with current flawed MRIP landing data, even this reality does not appear evident.
- The current means and methods associated with the spring and fall trawl survey to effectively land mackerel is questionable and as a result, NMFS also relies on larvae surveys with the combination of both surveys to assess the status of the stock. The survey limitations and ongoing fall and spring survey locations in combination with a shifting stock and changes in the location and timing of where the mackerel are currently found negatively impacts the results not capturing the actual biomass in US and Canadian waters.
- We also question the 100% mortality assumption that based on our observations is significantly less and more in the range of 15%.
- Unquestionably, there is no lack of mackerel in state and federal waters from Maine to Massachusetts. Implementing measures on New England fishermen without consideration of their input will most certainly create a loss of support and confidence in fisheries management in general and resentment for distant Council control.
- Future recreational measures, if any, need to equitably establish the historically low recreational catch in relation to the commercial catch. Restricted access to mackerel for use as bait will dangerously compound the economic impact of future recreational reductions to seasons and bag limits.

If you have any questions or comments please email or give me a call.

Very truly yours,

Capt Timothy Brady

Capt Timothy Brady
SBCBA, Vice President
tbrady@maritime.edu



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Capt Rick Golden

Capt Rick Golden
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Cc: Tom Nies, NEFMC
Michael Pentony, GARFO
Russell Dunn, NMFS
Dan McKiernan, MassDMF
Ron Amidon, MassF&G
Barry Gibson, RFA

Christopher M. Moore, Ph.D.
Executive Director Mid-Atlantic Fishery Management Council
800 N. State St, Suite 201
Dover, DE 19901

RE: Comments to Atlantic Mackerel Stock Status and Rebuilding

Dear Dr. Moore:

I am the owner and captain of Sweet Dream Sport Fishing Charters out of Gloucester MA. Additionally, I am a commercial tuna fisherman. I have been fishing the waters off the coast of MA for over 40 years. I would like to provide you and the council with comments on the state of the mackerel stocks off the coast of MA and into southern Maine where I fish.

- Mackerel of all sizes have been abundant from south of Chatham MA to southern Maine from near coastal waters to offshore banks including Stellwagen Bank and Jefferies ledge and the great south channel. Smaller tinker and spike mackerel often are inshore and larger fish over 20" can be found offshore. The fish appear to be present nearly year-round; we catch them from April through December.
- We primarily fish for Mackerel for tuna bait and occasionally to entertain younger charter patrons. We rarely keep Mackerel for consumption and if we do so it is about 3-10 fish for that one person on a charter that actually consumes them. In most cases Mackerel go in the live well or are immediately released. The idea that caught Mackerel suffer 100% mortality is simply not true. Most days we release unused Mackerel baits back into the sea as healthy as when they were caught (in some cases these fish live in a pen or live well multiple days and then are fished or released). They are quite hardy fish. A typical day of tuna fishing would see us kill 5-15 larger size mackerel, all other are released alive.
- We need Mackerel for use as bait. Other bait fish are not nearly as easy to come by including Sea Herring and Whiting. If we have to seek these other bait fish we will catch and release (discard) massive numbers of Mackerel in doing so. Whiting are bottom fish and Sea Herring may be found from mid water to the bottom but once the sun rise's they are more often tight to the bottom. Mackerel are present through out the water column. It is common for us to catch Mackerel in seeking Sea Herring or Whiting (as they are aggressive and grab the rigs on the way towards the bottom) and often the Mackerel are so thick the effort is futile in trying to catch the other species so we fish Mackerel. Not allowing us to use Mackerel will actually cause us to catch more of them as by-catch in pursuing other species (as opposed to getting our handful of Mackerel baits and putting the bait rigs away).
- I fish out of Cape Ann Marina in Gloucester MA. There are at least 10 other charter boats that operate out of the marina and over the past 20 years I rarely recall any MRIP dock side survey's being conducted. I do not know where this data comes from but it consistently is flawed based on what we experience on the water. I routinely enter my VTR's and the NMFS large pelagic survey data gatherers are there many days but never MRIP surveys. The estimated recreational catch data is severely flawed for GOM ground fish and Mackerel alike. Give the rec's and charter boats a sensible daily take or possession limit of Mackerel (like 30 large or 50 small) and we can survive while letting the stocks rebuild.

Respectfully,

Captain Bruce Sweet

Sweet Dream Sport Fishing Charters
Gloucester MA

12 January 2022

Subject: 2021 Northwest Atlantic Mackerel Management Track Assessment

To whom it may concern,

I am a lifelong Maine fisherman, both commercial and recreational, as well as a Registered Maine Guide who operates a charter fishing business for striped bass. I am also a trained and professional marine biologist.

As someone who grew up on the coast of Maine fishing for mackerel, I can also assure you that I know my experience is anecdote and not science. I understand that my experience and opinions regarding the mackerel stock is not indicative of the stock as a whole. As a kid in Casco Bay, the fishing for mackerel was great; hordes would invade the bay in June right up until 2010ish. Things dropped off for a while, with mackerel being very difficult to catch in the bay, but then they seemed to have finally come back last year, although still not the schools I remember from the early 90s and then early 2000s. Locally, I think our lack of mackerel had much to do with the lack of juvenile herring, the bay was virtually devoid of them for a few years but their numbers seem to have rebounded last year and this year. Additionally the drastic quota restrictions on Area 1 Atlantic herring the last couple of years probably also help our local mackerel as they were no longer subject to being bycatch in that fishery. I do not pretend that my experience in Casco Bay must mean that the mackerel stocks are doing any better.

However, I will give an opinion that I would like to have taken seriously, in regards to data inputs and subsequent management outputs. We all know that counting fish at sea is hard and that counting from dealer reports and VTR are easier. Using fishery independent and commercial fishery dependent is good in this case, with commercial permits and mandatory reporting helping to ensure that. You can set commercial quotas and they mean something, both in result and in the eyes of the public. Additionally, the scale of the commercial fishery dwarfs the estimated recreational fishery (Assessment Table 1 and Figure 4). The essential comparison is that the commercial fisheries are actually measured, whereas the recreational fishery is at best a very rough estimating and at worst a wild guess. Could we see the statistical error associated with each category of landings in Table 1 and Figure 4? I am willing to bet that that would say what most people know about commercial versus recreational fishing data.

Reducing the commercial quota will result in reduced landings; this should have a positive effect on the SSB and I support that if that is what the data and modelling suggests is needed. Reducing the recreational quota—when there is really no good (and importantly, believable) data to even know what recreational landings are to begin with, will not only have no known or knowable effect on landings, it will also further erode any positive public opinion of the management process. Please make decisions about accountability where you have good data and will be able to have measurable results.

Thank you for your time and for your service in managing our fisheries to the best of your ability,

Capt. Zach Whitener
Anadromous Adventures Guide Service LLC.
Freeport, Maine

From: Mike B <battagliamp@gmail.com>
Sent: Thursday, January 13, 2022 5:17 PM
To: Didden, Jason <jdidden@mafmc.org>
Subject: Thank you for your presentation last night

Jason: Your presentation last night was very informative. I'm a North Shore recreational shore fisherman. I have found mackerel to be plentiful over the past ten years or more, with some annual variation in timing and numbers. For example, in 2021 the macs did not come inshore until September 30.

If restrictions are put in place, I think a bag limit would be better than a seasonal closure (e.g. no macs can be taken after August 1 of each year). Some years the spring inshore fishery is sparse but the fall fishery is stronger.

I believe they have a 20 mac bag limit in Canada. I think a bag limit of 20 to 30 fish would reduce pressure but still make mackerel fishing enjoyable since we use 4-6 hook sabiki rigs. Also, many of the mackerel fisherman I see are age 60+ and they catch mackerel as a food source.
Mike B.

From: Cory LeDuc <caleduc@LIVE.COM>
Sent: Thursday, January 13, 2022 12:00 AM
To: Moore, Christopher <cmoore@mafmc.org>
Subject: Mackerel

Dr. Chris

I'm a charter captain in Maine. I make a living fishing for Mackerel, striper, haddock, and tuna here in Maine. I have seen and heard that they are talking about closing the Mac fishery. I have spent many many hours on the water here in Maine and spent plenty of overnights fishing and the amount of mackerel that I have seen around my boat in the lights is undescrivable and I'm only one of many boats that are seeing the same numbers. Shutting Down this fisherery would cripple so many of my colleagues myself included. Please come out on my boat I would love to show you.. thanks for the time
Captain Cory LeDuc

From: John Hoyt <jhoyt@Innovasurgical.com>
Sent: Thursday, January 13, 2022 11:22 AM
To: Didden, Jason <jdidden@mafmc.org>
Subject: Mackerel Regulations slides

Hi Jason,

Thanks for holding the regulations call last night. It was informative and I can appreciate the environmental concerns and potential long term effects that we are all trying to avoid.

I did want to see if you posted or might share the slides from the call. My hopes were to learn more about this fishery and potential measures that might be alternative to complete closure.

As a recreational fisherman we solely use mackerel as bait, roughly a dozen a week depending on how often we fish for Striped bass or Bluefin. This supports our local tackle shops, docs, and marinas as well as serving as a loved sport. I'm curious to see, and maybe its in the slides, the difference in mackerel harvested by the recreational/ charter boats for fishing purposes vs the commercial fishing of mackerel for sale. I'd imagine this weighted average is grossly disproportionate. To me it seems like the problem is commercial overfishing and even cutting that by a few percentage points would have a much bigger impact in comparison to what the general recreational/ charter fishing utilizes.

Anyway appreciate the info and hopefully we can help resolve this. Happy to help answer any questions too should I be of any assistance.

John A. Hoyt

From: Greg Sears <fortunaboat@gmail.com>
Sent: Thursday, January 13, 2022 8:12 AM
To: Didden, Jason <jdidden@mafmc.org>
Subject: Economic Impact study Recreational and For Hire Fisheries

Hi Jason, thank you for your hard work on the presentations this week. I have some information regarding the economic Impact study for recreational and for hire fisheries. I have included some documents regarding this issue. I hope you find it useful when you bring this matter up to the council. This document breaks the study down to state by state you will find this document attached. also you may find this article interesting .Copy and paste to the browser address bar. [https://www.nmma.org/press/article/23299#:~:text=NOAA%20Fisheries%20Study%20Reveals%20%2410.5%20Billion%20Economic%20Impact%20from%20Marine%20Recreational%20Fishing%20Trips,-6%2F15%2F2020&text=The%20report%20further%20states%20that,from%20%2410%20billion%20in%202016\).](https://www.nmma.org/press/article/23299#:~:text=NOAA%20Fisheries%20Study%20Reveals%20%2410.5%20Billion%20Economic%20Impact%20from%20Marine%20Recreational%20Fishing%20Trips,-6%2F15%2F2020&text=The%20report%20further%20states%20that,from%20%2410%20billion%20in%202016).)

On another note I want you to consider the reduction in effort to our commercial fisheries and the low landings reports from 2010 to present. As you know, the restrictions made to trawling in the past years has caused many commercial fishing boats to go out of business or to move to different parts of the country where the species or fishing is more viable. obviously affecting the landings reports from 2010 on.

Canadian Reports included in your assessment. Canadian reporting is very strict and accounts for higher reporting levels than the USA . in Canada they must call in their reports prior to landing at port. This includes where and when they are returning to port :and an estimate of their catch amount. Failure to do so results in heavy fines. Therefore they have a more accurate assessment of the catch. and a more cost effective way of enforcement and documentation.

I plan on sending you more information regarding this issue thanks for your time Greg

Dear Dr. Moore:

I am writing on behalf of the 100 plus members of the Cape Cod Charter Boat Association relative to the Atlantic Mackerel Stock Status and Rebuilding Efforts. Please regard our input as more data points in your efforts to take appropriate actions to protect not only Atlantic Mackerel Stocks, but just as important the livelihood of both commercial fisherman and charter boat operators, as well as the recreational fisher and their families.

The majority of our members have a lifetime of fishing the waters of Cape Cod Bay, Stellwagen Bank and local waters of the Atlantic Ocean, and while seeking fish have literally seen thousands of square miles of habitat, via surface observations as well as top dollar sonar equipment. I think we can agree their literally daily observations of what fish are where, when, is pretty accurate. Relative to Atlantic mackerel, our data says that while their location may change from day to day or month to month, in our eyes the total amount of mackerel in these waters has been pretty consistent over a number of years. Coming out of Provincetown I know the mackerel will be thick from the harbor past Race Pt., as long as the winds have kept the water temps low. If the temps are too warm, to the Bank I go for guaranteed bait for my paying customers. We do notice that while close to shore mackerel seem to be smaller than in the past, the mackerel throughout the bank are very large and mature.

Historically this has been where the two worlds of “hands-on” versus the scientists collided. But we believe times have changed. The overwhelming majority of those earning a living from the sea recognize timely, well thought out studies are required to arrive at policies aimed to preserve fisheries as well as fishers. We will, for the most part, leave the science to those in the higher pay grades. Yet, when we do believe we can add value, we will do so and hope our comments are considered in the analysis. Others more intelligent than I have raised questions relative to trawl surveys, questionable source MRIP recreational data, as well as the interconnection between the reduced herring quota and its impact on mackerel landings. Those are questions for your experts to analyze in depth, and as you accept our experiences and observations, we should respect yours.

In closing, mackerel are critical for the success of charter boat operations and recreational anglers. From having five year olds catch the biggest fish of their lives 3-4 at a time when getting bait, to using that bait to then have them catch some striped bass or even tuna, reflects what the sport of fishing is all about. Let's study this hard, involve all data, take small steps, assess and then more steps. Our observations do not suggest changes, but we're not scientists, let's work together to do the right thing.

Very truly yours,
Captain Rich Wood
President, CCCBA
Beth Ann Charters
captainrichwood@comcast.net
860-716-0202 cell

From: Bob Humphrey <bob@bobhumphrey.com>
Sent: Wednesday, January 12, 2022 4:24 PM
To: Didden, Jason <jdidden@mafmc.org>
Subject: Atlantic Mackerel Stock Status and Rebuilding

Jason Didden
Fishery Management Specialist
Mid-Atlantic Fishery Management Council

RE: Atlantic Mackerel Stock Status and Rebuilding

First, accept my second-hand apologies on behalf of some of those participating in the public information webinar on Tuesday, January 12, 2022. Their behavior was embarrassing and is a bad reflection upon those of us willing to participate in a productive dialog. I would add that some fault lies in the moderation or lack thereof. You were obviously trying to do your best in handling a contentious issue.

Hopefully my comments below will be more constructive.

First and foremost I would echo the sentiments of commissioners from the three New England states: As we would feel the greatest impact of any proposed changes. "It is concerning that such a substantial and contentious action could be taken with little public input.... It would be instructive to New England stakeholders and decision-makers to conduct initial information-gathering hearings with the public to better understand potential impacts of a reduction before designing specific management actions."

1) No shortage up north - As you've heard, and will no doubt continue to hear, anecdotal observations from the recreational and commercial fishermen in state and federal waters of Maine are that there has been no lack of mackerel, from small to large, in these waters in the past several years. In recent years in Casco Bay and nearshore waters of the Gulf of Maine I have observed shoals of mackerel in late May and early June covering tens of acres, and spread out over several miles. I'm on the water from April through October and maintain regular contact with many other charter captains and there are always mackerel available as a directed catch or for bait. We catch them regularly offshore when fishing for bait from the surface to the bottom and while size is often variable, the last two years have produced a lot of larger fish, some up to 2 pounds.

2) Relocation - You may have addressed this in your presentation but the circus was a little distracting. Clearly, the stock has shifted farther north, as it has for several species, e.g. black sea bass. Fewer mackerel landings in the Mid-Atlantic may well be due to stock relocation to cooler waters rather than poor stock status. Continuing to survey for them in other areas, outside the Gulf of Maine might be something of a self-unfulfilling prophecy. If you don't look where they are, you won't find them.

3) Flawed Data - Have you looked at CPUE instead of just total catch? Since the commercial herring quota has been significantly reduced, fewer mackerel is being landed due to reduced effort, which could explain a substantial reduction in commercial mackerel landings.

4) More Flawed Data - The National Academy of Science recent MRIP review would suggest that this MRIP data needs to be reassessed and revised for it to be at all reflective of the New England fishermen's catch. A lack of dockside intercepts and/or telephone interviews necessitates flawed assumptions regarding recreational landings and distorts MRIP recreational data. We recently addressed this with regard to bluefin, which led to a second consecutive assessment and updating of models used to assess data.

5) Still More Flawed Data - It's difficult to substantiate without empirical data but the 100% mortality assumption seems grossly inaccurate. Clearly more research is needed here but I can offer that when caught on a Sabiki and run on an 8/0 hook all day as tuna bait, mackerel remain quite healthy and alive. I find it hard to believe that being flipped off a Sabiki hook and released would result in 100% mortality.

6) Impact - The recreational, for-hire and commercial fishing communities in Maine rely heavily on mackerel for bait and as an alternative recreational fishery. We lack the variety and diversity of gamefish found in other regions like the mid-Atlantic. Striped bass are the foundation of Maine's for-hire fleet and recreational saltwater fishery. Taking away the primary method of fishing - live mackerel as bait - could be financially devastating, and is unnecessary considering the minimal impact compared to that of the commercial fishery. Furthermore, implementing measures on New England fishermen without consideration of their input will most certainly create a loss of support and confidence in fisheries management in general, and resentment for distant council control.

I sincerely hope the MAFMC will consider taking a step back and slowing down the timeline to consider potentially flawed assumptions and the potential impact proposed measures could have on northeast fisheries.

Respectfully,

Capt. Bob Humphrey
President, Casco Bay Bluefin Bonanza
Member, Maine Association of Charterboat Captains
NOAA Fisheries Highly Migratory Species Advisory Panel
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White Cap Charters®

1/11/22

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Good evening Jason,

I do not know where you are getting your data or testing for it but I can share this as I disagree with your declining mackerel population numbers.

I do agree that the mackerel purse seiners were problematic due to their voluminous over-fishing take in the early 70's. That problem was fixed by strict regulation.

I have been recreationally fishing for mackerel since 1967, one mile east of Scituate MA next to the Scituate entrance "SA" gong. I evaluate the fishery by: On scene witness 10-20 boats from April to December always successful jigging them up around the Gong from April – December. You can jig up five fish (young ones over the last several years) in less than 30 seconds. Matter of fact our population is increasing. More striped Bass and Bluefin who both feed on mackerel have also migrated into our area due to the plentiful supply.

We see huge schools of Mackerel year-round—easily identified just 10' below the water surface and on our fish finders.

They feed on plentiful KRILL. Plenty of mackerel to go around for the habitat and for recreational fishing. I would not worry about OLD fish. Younger ones are the new generations.

Please leave the open season as is in MA and Cape Cod bay.

Captain Brad White

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