



February 12, 2025

Chairman James Spillane
House Committee on Fish and Game and Marine Resources
Room 307
Legislative Office Building
33 North State Street
Concord, NH 03301

Re: Prohibiting the importation and sale of live bait fish from out of state.

Position: Oppose

Dear Chairman Spillane and Members of the House Committee on Fish and Game and Marine Resources,

On behalf of the American Sportfishing Association (ASA), I write to respectfully encourage you and the Members of the House Committee on Fish and Game and Marine Resources to oppose House Bill 720.

HB 720 poses a drastic threat to New Hampshire's anglers, recreational fishing industry and fishing tradition. The bill proposes to ban the importation of all live bait fish into the state, regardless of species, origin, or location of production or harvest. As New Hampshire has relatively few aquaculture facilities to support in-state production, if passed, the bill would severely restrict the sale, access to or use of any live bait for freshwater, saltwater or ice fishing.

New Hampshire's freshwater and saltwater fisheries generate significant economic activity. In 2024 alone, resident and non-resident anglers spent \$837 million in the Granite State, creating an economic impact of over \$1.1 billion. These expenditures support 5,780 jobs in the state, and facilitate \$46 million in state and local taxes. Over 180,000 anglers fish in New Hampshire annually, supporting this economic activity through tackle purchases, tourism, guided trips and fishing tournaments.

Live bait is a crucial element of this industry. New Hampshire anglers have long targeted striped bass and walleye with live bait like minnows, shiners and shad, and tackle shops have procured live bait from out-of-state suppliers to meet this local demand for decades. A ban on the interstate trade of live bait would create significant new barriers to fishing, restricting participation and undermining hundreds of small businesses reliant on this trade. Additionally, declining participation in fishing has the added impact of reducing funding for the New Hampshire Fish and Game Department, which receives considerable funding through license purchases and excise taxes on the sale of sportfishing equipment.

Currently, the Fish and Game Department maintains clear regulations on baitfish importation and sale. The Department maintains a list of fifteen acceptable species for use in the state's freshwater, with daily limits on personal use, and restrictions on the release of any live fish or wildlife. Crucially, the Department also issues licenses for dozens of small, family-owned tackle shops statewide to import hatchery-raised and wild-caught baitfish from out-of-state suppliers. These regulations have enabled the department to mitigate against potential introductions of invasive species or aquatic pathogens, while ensuring the live bait trade is licensed and transparent. Future restrictions on live bait should continue to emerge from the model of New Hampshire Fish and Game Department Commission's science-based management, rather than efforts to legislate fisheries management through the State House.

However, the extreme ban proposed in HB 720 is motivated not necessarily by concerns of pathogens and invasive species risks, but as part of an effort by an international, anti-fishing organization to end the use of all live bait. HB 720 is informed by deeply flawed publications recently released by Upstream Policies, created in 2023 by UK-based philanthropic organization Charity Entrepreneurship. The 2022 document "Ban the Use of Live-Bait Fish," describes the use of bait fish as "abhorrent and archaic," and calls for applying tactics from the Campaign for the Abolition of Angling to extend live bait bans to the United States.¹ The bill's introduction in New Hampshire, alongside similar legislation introduced in New York and in Delaware in 2024, follows the publication's strategic recommendation: "our best guess is that north-eastern and eastern states with a moderately sized industry are likely to be the most promising states."

The rationale for this legislation was described in a recent publication nominally concerned with the prevention of invasive pathogens and invasive fish species.² Several issues have been identified with the study, including the supposed identification of koi herpes virus in species that have not been previously known to be susceptible to the virus. Additional issues include the publication's identification of viral hemorrhagic septicemia virus in farm-raised bait fish purchased in Delaware, a virus which has not been identified in US farmed fish since testing began in 2008. As Upstream Policies has not cooperated in independently confirming these pathogens, and has not reported them to the US Department of Agriculture's Animal Plant Health Inspection Service, significant verification efforts must be conducted to confirm the findings in this publication. Passing aggressive legislation to ban the interstate trade of all live bait, informed solely by this inconclusive evidence, is highly irresponsible and would negatively affect hundreds of businesses and tens of thousands of New Hampshire anglers.

Additional publications by this organizations have sought to downplay the impacts of potential restrictions on baitfish. "Untangling the Impact of Live Baitfish Restrictions on Recreational Fishing Participation in the United States," published in 2024, compares license purchase rates from before the institution of restrictions on baitfish in four states, conveniently concluding that restrictions have no impact on recreational fishing participation.³ However, the paper compares

¹ <https://forum.effectivealtruism.org/posts/6i5qyvCbrMsBLj3Z4/animals-policy-and-biosecurity-start-a-high-impact>

² https://drive.google.com/file/d/1MJ1KS6YMGXRcQN8fM-f91eC_vY9Nxpj4/view

³ <https://www.frontiersin.org/journals/conservation-science/articles/10.3389/fcosc.2024.1446550/full>

just four states, enacting widely varying restrictions, obfuscating the wide range of regulations observes. Appearing to compare examples ranging from Maine’s ban on the use live bait in its Northern Management Zone to Colorado’s rule on bait collection methods, and neglecting to consider any other variables beyond total statewide license purchases, the authors declare they are “confident” that “live baitfish restrictions do not cause a decline in the public’s participation in fishing.” While no recent statewide data on live bait usage exists, data from Vermont suggests between 52% and 65% of anglers use live baitfish and thus would be impacted by this restriction.⁴ Additional survey data finds that almost all anglers fishing with live bait purchase this bait at tackle shops rather than harvesting their own bait locally.

ASA and the broader sportfishing community are highly concerned with the introduction of invasive species and aquatic pathogens, which continue to impact fisheries and angling opportunities across the country.⁵ ASA believes that policies to prevent the introduction and spread of these invasives should be informed with transparent, rigorous science. Restrictions on the movement, sale or use of baitfish may be justified if clear biological risks are posed to fisheries, and if fisheries managers utilize science-based processes. However, the ban proposed in HB 720 hails from an international activist organization attempting to launder anti-fishing policies under the guise of concerns about invasive species and aquatic pathogens. Passage of this legislation would impose significant, deleterious impacts on New Hampshire’s \$1.1 billion sportfishing economy, and the 180,000 anglers that enjoy the Granite State’s waters annually.

ASA encourages you and the members of the House Fish and Game and Marine Resources to oppose this legislation. Thank you for your consideration.

Sincerely,



Connor Bevan
Inland Fisheries Policy Director
American Sportfishing Association

⁴<https://vtfishandwildlife.com/sites/fishandwildlife/files/documents/Learn%20More/Library/REPORTS%20AND%20DOCUMENTS/FISHERIES%20MANAGEMENT/SURVEYS/2020-Angler-Survey-Report.pdf> [Table 137]

⁵ <https://www.trcp.org/wp-content/uploads/2023/02/Aquatic-Invasive-Species-Report-3-28-2023.pdf>