

Located at:

www.scottchurchdirect.com >> www.scottchurchdirect.com/ted-williams-archive.aspx/2007

Plundering Stripers

Recreational striped bass anglers need to clean up their act.

By Ted Williams

Fly Rod & Reel, January/February 2007

Striped bass have been declared game fish in Maine, New Hampshire, Connecticut, New Jersey, Pennsylvania, South Carolina and the District of Columbia. Unfortunately, that has not happened where they're most abundant--in Massachusetts, Rhode Island, New York, Delaware, Maryland, Virginia and North Carolina. And a federal bill that would give stripers gamefish status along the entire Atlantic coast--such as the one Rep. Frank Pallone (D-NJ) introduces every Congressional session--has as much chance of flying as a Perdue chicken.

One reason for this failure is that recreational anglers slaughter about 23 million pounds of stripers annually--more than three times the 7 million pounds taken by commercial fishermen. Therefore, recreational anglers have little credibility in the eyes of regulators and lawmakers when they demand an end to commercial fishing. But recreational anglers squander their credibility in other ways, too.

Consider the charade they put on in Massachusetts. This past summer I had a front-row seat. On Wednesday, July 12, 2006 I stumbled into my backyard at 3:00 am, looked approvingly at the overcast sky, dumped the sail bag of ice, birch beer and sandwiches into the cooler under Assignment's front seat, fired up the ancient Trooper, and struck out for Harwich, Massachusetts. Before sunup on your average summer weekday you might see one other trailer at the boat ramp. That morning there were well over 100. I had to circle the lot twice to find a parking spot. "What the hell is going on here?" I asked the guy on the dock who caught my bow line.

"First day of commercial striper season," he replied.

That's what the state and the Atlantic States Marine Fisheries Commission (ASMFC) call it. But these are recreational anglers. They have fancy boats and tackle. They work nine-to-five jobs. No way do they need to be trafficking in striped bass.

An hour and a half into the flood, the rips off Monomoy were starting to cook, and standing waves piled over Assignment's transom. Dozens of boats, alternately appearing out of the fog and vanishing into it, trolled the seams or rode the fast current. I saw three near collisions, then fled north to the cut. Here the fleet was pulling wire and umbrella rigs. From all compass points I heard grinding reminiscent of a dentist's drill. I couldn't figure out what it was until I saw an electric cable attached to a guy's reel. Enormous stripers, sometimes three to a pull, flew over gunwales. Most of the fish were down 40 feet, but every now and then one would roll within fly-rod range. I killed two three-footers. I never feel guilty about taking a legal limit, although I often choose not to--especially if I'm about to travel and would otherwise have to freeze the meat.

Had I bothered to send in \$65 for a "commercial" license (the price I'd get for one good-size fish), I could have killed 28 more stripers that day, provided they were 34 inches or longer. These would be almost exclusively breeding-age females; and, no matter what state you live in, they are your fish. In

Located at:

www.scottchurchdirect.com >> www.scottchurchdirect.com/ted-williams-archive.aspx/2007

summer the main body of the Atlantic striper population hangs off Massachusetts, in winter off North Carolina and Virginia. I could have killed 30 more fish each Tuesday, Wednesday and Thursday and five on each Sunday until commercial anglers had reported 1,140,807 pounds.

But about three quarters of the roughly 5,000 Massachusetts anglers with commercial licenses don't report any catch. It is unlikely that they paid for a license and didn't fish a single day or that they fished and caught nothing in a season that may run two months.

"The 'commercial fishery' for stripers in Massachusetts is a farce," writes Brad Burns of the conservation group Stripers Forever. "Why would 74 percent of all commercial license holders have no reported landings? These fishermen may simply have wanted a license just in case they decided to sell a fish or two. But we believe that many of the 3,435 fishermen with zero reported landings are fish hogs who either want to use their licenses fraudulently to circumvent the bag limits that apply to everyone else, or make transportation of these fish legal until they can sell them--unreported, of course--for cash under the table. Which is worse? One

is illegal; the other is simply reprehensible. . . . As many as 98.98 percent of Massachusetts commercial striped bass permit holders are simply paying for their fishing fun by selling their catch--legally or illegally--or filling their freezers under the guise of providing for the public."

The concept of managing a game fish for abundance, size and age-structure rather than maximum dead-on-the-dock poundage is utterly alien to Paul Diodati, director of the Massachusetts Division of Marine Fisheries. Diodati carries the torch for anglers who want to kill more than the two-fish daily limit, aggressively defending his make-believe commercial striper season against all who condemn it, and that includes the vast majority of the 550,000 unlicensed Massachusetts striper anglers. Diodati is also the chief architect of the ASMFC's rash petition to invite commercial and/or recreational fishermen from all Atlantic states into the stripers' last sanctuary--the Exclusive Economic Zone, extending 197 nautical miles beyond the 3-nautical-mile state limits.

Diodati makes no pretense that his "commercial" season provides anything more than gas-and-tackle money for recreational anglers or minor compensation for genuine commercial fishermen who, under his agency's watch, have wiped out other fish stocks.

"The commercial fishery has also changed by attracting thousands of non-traditional participants who are lured by the thought of subsidizing an expensive hobby," Diodati writes. "In addition, many full-time watermen who once paid little attention to this fish now focus their attention on the harvest and sale of stripers to help offset annual incomes that persistently diminish as regulations on other fisheries escalate."

The Massachusetts for-money, recreational striper season with its Orwellian moniker "commercial" represents everything that is wrong and ugly about how we treat this magnificent game fish. It teaches and encourages greed, and it is a prescription for poaching and black-market commerce.

For example, the "commercial" season has spawned a common practice known in the law-enforcement community as "ice fishing." You buy commercial licenses for yourself, your wife, your daughter and your son. Then you go out on a non-commercial day, catch as many fish as you can, and ice them down. The next day you sell 30 fish, your wife sells 30, and your kids unload the rest.

Located at:

www.scottchurchdirect.com >> www.scottchurchdirect.com/ted-williams-archive.aspx/2007

And commercially licensed anglers like to jumpstart the season before it opens because the first one to the fish market on opening day can get as much as \$3.50 a pound. With the glut, the price may drop to \$1.90 by the time you've legally filled your 30-fish limit, so stripers have a way of getting sold just a few minutes after the season opening at 12:01 am.

The very presence of a legal market elsewhere facilitates a black one in gamefish states. And in legal-commerce states poaching and illegal sale is even more out of hand. In New York City poachers are so brazen they no longer bother to be surreptitious about it, loading their boats with shorts in broad daylight. Report them, and they'll trash or sink your boat, as two of my guide friends can attest. Enforcement is nil.

Few states are more rapacious than Maryland. Because fish run small in Chesapeake Bay, Maryland wangled a special recreational size limit of 18 inches. But then the charter fleet wanted a crack at the spawning coveys that run up the Susquehanna in spring. So Maryland wangled a special regulation for them. Meanwhile the state's commercial fishermen are plundering the depressed, emaciated and mycobacterium-blighted stock in the bay.

The greed feeds on itself. On August 23, 2006, with the Massachusetts commercial season winding down, agents from the state environmental police, the National Marine Fisheries Service, and the US Coast Guard boarded five boats and seized 1,100 pounds of stripers illegally taken in federal waters off Chatham. As one of the boats attempted to flee the enforcement teams, the crew frantically threw fish overboard. A month earlier Buddy Harrison, a well-known Chesapeake charter skipper who owns a fleet of a dozen boats, a restaurant and a seafood processing plant, and had served as a member of Maryland's advisory board on striped bass, acquired his fourth citation for striped bass violations. This time it was for processing short fish.

In 2004 a two-year undercover sting by the Virginia Marine Police--aptly named "Operation Backdoor"--took down 14 people at 13 fish markets and restaurants for illegal trafficking in seafood, mostly striped bass provided by recreational anglers. An earlier operation had resulted in 30 arrests.

And in 2003 Tallman & Mack and Point Trap, both Rhode Island trap-net fishing companies, and Lotzko's, a Massachusetts fish dealer, were busted by agents of the National Marine Fisheries Service and Rhode Island Department of Environmental Management for illegally

selling and transporting at least 30,000 pounds of striped bass and providing false invoices. As part of their sentencing, which included major fines, the companies had to run public apologies in The Providence Journal.

No less ugly than legal and illegal commercial plunder are the wildly proliferating dead-on-the-dock striper tournaments conceived by and for recreational anglers. I know plenty of decent people who fish kill tournaments, but even they admit that these events attract, enrich and empower lowlifes and, at the same time, teach the public to kill the most and biggest. The same names have a way of popping up when you begin cross-referencing the who's who in Massachusetts "commercial" striper fishing, striper-poaching citations, and dead-on-the-dock striper tournaments. For example, one ticket for over-the-limit--issued hours before the opening of the Massachusetts "commercial" striper season--was awarded to Bill Major, superstar of On the Water magazine's "Striper Cup." Sergeant Pat Grady of the Massachusetts Environmental Police won't release any details at this writing other than to confirm that he and another officer boarded Major's boat and issued the citation.

Located at:

www.scottchurchdirect.com >> www.scottchurchdirect.com/ted-williams-archive.aspx/2007

As of August 25, 2006 (pending the court outcome, avers On the Water's Bill Dean), Major was still listed on this year's "Striper Cup Leader Board" in the following categories for the following fish: twice for "Striper of the Year": 56.15 and 50.37 pounds; first place for "Angler of the Year" (largest 5 fish cumulative pounds): 231.86 pounds; twice in "Weekly Winners": 56.15 and 50 pounds; and three times in "Pounder Club Members": 39.16; 45.93; and 40.62 pounds. With recreational anglers killing all this brood stock for money and vanity why should legislators listen when they argue that commercial fishing should be shut down?

Is coastwide gamefish status politically feasible? "Probably not now," says Charles Witek, chair of New York's Coastal Conservation Association. "But I think it's a worthwhile goal in the sense that you're dealing with a fish that's pretty high up on the food chain and that doesn't respond well to overfishing. Gamefish status is something we'd all like to see, but we have to look at why we want it. If we want it to get the nets out of the water, to remove bycatch in some fisheries, to minimize discard mortality, to reduce mortality overall, it's probably worthwhile. If we want it because instead of them catching and killing the fish we're going to catch and kill the fish, then it's not a real big benefit."

Witek wouldn't mention names, but I will: the Jersey Coast Anglers Association and the Recreational Fishing Alliance. While they do a lot of good things, one of their main goals is more meat for themselves. Thanks to their influence, New Jersey didn't accomplish as much as it could have when it made the striped bass a game fish. The law took the stripers the ASMFC had allocated to commercials and let the recreationals kill them instead. So in New Jersey you can retain a third striper until the old commercial quota is filled. The net effect, of course, has been to further ventilate the already porous case that striped bass need coastwide gamefish status.

That's a shame because the argument isn't porous by nature; it has only been made that way by the behavior of the recreational community. On the other hand, the argument for commercial harvest is based entirely on untruths and distortions. It would be unfair, contend apologists, to deprive the poor and infirm who can't catch stripers for themselves of this tasty fish. But arguing that American shoppers should have access to wild striped bass makes as much sense as arguing that they should have access to wild turkeys. And Stripers Forever offers this: "There are four times as many people alive in America as there are [wild] striped bass. One bite each and the entire population would disappear in a meal!" Finally, nonfishers already have the chance to eat striper. All they have to do is buy farm-raised fish, which are in far greater supply and virtually indistinguishable in taste.

Last year Stripers Forever released a study it had commissioned from the respected wildlife socio-economist Rob Southwick of Fernandina Beach, Florida. Southwick found that 3,018,361 anglers from Maine to North Carolina annually generate 63,278 full-time jobs, \$2.41 billion in direct retail sales, \$289.4 million in

federal income taxes, \$18.2 million in state income taxes, and \$105.1 million in state sales taxes. In all, they stimulate new economic activity of \$6.63 billion a year. This compares to \$250 million for commercial fishermen. Moreover, if commercial fishing ceased, recreational anglers would stimulate \$1.79 billion in additional annual economic activity.

The enormous economic value of stripers appears to be declining along with the population. While there are still lots of bass, it's time for managers to try a radical new approach--acting to prevent the collapse of a stock rather than reacting to it. In 2005 the ASMFC's population model indicated that

Located at:

www.scottchurchdirect.com >> www.scottchurchdirect.com/ted-williams-archive.aspx/2007

stripers were being drastically overfished. But instead of managing the population it managed the model, changing it around so that stripers appeared to be in decent shape. Because the new model is being peer-reviewed there won't be an annual stock assessment this year; so, at the moment, anecdotal evidence is the only gauge we have to measure the health of the striped bass population.

While anecdotal evidence is notoriously unreliable, it can be frightening when it's independently provided by multiple sources. And people who know most about stripers are in near unanimous agreement that they're on the decline.

I know a great many striper guides, but not one who has a good feeling about the apparent population trend. Two of the most respected and successful of these are Terry Nugent, who works both sides of Cape Cod, and Doug Jowett, a flyrod-only guide based in Maine and the Cape.

"Nothing critical yet," declares Nugent. "But I have to say I'm seeing fewer and smaller fish. Four years ago at my big-fish spots every trip someone on the boat with light tackle would grab a 40-pounder. I haven't seen that in three years. I take a few, but not consistently. The spring run this year was particularly short."

Jowett's assessment: "I think stripers are in terrible shape. From where I sit the biomass has been going downhill for five or six years. We're missing year classes, and there's been an increase in harvest of very large striped bass, which is exactly what happened in the last crash. This is the scary part--our daily fare [in Maine] is 16- to 23-inch fish. Nothing smaller and nothing bigger in any numbers."

Supporting the observations of the guides is the National Marine Fisheries Service's Marine Recreational Fishing Survey, which shows a 40 percent decrease in striper-angler success since 1999.

Only recreational anglers can help arrest this trend. A smart first step would be limiting the kill. I'm not talking about going to catch-and-release or even stopping at one fish, though I applaud anyone who does either. I'm talking about cooling it with the tournaments and reducing post-release mortality. As things stand now, at least half of all stripers killed by recreational anglers die after they go back in the water. That's an appalling statistic.

If you fish with bait, you need to use circle hooks. In fact, when the definition of a circle hook is nailed down (and we're not quite there yet), anglers should push for a law that makes it illegal for bait dunkers to use anything else.

Wasteful, destructive practices such as "yo-yoing"--i.e., stuffing a lead sinker or sparkplug down a porgy or pogie, sealing its mouth with a treble hook, then bouncing it on the bottom--need to be resisted and banned.

Even fly rodders can clean up their act. They have to quit nagging stripers to death with flimsy trout rods. Unless you're into a nest of small schoolies, you shouldn't use anything under a nine-weight. And even with the smallest flies there is almost never a need to go to tippet lighter than 20-pound fluorocarbon.

At the top of its Web site the Recreational Fishing Alliance issues this shrill warning: "Commercial fishermen and environmentalists are pushing their agenda on marine fisheries issues affecting you."

Located at:

www.scottchurchdirect.com >> www.scottchurchdirect.com/ted-williams-archive.aspx/2007

That's true, though the rhetoric that follows makes it clear that the RFA perceives the agenda of environmentalists as somehow opposed to what it calls "our interests."

I don't mean to pick on the RFA; again it does a lot of good. But that kind of thinking has gotten all manner of fish stocks into the mess they're in. After all, is not every ethical angler an environmentalist? Can there be any among us who are not in favor of our surroundings, including--and, in this case, especially--a sea sustaining healthy ecosystems in which apex predators thrive? In the memorable words of Rich Landers, outdoor editor of The Spokane Spokesman-Review, "any sportsman who isn't an environmentalist is a fool."

Ethical recreational anglers and nonfishing environmentalists need to push their identical agendas on marine fisheries issues more aggressively. Currently they're being outshouted by commercial fishermen and unethical recreational anglers whose agendas are also identical--i.e., killing more fish for themselves.