



April 5, 2017

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

RE: Chub Mackerel Scoping Document

Dear Dr. Moore,

Founded in 1973 by recreational fishermen, *Wild Oceans* is the nation's oldest independent non-profit group dedicated exclusively to conserving marine fishery resources. With our membership support base of conservation-minded anglers, we work to preserve fishing opportunities for the future by promoting ecosystem-based approaches to fisheries management. Our programs emphasize conserving the ocean's top predators – the big billfish, swordfish, tunas and sharks – while preserving healthy ocean food webs and critical habitats essential to the survival of all fish, marine mammals and seabirds.

As the Unmanaged Forage Omnibus progressed, *Wild Oceans* urged the Mid-Atlantic Council to pursue a management framework for chub mackerel that would fully bring the species under federal management as a stock in the fishery, fulfilling Magnuson-Stevens Act requirements for conservation and managementⁱ while achieving the Council's goal of promoting ecosystem sustainability. We are pleased that the Council ultimately chose this pathway and has begun work to incorporate chub mackerel into the Atlantic Mackerel, Squid and Butterfish Fishery Management Plan (MSB FMP).

At the heart of this amendment is the question of how chub mackerel should be managed for the greatest overall benefit to the Nation – Optimum Yield (OY) ⁱⁱ – derived from considerations for food production and recreational opportunities and “taking into account the protection of marine ecosystems.” The Mid-Atlantic Council's *Ecosystem Approach to Fisheries Management (EAFM) Guidance Document* lays out a roadmap for protecting marine ecosystems that includes a policy “to support the maintenance of an adequate forage base in the Mid-Atlantic to ensure ecosystem productivity, structure and function and to support sustainable fishing communities.”

Scoping is a critical part of amendment development as it solicits feedback from stakeholders and the public in order to create a reasonable range of alternatives that address the purpose and need of the amendment and meet the requirements of the National Environmental Policy Act (NEPA).ⁱⁱⁱ As the Council proceeds with scoping, we ask that the EAFM forage policy and Optimum Yield be elevated in the Scoping Document for an Amendment to Manage Atlantic Chub Mackerel (*Scomber colias*) as a Stock in the Mackerel, Squid, and Butterfish Fishery Management Plan as separate sections under “Issues for Consideration” to reflect their importance to the amendment. The Optimum Yield discussion should summarize the National Standard 1 guidance for assessing Optimum Yield^{iv}, and ideally, should present questions to the public to assist the Council with this assessment.

We also request that the “Fishery” section, include a discussion of the role of chub mackerel in offshore highly migratory species (HMS) fisheries. During comment periods for the Unmanaged Forage Omnibus, a number of anglers stepped forward to testify on the importance of chub mackerel to their fishing activities.^v As an organization with a 40-year track record working to protect and restore HMS on both the east and west coasts, we can attest to the importance of preserving the prey base for top ocean predators, many of which are rebuilding from historically-low population levels. Chub mackerel are a vital seasonal food source for swordfish, tuna, sharks, mahi-mahi and marlin,^{vi} attracting these valuable game fish to Mid-Atlantic region.^{vii} The ecological and indirect economic value of chub mackerel as a forage species must be considered in the determination of OY, and it is important to provide background information on this issue to inform public comment. Directly soliciting stakeholder feedback on this topic is essential to ensuring that economic, social and ecological factors contributing to OY are taken into account in a deliberate and transparent manner as part of the Council’s assessment.

Finally, we recommend organizing the chub mackerel scoping document around issue questions that encourage stakeholder engagement and feedback that is germane to assisting the Council in development of alternatives. *The Scoping Document for Council Action on Unmanaged Forage Species* (August 2015) was organized around questions for each issue the Council was considering, facilitating meaningful comments from a large number and diversity of stakeholders and helping ensure the amendment’s objective was satisfied.

As always, we appreciate your consideration of our comments. As the first forage species action to follow the completion of the EAFM Guidance Document, the Amendment to Manage Atlantic Chub Mackerel as a Stock in the MSB FMP will demonstrate the Council’s commitment to apply ecosystem-based approaches to its managed fisheries.

Sincerely,



Pam Lyons Gromen, Executive Director

ⁱ The Magnuson-Stevens Act defines conservation and management as “all of the rules, regulations, conditions, methods, and other measures:(A) which are required to rebuild, restore, or maintain, and which are useful in rebuilding, restoring, or maintaining, any fishery resource and the marine environment; and (B) which are designed to assure that: (i) a supply of food and other products may be taken, and that recreational benefits may be obtained, on a continuing basis; (ii) irreversible or long-term adverse effects on fishery resources and the marine environment are avoided; and (iii) there will be a multiplicity of options available with respect to future uses of these resources.” [16 USC §1802(5)]

ⁱⁱ The benefits of recreational opportunities include “the quality of the recreational fishing experience” and “the contribution of recreational fishing to the national, regional, and local economies.” Protection of marine ecosystems includes “maintaining adequate forage for all components of the marine ecosystem.” See, 50 CFR §600.310(e)(3).

ⁱⁱⁱ 40 CFR § 1502.14

^{iv} 50 CFR § 600.310 (e)(3) (iii): Assessing OY: An FMP must contain an assessment and specification of OY (MSA section 303(a)(3)). The assessment should include: a summary of information utilized in making such specification; an explanation of how the OY specification will produce the greatest benefits to the nation and prevent overfishing and rebuild overfished stocks; and a consideration of the economic, social, and ecological factors relevant to the management of a particular stock, stock complex, or fishery. Consistent with Magnuson-Stevens Act section 302(h)(5), the assessment and specification of OY should be reviewed on a continuing basis, so that it is responsive to changing circumstances in the fishery.

^v See Unmanaged Forage Omnibus Amendment Public Hearing Summary and Comments
https://static1.squarespace.com/static/511cdc7fe4b00307a2628ac6/t/57757e4e6a4963c15318b155/1467317847553/Forage_public_hearing_full_comments.pdf

^{vi} Hernández, J.J.C. and Ortega, A.T.S., 2000. *Synopsis of biological data on the chub mackerel (Scomber japonicus Houttuyn, 1782)* (No. 157). Food & Agriculture Org.

^{vii} Recreational HMS fisheries in the Northeast contribute an estimated \$31 million annually to the U.S. economy. See, 2015 SAFE Report for Atlantic Highly Migratory Fisheries, Chapter 5:
http://www.nmfs.noaa.gov/sfa/hms/documents/safe_reports/2015/2015_safe_5_econ.pdf.