

Atlantic States Marine Fisheries Commission

Atlantic Menhaden Management Board

February 2, 2021

2:45 – 4:00 p.m.

Webinar

Draft Agenda

The times listed are approximate; the order in which these items will be taken is subject to change; other items may be added as necessary.

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|---|-----------|
| 1. Welcome/Call to Order (<i>S. Woodward</i>) | 2:45 p.m. |
| 2. Board Consent | 2:45 p.m. |
| • Approval of Agenda | |
| • Approval of Proceedings from October 2020 | |
| 3. Public Comment | 2:50 p.m. |
| 4. Review Recent Fishery Performance Relative to Commercial Allocations
(<i>K. Rootes-Murdy</i>) | 3:00 p.m. |
| 5. Other Business/Adjourn | 4:00 p.m. |

MEETING OVERVIEW

Atlantic Menhaden Management Board
Tuesday, February 2, 2021
2:45 – 4:00 p.m.
Webinar

Chair: Spud Woodward (GA) Assumed Chairmanship: 03/20	Technical Committee Chair: Josh Newhard (USFWS)	Law Enforcement Committee Representative: Robert Kersey (MD)
Vice Chair: Mel Bell (ME)	Advisory Panel Chair: Meghan Lapp (RI)	Previous Board Meeting: October 20, 2020
Voting Members: ME, NH, MA, RI, CT, NY, NJ, PA, DE, MD, PRFC, VA, NC, SC, GA, FL, NMFS, USFWS (18 votes)		

2. Board Consent

- Approval of Agenda
- Approval of Proceedings from October 2020

3. Public Comment – At the beginning of the meeting public comment will be taken on items not on the agenda. Individuals that wish to speak at this time must sign-in at the beginning of the meeting. For agenda items that have already gone out for public hearing and/or have had a public comment period that has closed, the Board Chair may determine that additional public comment will not provide additional information. In this circumstance the Chair will not allow additional public comment on an issue. For agenda items that the public has not had a chance to provide input, the Board Chair may allow limited opportunity for comment. The Board Chair has the discretion to limit the number of speakers and/or the length of each comment.

4. Review Recent Fishery Performance Relative to Commercial Allocations (3:00-4:00 p.m.)

Background

- Amendment 3 (2017), implemented in 2018, establishes that the Board will revisit quota allocations every three years following implementation.
- Recent landings relative to commercial allocations and quota transfers were compiled for the Board's consideration in revisiting the current allocations. **(Supplemental Materials)**

Presentations

- Review Recent Fishery Performance Relative to Allocations by K. Rootes-Murdy

5. Other Business/Adjourn



Atlantic States Marine Fisheries Commission

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MEMORANDUM

TO: Atlantic Menhaden Management Board

FROM: Kirby Rootes-Murdy, Senior FMP Coordinator

DATE: January 26, 2021

SUBJECT: **REVISED** Recent Menhaden Fishery Performance Relative to Commercial Allocations

This memorandum serves as a review of recent (2016-2019) landings information relative to commercial allocations and quota transfers. The information is provided to aid the Board in revisiting the quota allocations established in Amendment 3 to the Atlantic Menhaden Fishery Management Plan (FMP).

Overview of Amendment 3 Quota Allocations

Amendment 3, approved in November 2017 and implemented for the 2018 fishing year, established new commercial quota allocations to manage the annual Total Allocation Catch (TAC). Each jurisdiction is allocated a 0.5% fixed minimum quota and the remainder of the TAC is allocated based on a three-year average of landings from 2009-2011. On an annual basis, jurisdictions have the option to relinquish part of or all of their fixed minimum quota by December 1st of the preceding fishing year. Any quota relinquished by a jurisdiction is redistributed to other jurisdictions that have not relinquished their quota, based on landings data from 2009-2011. Any overage of quota allocation is determined based on final allocations (inclusive of transfers) and the overage amount is subtracted for that jurisdiction's quota allocation in the subsequent year on a pound-for-pound basis. Quota allocations are to be revisited every three years following implementation of the Amendment (2018).

Summary of Recent Landings Trends

Table 1 shows each jurisdiction's total landings as a percentage of the annual coastwide total. Total Landings data from 2016-2019 are included to show trends for longer than two years. Total landings include directed bait and reduction landings, incidental catch, and landings occurring under the Episodic Event Set-Aside (EESA) Program. Total landings may encompass more than a jurisdiction is allocated in a given year due to quota transfers, episodic landings or incidental catch. For these same reasons, annual landing percentages higher than Amendment 3 allocations do not necessarily indicate a quota overage. Since the implementation of the Amendment that TAC has not been exceeded, including incidental catch and EESA landings. The EESA Program has been in place since the 2013 fishing year and landings under this program have changed in volume and distribution from 2013-2019. In 2018 and 2019, Maine was the only jurisdiction to opt into the EESA program and landed 4.6 and 4.4 million pounds, respectively. Similarly, incidental catch along the coast has also changed from 2013 to 2019; in

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2013, total coastwide incidental catch was 4.3 million pounds across multiple jurisdictions. In 2019, Maine was the only jurisdiction to declare incidental catch landings, which totaled 10.7 million pounds.

Table 1. Jurisdiction total landings as a percentage of coastwide landings, 2016-2019. Total landings include directed bait and reduction landings, incidental catch, and harvest under EESA. Amendment 3 allocations for directed bait and reduction landings were implemented beginning in 2018.

Jurisdiction	Amendment 3 Directed Landings Allocations (%)	2016	2017	2018	2019
Maine	0.52%	1.20%	2.31%	3.48%	4.91%
New Hampshire	0.50%				0.99%
Massachusetts	1.27%	0.77%	0.96%	1.35%	1.51%
Rhode Island	0.52%	0.08%	0.45%	0.17%	0.01%
Connecticut	0.52%	0.02%	0.05%	0.20%	0.02%
New York	0.69%	0.36%	0.41%	0.22%	0.31%
New Jersey	10.87%	11.50%	12.15%	11.95%	10.95%
Pennsylvania	0.50%				
Delaware	0.51%	0.02%	0.02%	0.04%	0.02%
Maryland	1.89%	1.40%	0.76%	0.74%	0.73%
PRFC	1.07%	0.63%	0.55%	0.79%	0.51%
Virginia	78.66%	83.86%	82.07%	80.79%	79.86%
North Carolina	0.96%	0.10%	0.20%	0.17%	0.12%
South Carolina	0.50%				
Georgia	0.50%				
Florida	0.52%	0.07%	0.07%	0.06%	0.05%
Total	100.00%	100.00%	100.00%	100.00%	100.00%

To protect confidentiality, information for New Hampshire, Pennsylvania, South Carolina, and Georgia have been removed.

Quota Transfers

Table 2 outlines quota transfers from 2018-2020. Not every jurisdiction transferred quota consistently; only Maine, Connecticut, New York, Maryland, and Florida either gave or received quota every year from 2018-2020. For all three years, the only jurisdiction to have a net increase in quota through transfers were Maine, New Hampshire, and Massachusetts. The net increase in quota over the 3 years ranged from 1.3 to 6.57 million pounds. In 2018, 5.4 million pounds of quota was transferred; on average, a giving jurisdiction on average transferred 900,000 pounds of quota, with 6 jurisdictions providing quota to one jurisdiction. In 2019, 11.25 million pounds of quota was transferred; a giving jurisdiction on average transferred 1.4 million pounds of quota with 8 states providing quota to 3 jurisdiction. In 2020, 10.6 million pounds of

quota was transferred; a giving jurisdiction on average transferred 1.3 million pounds of quota with 8 jurisdictions providing quota to 3 jurisdictions.

Table 2. Quota transfers in pounds by jurisdiction for 2018-2020. Gray cells indicate transfers that increased quota and bolded cells indicate states that transferred quota in all three years.

Jurisdiction	2018	2019	2020	3 Year Net Total	3 Year Average
Maine	5,400,000	6,573,592	5,450,000	17,423,592	5,807,864
New Hampshire	0	3,373,592	2,300,000	5,673,592	1,891,197
Massachusetts	0	1,300,000	2,350,000	3,650,000	1,216,667
Rhode Island	0	-400,000	-1,800,000	-2,200,000	-733,333
Connecticut	-500,000	-2,400,000	-2,000,000	-4,900,000	-1,633,333
New York	-1,000,000	-1,900,000	500,000	-2,400,000	-800,000
New Jersey	0	0	0	0	0
Pennsylvania	0	0	-500,000	-500,000	-166,667
Delaware	-150,000	0	-100,000	-250,000	-83,333
Maryland	-1,500,000	-1,000,000	-1,350,000	-3,850,000	-1,283,333
PRFC	0	0	0	0	0
Virginia	-1,000,000	-1,000,000	0	-2,000,000	-666,667
North Carolina	0	-600,000	-1,800,000	-2,400,000	-800,000
South Carolina	0	-2,347,184	-1,650,000	-3,997,184	-1,332,395
Georgia	0	0	0	0	0
Florida	-1,250,000	-1,600,000	-1,400,000	-4,250,000	-1,416,667

From: Tom Lilly <foragematters@aol.com>
Sent: Tuesday, January 26, 2021 7:53:54 PM
To: Tina Berger; Robert Beal
Cc: flypax@md.metroca; jubylee@verizon.net; THOMAS LILLY
Subject: [External] corrected copy to distribute

Tina Please distribute this.....We ask that the policy board, the menhaden board and the staff click on our new site menhadenproject.org to read the background for our request the menhaden delegates pass a motion at the February 2 meeting that an addendum proceed with scientific input and public comment on potential measures to protect the early Spring-Summer flow of menhaden into the Chesapeake Bay. This forage is critical to rebuilding the bay's forage base. That forage is now being targeted by 12 industrial sized purse seiners with no protection. The bay cap and the recent 10% decrease in the TAC, unfortunately, do nothing to protect those menhaden schools. The base is failing year after year. We have tried to give the board a complete explanation of the need for this action and means to accomplish it. This is the "time and area" controls referred to in Bob Beal's letter to Secretary Ross that were recommended by a Commission consultant. This important matter should not be put off any longer. The duty of the Commission to act in these circumstances is made clear at page 4 paragraph 2 of that letter.

Thank you Tom Lilly Menhaden Project

From: [Tom](#)
To: [Tina Berger](#)
Subject: [External] Fwd: : Bill Dunn opinions on effects of the factory fishing
Date: Thursday, January 21, 2021 1:27:25 PM
Attachments: [2021-01-21_124329 Bill Dunn.pdf](#)

Tina could you post this to the menhaden board with attachment? Thanks. Tom

Sent from my iPhone

Begin forwarded message:

From: Tom Lilly <foragematters@aol.com>
Date: January 21, 2021 at 1:04:50 PM EST
To: bill.anderson@maryland.gov, lynn.fegley@maryland.gov, mjdize@verizon.net, acolden@cbf.org, wbaker@cbf.org, jeannie.riccio@maryland.gov
Cc: steve.bowman@mrc.virginia.gov, bplumlee@pbp-attorneys.com, pat.geer@mrc.virginia.gov, district01@senatevirginia.gov, martingary@gmail.com, rbeal@asmfc.org, dunnsville@gmail.com
Subject: : Bill Dunn opinions on effects of the factory fishing
Reply-To: Tom Lilly <foragematters@aol.com>

Bill and Lynn..and other menhaden delegates ..our site is not up yet so I felt you should be aware of this comment by Virginian Bill Dunn. Bill tracks the movements of the Omega ships while they are at work in the Virginia bay and the Virginia Atlantic Zone. The tracks tell the story when a set is being made and the length of time the ship remains stationary while the menhaden is pumped onboard. There are many other clues as to how many schools are present and of those how many are caught when you can monitor the Omega radio chatter between the plant , the spotter pilots and the purse seine captains. Bill has a reputation of being very careful and neutral in his comments on his facebook site. The trends year to year become apparent- thats what is important here.

He says quite a bit in the attached mail dated 12/11/20. I am quite certain he has the years of experience and data to back up these opinions. I hope you, and the other Maryland and Virginia delegates will consider the seriousness of what he says in what

you are planning to say and do at the menhaden board meeting on Feb 2nd...I am sending this to Steve Bowman and the Virginia delegates as well as our other Maryland delegates. I hope people pay attention to this.

Thank you Tom Lilly

Date: Fri. Dec 11, 2020 8:41 am

Phil, I would like to add per our conversation last week, that as long as the CBBT is considered the demarcation line for the Chesapeake Bay as set up by ASMFC per the direction of Omega and/or they can fish within the 3 mile EEZ line along the coast then even if the Bay Cap was 0 fish they can still catch a majority of every group of schools migrating into and out of the Bay. They just have to put a little more fuel in their ships.

Moving them out to the EEZ is the only option that will reestablish the menhaden biomass within the Bay. This statement is based on daily observation of Omega's fishing practices of following the schools as they migrate into and out of the Chesapeake Bay by tracking their movements, radio communications discussing the quantity and size of schools as well as class of fish (age groups) that are seen, catch amounts per ships made as reported via radio back to Reedville and learning the migration patterns of the schools after years of watching them follow the groups of schools. While not exact "science" is observed in these daily tracking reports they show the patterns and results of Omega's efforts and are a good representation of what's happening in the local depletion of our state's waters.

If you have followed my post starting this year on <https://www.facebook.com/Chesapeake-Bay-Defenders-1890352121190102> it is apparent that these groups of schools have been dropping off at an alarming rate from the previous 5 years and are in deep decline that is simply not shown or represented in ASMFC's coastal biomass figures. There are 5K people that follow this page and it reaches over 7K people so there are a lot of people that are concerned about these issues as they personally see the results of this depletion out on the water by the lack of menhaden schools seen.

Respectively,

Bill Dunn