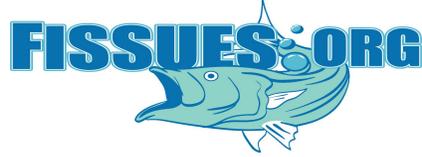


A comprehensive Guide to ASMFC Menhaden Amendment 3 Public Hearings



In May 2015, the Atlantic States Marine Fisheries Commission (ASMFC) initiated Amendment 3 to management plan for Atlantic menhaden. The purpose is to establish ecological management, and to review and possibly update state-by-state quota allocations.

It is critical that the ASMFC establish *interim* ecological reference points – that account for the hugely important role menhaden play in coastal ecosystems – now, and not to further delay their implementation. This amendment is a historic opportunity to protect menhaden. The current allocation of menhaden gives more than 85% of the fishery to Virginia, leaving all of the other east coast states to fight for the rest. This is inherently unfair and unprecedented in fisheries management. It makes no sense to continue with such an inequitable system.

In November & December 2016, ASMFC held a series of public hearings soliciting input on the Amendment 3 Public Information Document (PID). Over 25,000 comments favored moving immediately to ecosystem-based management of Atlantic menhaden. Maintaining single species management was only supported by 11 commenters.

In August ASMFC approved Draft Amendment 3 which is now available for public comment. Public hearings will be held throughout the East Coast beginning on Sept 11 in CT and ending on October 5 in MA. The official [public hearing announcement](#) can be found at this link.

This is the last opportunity for the public to influence Amendment 3 before the commission votes on the plan in November. These talking points do not address every issue included in the amendment for which the commission is seeking input, but highlights the most important ones for conservation of menhaden.

Public comment will be accepted both at public hearings and in writing, until 5:00 PM (EST) on October 20, 2017 and should be sent to Megan Ware, FMP Coordinator, 1050 N. Highland St, Suite A-N, Arlington, VA 22201; 703.842.0741 (FAX) or at comments@asmfc.org. The subject line should reference Draft Am 3.

The ASMFC will make final decisions on Amendment 3, and will set the 2018 catch limit, over the course of a two day meeting November 13-14 at the BWI Airport Marriott, 1743 West Nursery Road, Linthicum, Maryland.

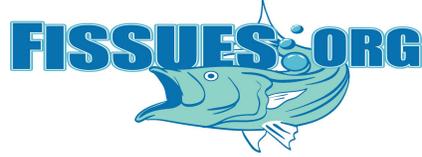
The Fissues.org Team has gone through the 80+ page Draft Amendment 3 and has created the following list of suggested comments to assist conservation minded recreational anglers who wish to submit public comments:

2.2 Purpose and Need

We agree with this section as written and encourage ASMFC to take action on both the ERP & Allocation Issues.

2.3 Goal

We feel this section is incomplete and that included as part of the goal should be to transition menhaden management to the use of ERP's as is described elsewhere in this document.



2.4 Objectives

We agree with the objectives but suggest the section should be edited to make crystal clear that the objectives apply to the entire range from Maine to Florida.

Reference Points:

Of all the issues in Draft Amendment 3, the most important is the transition to Ecological Reference Points (ERP's).

The ASMFC is presenting five options for managing menhaden. Option A is using single-species management, i.e. the status quo.

Option B is waiting until a technical committee (BERP) finishes menhaden-specific ecological reference points. We support use of the best science available to manage menhaden. We look forward to completion, testing and peer review of the menhaden specific models and ERP's being developed by the BERP Working Group. We do not feel this ongoing work which will not be ready for implementation until at least 2020 should delay transition to ecosystem based management via Ecological Reference Points.

Options C, D, and E would manage menhaden under scientifically appropriate rules for managing forage fish until the technical committee is finished, which could be years down the line. Now is the best time to establish reference points through Option E

We support Option E (BERP Workgroup Continues to Develop Menhaden Specific ERP's with Interim use of 75% Target, 40% Threshold).

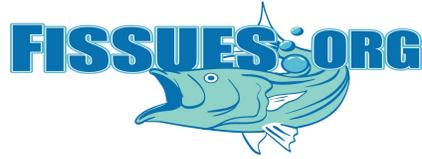
Atlantic predators of menhaden like striped bass, bluefish, weakfish, cod, king mackerel, cobia, osprey, and humpback whales [focus on species important to you] are struggling. Increasing the abundance of menhaden will help ensure these predators have enough food to achieve management goals for these species and the commercial and recreational fisheries that depend on them. The sole purpose of Option E is to enable the menhaden population to continue to grow to a high level and recover its historic geographic range from Maine to Florida to provide for predators, fisheries, and ecosystem services.

Simply put what this means is that we want ASMFC to implement a widely accepted general forage "rule of thumb" for management beginning in 2018. This Interim management will continue until menhaden specific ERP's have been completed. Option E means managing for a target biomass of 75% of and unfished stock and we would have to take a management action should the stock fall below 40%.

This is a reasonable, generally agreed upon way to manage forage species around the world. This type of approach has wide scientific support. This approach is based on best available science, provides for the needs of predators like striped bass and whales, and is a common sense way to manage such a very important public resource.

3.1.2.1 Incidental Catch Reporting

We support as much mandatory reporting and data collection as can be implemented through this action. The menhaden fishery, especially the smaller bait fisheries have been poorly monitored for a long time. Without robust monitoring and reporting the work of the BERP is a waste of time.



4.3.2 Quota Allocation

We do not feel the current allocation is fair amongst states. Over time it is clear that menhaden harvest has been dominated by VA & NJ . We believe the ASMFC should implement a fair and equitable allocation method that supports the existing menhaden fisheries up and down the coast.

Tier 1: Allocation Methods

The current quota allocation for menhaden gives more than 85% of the fishery to Virginia, leaving the remainder of the states to split the rest. This is inherently unfair and must be fixed.

As menhaden populations recover, fish are showing up again in places like Maine, Rhode Island and New York where they used to be abundant. The current allocation is unfair, and Amendment 3 is a chance to establish a more equitable distribution. Paired with ecological management, a quota reallocation could mean both more fish in the water while giving bait fishermen more fish to catch. That is a win-win for recreational and commercial fishermen – outside of Virginia. It is also a potential benefit to the ecosystem as it will spread catch out along the coast.

We support Option C (Jurisdictional Allocation with Minimum Base Allocation). Due to the wide variety of local, regional and industrial scale commercial menhaden fisheries, we feel the only way to fairly allocate the menhaden resource is by state. This way, each state can set its own priorities when dividing quota amongst different fisheries and developing regulations that fit the fisheries in that particular jurisdiction.

We further suggest ASMFC adopt Sub Option 3 (Each State receives 2% of the coast wide TAC). Outside of VA & NJ, a 2 % allocation should account for the real issues being experienced in MD, ME, NY & RI. This will leave plenty of fish so that NJ & VA may have enough quota to continue their industrial scale fisheries.

Option A, Coastwide Allocation, is a risky scenario will likely lead to Omega Protein quickly harvesting the bulk of the quota. This option should be rejected.

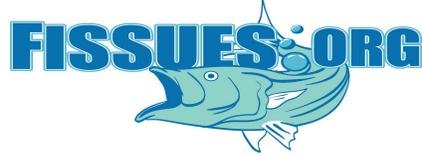
Option D, Regional-fleet Capacity Quota, is unnecessarily complicated compared to state-by-state allocation, and a “soft cap” is inappropriate since certain gear types would not be subject to a shutdown or strict monitoring, potentially leading to quota overages.

Option E, Disposition Quota, could bring more equity to the current allocation scheme, and Sub-option 2, a 70/30 split between reduction and bait is best. However, given that every east coast state, save one, has banned reduction fishing, it may not be appropriate to lock in a substantial percentage of the catch for reduction.

Option F, allocation based on TAC, is a dangerous and unacceptable option that will create an incentive for both bait and commercial fisheries to push for catch increases because the increased catch will be split among these sectors above 212,500 metric tons. This option will benefit only the reduction industry.

Tier 2: Allocation Timeframe

At this time our team is not prepared to favor any one of these options over another. Historic landings of menhaden have varied over the years due to changes in fishing effort, changes in the geographic range of the fish population, and spotty reporting. An ideal allocation scenario would consider the catch over more than a century of time. We look forward to seeing these options further explained at the public hearings.



4.2.2.1 Overage Payback

We support the use of overage paybacks in the following year as a deterrent to fishing above a states individual quota.

4.3.3 Quota Transfers

The ASMFC is trying to determine what to do if a state reaches or approaches its quota and there is unused quota in other states.

We feel quota transfers should no longer be permitted after reallocation. Quota transfers may encourage “horse-trading” of fish.

4.3.4 Quota Rollovers

We support Option A (Unused Quota May Not Be Rolled Over). We are opposed to the use of quota rollovers in the menhaden fishery, no matter what the reason for the unharvested fish.

4.3.5 Incidental Catch and Small Scale Fisheries

Current management exempts bycatch from counting towards the quota, allowing millions of pounds of catch to go uncounted.

We support Option F (All Catch Included in TAC). All catch, including incidental and bycatch, should count toward the appropriate quota. By more fairly distributing quota, all fishing methods can be counted under the catch limit. There should be no instances where catch is allowed once a quota is full.

4.3.6 Episodic Events Set Aside Program

We are opposed to any episodic events program because after reallocation under this amendment, states, fisheries etc. should be required to operate under a specific sustainable quota.

4.3.6.1 TAC Set Aside

This set aside is designed to accommodate unusually large amounts of menhaden in a state when the quota has already been reached.

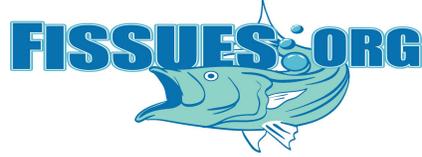
We Support Option C (0% of TAC is Set Aside). We are opposed to any episodic events program. Episodic events are becoming more likely as the stock recovers, and once again, a better allocation across states will reduce the need for this set aside.

4.3.7 Chesapeake Bay Reduction Fishery Cap

The Chesapeake Bay is an important nursery for menhaden that eventually migrate across the coast. The cap on this area is to prevent overfishing of young menhaden. We agree with the continued use of this management tool.

We support Option B: (Cap Set At 51,000 metric tons), which represents an approximation of the five-year average of reduction harvest from the Chesapeake Bay between 2012 and 2016.

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This is a big reduction from the current 87,216 metric ton cap, which is largely ineffective because the reduction industry has never come close to it. As it stands now the reduction fishery could DOUBLE their catch in a critical nursery area.

We further support Sub Option B (No Rollover of Unused Cap Permitted).

4.8.9.1 Management in the Exclusive Economic Zone

We believe a significant portion of menhaden landed under this plan are actually harvested in federal waters. We suggest ASMFC do some work to further understand the federal waters fishery and urge that a federal management plan be developed.

NOTES