

Atlantic States Marine Fisheries Commission

Atlantic Menhaden Management Board

November 9, 2022

1:30 – 5:30 p.m.

Hybrid Meeting

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.

This meeting will include a 10-minute break.

- | | |
|--|-----------|
| 1. Welcome/Call to Order (<i>M. Bell</i>) | 1:30 p.m. |
| 2. Board Consent | 1:30 p.m. |
| • Approval of Agenda | |
| • Approval of Proceedings from August 2022 | |
| 3. Public Comment | 1:35 p.m. |
| 4. Consider Addendum I to Amendment 3 on Commercial Allocations, Episodic Event Set Aside Program, and Incidental Catch/Small-scale Fisheries for Final Approval Final Action | 1:45 p.m. |
| • Review Public Comment Summary (<i>J. Boyle</i>) | |
| • Review Advisory Panel Report (<i>M. Lapp</i>) | |
| • Consider Final Approval of Addendum I | |
| 5. Set 2023 Specifications Final Action | 4:00 p.m. |
| • Review Technical Committee Report of Stock Projections (<i>J. Newhard</i>) | |
| 6. Other Business/Adjourn | 5:30 p.m. |

The meeting will be held at The Ocean Place Resort (1 Ocean Boulevard, Long Branch, NJ; 732.571.4000) and via webinar; click [here](#) for details

Atlantic States Marine Fisheries Commission

MEETING OVERVIEW

Atlantic Menhaden Management Board

Wednesday, November 9, 2022

1:30 p.m. – 5:30 p.m.

Hybrid Meeting

Chair: Mel Bell (SC) Assumed Chairmanship: 10/21	Technical Committee Chair: Josh Newhard (USFWS)	Law Enforcement Committee Representative: Scott Simmons (MD)
Vice Chair: Conor McManus (RI)	Advisory Panel Chair: Meghan Lapp (RI)	Previous Board Meeting: August 3, 2022
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 August 3, 2022

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 should use the webinar raise your hand function and the Board Chair will let you know when to speak. 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 Board 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. Consider Addendum I to Amendment 3: *Commercial Allocations, Episodic Event Set Aside Program, and Incidental Catch/Small-scale Fisheries for Final Approval (1:45-4:00 p.m.) Final Action*

Background

- In August 2021, the Board initiated a draft addendum to consider changes to commercial allocations, the episodic event set aside (EESA) program, and the incidental catch and small-scale fisheries provision (IC/SSF) based on the Board work group report.
- The Board approved Draft Addendum I for public comment in August 2022. Public hearings were held for ME, NH, MA, RI, NY, NJ, DE-MD-PRFC, VA, and NC (**Briefing Materials**).
- The Advisory Panel met via webinar on October 18th to provide recommendations regarding Addendum I (**Supplemental Materials**).

Presentations

- Overview of options and public comment summary by J. Boyle
- Advisory Panel Report by M. Lapp
- Select management options and implementation dates

Atlantic States Marine Fisheries Commission

- Approve final document

5. 2023 Menhaden Specifications (4:00–5:30 p.m.) Final Action

Background

- The Board sets an annual or multi-year TAC using the best available science.
- The TC completed projection runs for the 2023-2025 years based on recommendations from the Board (**Briefing Materials**).

Presentations

- Review of 2023-2025 stock projections by J. Newhard

8. Other Business/Adjourn

Atlantic Menhaden

Activity level: High

Committee Overlap Score: High (SAS, ERP WG overlaps with American eel, striped bass, northern shrimp, Atlantic herring, horseshoe crab, weakfish)

Committee Task List

- TC – August 1st: Annual compliance reports due

TC Members: Josh Newhard (USFWS, Chair), Holly White (NC), Keilin Gamboa-Salazar (SC), Jason McNamee (RI), Eddie Leonard (GA), Jeff Brust (NJ), Matt Cieri (ME), Ingrid Braun (PRFC), Micah Dean (MA), Kurt Gottschall (CT), Caitlin Craig (NY, Vice-Chair), Shanna Madsen (VMRC), Chris Swanson (FL), Ray Mroch (NMFS), Amy Schueller (NMFS), Alexei Sharov (MD), Garry Glanden (DE), Heather Walsh (USGS), Kristen Anstead (ASMFC), James Boyle (ASMFC)

SAS Members: Amy Schueller (NMFS, SAS Chair), Matt Cieri (ME), Micah Dean (MA), Robert Latour (VIMS), Chris Swanson (FL), Ray Mroch (NMFS), Jason McNamee (RI), Alexei Sharov (MD), Jeff Brust (NJ) Kristen Anstead (ASMFC), James Boyle (ASMFC), Joey Ballenger (SC)

ERP WG Members: Jason Boucher (NOAA), Matt Cieri (ME,ERP Chair), Michael Celestino (NJ), David Chagaris (FL), Micah Dean (MA), Rob Latour (VIMS), Jason McNamee (RI), Amy Schueller (NFMS), Alexei Sharov (MD), Howard Townsend (NFMS), Jim Uphoff (MD), Kristen Anstead (ASMFC), Katie Drew (ASMFC), Sarah Murray (ASMFC)

**DRAFT PROCEEDINGS OF THE
ATLANTIC STATES MARINE FISHERIES COMMISSION
ATLANTIC MENHADEN MANAGEMENT BOARD**

**The Westin Crystal City
Arlington, Virginia**

August 3, 2022

Draft Proceedings of the Atlantic Menhaden Management Board Meeting
August 2022

TABLE OF CONTENTS

Call to Order, Chair Mel Bell 1

Approval of Agenda 1

Approval of Proceedings from May 3, 2022 1

Public Comment 1

Review 2022 Atlantic Menhaden Single-Species Stock Assessment Update 3

Consider Fishery Management Plan Review and State Compliance for 2021 Fishing Year 13

Consider Draft Addendum I to Amendment 3 on Commercial Allocations, Episodic Event Set Aside Program
and Incidental Catch/Small-scale Fisheries for Public Comment 17

Review and Populate Advisory Pane 31

Adjournment 31

These minutes are draft and subject to approval by the Atlantic Menhaden Management Board.
The Board will review the minutes during its next meeting

INDEX OF MOTIONS

1. **Move to approve agenda** by Consent (Page 1).
2. **Move to approve proceedings of May 3, 2022** by Consent (Page 1).
3. **Move to approve Fishery Management Plan Review, state compliance reports, and *de minimis* requests for PA, SC, GA, and FL for Atlantic menhaden for the 2021 fishing year** (Page 16). Motion by John Clark; second by Pat Geer. Motion carried (Page 17).
4. **Move to remove *Option 3B: Weighted Allocation Timeframe #2* from Section 3.1.2. in Draft Addendum I** (Page 19). Motion by Cheri Patterson; second by Kris Kuhn. Motion carried (11 in favor, 5 opposed, 2 abstentions (Page 20).
5. **Move to modify section 3.3.2 option 3 by adding “existing beach seine fisheries”** (Page 27). Motion by Jim Gilmore; second by Joe Cimino. Motion fails for lack of a majority (1 in favor, 14 opposed, 1 null) (Page 30).
6. **Move to approve Draft Addendum I for Public Comment, as amended today** (Page 30). Motion by Megan Ware; second Cheri Patterson. Motion carried with one objection (NY) (Page 31).
7. **Move to approve the nomination of Barbara Garrity-Blake from NC to the Atlantic Menhaden Advisory Panel** (Page 31). Motion by Chris Batsavage; second by Pat Geer. Motion carried (Page 31).
8. **Motion to adjourn** by consent (Page 31).

Draft Proceedings of the Atlantic Menhaden Management Board Meeting
August 2022

ATTENDANCE

Board Members

Megan Ware, ME, proxy for Pat Keliher (AA)	John Clark, DE (AA)
Cheri Patterson, NH (AA)	Roy Miller, DE (GA)
Ritchie White, NH (GA)	Craig Pugh, DE, proxy for Rep. Carson (LA)
Dennis Abbott, NH, proxy for Sen. Watters (LA)	Lynn Fegley, MD, Administrative proxy
Nichola Meserve, MA	Russell Dize, MD (GA)
Raymond Kane, MA (GA)	Allison Colden, MD, proxy for Del. Stein (LA)
Sarah Ferrara, MA, proxy for Rep. Peake (LA)	Pat Geer, VA, proxy for J. Green (AA)
David Borden, RI (GA)	Bryan Plumlee, VA (GA)
Eric Reid, RI, proxy for Sen. Sosnowski (LA)	Chris Batsavage, NC, proxy for K. Rawls (AA)
Justin Davis, RI (AA)	Jerry Mannen, NC (GA)
Bill Hyatt, CT (GA)	Malcolm Rhodes, SC (GA)
Jim Gilmore, NY (AA)	Chris McDonough, SC, proxy for Sen. Cromer (LA)
Emerson Hasbrouck, NY (GA)	Doug Haymans, GA (AA)
Joe Cimino, NJ (AA)	Erika Burgess, FL, proxy for J. McCawley (AA)
Tom Fote, NJ (GA)	Gary Jennings, FL (GA)
Kris Kuhn, PA, proxy for T. Schaeffer (AA)	Marty Gary, PRFC
Loren Lustig, PA (GA)	Max Appelman, NMFS
G. Warren Elliott, PA (LA)	John Coll, USFWS

(AA = Administrative Appointee; GA = Governor Appointee; LA = Legislative Appointee)

Ex-Officio Members

Joshua Newhard, Technical Committee Chair

Staff

Bob Beal	Lisa Havel
Toni Kerns	Chris Jacobs
Lisa Carty	Jeff Kipp
Tina Berger	Geoff White
Pat Campfield	

Guests

Steve Atkinson	Thomas Burkett	Nicole Costa, RI DMF
Pat Augustine, Coram, NY	Diane Bynum	Heather Corbett, NJ DEP
Gerald Ault, Univ Miami	Will Caldwell	Robert Crockett
Rachel Barrales, Cape Cod CFA	Debbie Campbell	Monty Deihl, Ocean Fleet Svcs.
Rob Beal, ME DMR	Nicole Caudell, MD DNR	Greg DiDomenico, Lund's
John Bello	Mike Celestino, NJ DEP	Fisheries
Alan Bianchi, NC DENR	Benson Chiles, Chiles Consulting	John Duane
Ingrid Braun, PRFC	Matt Cieri, ME DMR	Paul Eidman
Jeff Brust, NJ DEP	John Cooke, Saving Seafood	Al Erskine
Al Erskine	David Fuller, Kelley Drye	Shaun Gehan, Gehan Law

These minutes are draft and subject to approval by the Atlantic Menhaden Management Board.
The Board will review the minutes during its next meeting

Draft Proceedings of the Atlantic Menhaden Management Board Meeting
August 2022

Guests (continued)

Angela Giuliano, MD DNR	Shanna Madsen, VMRC	Mike Ruccio, NOAA
Lewis Gillingham, VMRC	Joshua McGilly, VMRC	Eric Schneider, RI DEM
Brendan Harrison, NJ DEP	Dan McKiernan, MA (AA)	Somers Smott, VMRC
Marin Hawk, MSC	Jason McNamee, RI (AA)	Rene St. Amand, CT DEP
Helen Takade-Heumacher, EDF	Kevin McMenamin	David Stormer, DE DFW
Amanda Higgs, NYS DEC	Christi Medice	John Sweka, US FWS
Jaclyn Higgins, TRCP	John Maniscalco, NYS DEC	Christina Vaeth
Peter Himchak, Omega Protein	Steve Meyers, Williamsburg, VA	Bob Vanasse
Kyle Hoffman, SC DNR	Mike Millard	Scott Curatolo-Wagermann, Cornell Univ
Harry Hornick, MD DNR	Chris Moore, CBF	Mike Waive, ASA
Jesse Hornstein, NYS DEC	Brandon Muffley, MAFMC	Ellen Waldrop SC DNR
Jeff Kaelin, Lund's Fisheries	Allison Murphy, NOAA	Meredith Whitten, NC DENR
Adam Kenyon, VMRC	George O'Donnell, MD DNR	Angel Willey, MD DNR
Rob LaFrance, Quinnipiac Univ	Scott Olszewski, RI DEM	John Page Williams
Ben Landry, Omega Protein	Gerry O'Neill, Cape Seafoods	Chris Wright, NOAA
Tom Lilly	Derek Orner, NOAA	Phil Zalesak, Tall Timbers, MD
Brooke Lowman, VMRC	Nick Popoff, US FWS	Faith Zerbe, DE Riverkeeper
Sharon Luk, House Rep. (ME)	Will Poston, SGA	Erik Zlokovitz, MD DNR
Pam Lyons	Jill Ramsey, VMRC	Renee Zobel, NH, F&G
Shanna Madsen, VMRC	Harry Rickabaugh, MD DNR	

These minutes are draft and subject to approval by the Atlantic Menhaden Management Board.
The Board will review the minutes during its next meeting

Draft Proceedings of the Atlantic Menhaden Management Board Meeting
August 2022

The Atlantic Menhaden Management Board of the Atlantic States Marine Fisheries Commission convened in the Jefferson Ballroom of the Westin Crystal City Hotel, Arlington, Virginia, via hybrid meeting, in-person and webinar; Wednesday, August 3, 2022, and was called to order at 2:15 p.m. by Chair Mel Bell.

CALL TO ORDER

CHAIR MEL BELL: Okay folks, let's go ahead and get started. I'm Mel Bell; I'm Chair of the Menhaden Board, and we'll call the Menhaden Board to order. Welcome! We've got a fun, action-packed agenda today, literally. We're already 45 minutes behind or so. My objective is to get us finished here without having to order out for pizza, okay?

I'm sure they have good pizza here; but I don't want to do that.

APPROVAL OF AGENDA

CHAIR BELL: First item on the agenda is approval of the agenda. Do any of you have suggested changes to the agenda? I have one. Okay, we have one topic that we will discuss that has no action item, and that is a briefing on the stock assessment.

Dr. Amy Schueller, who graciously came up from Morehead City has to drive back to Morehead City as soon as she's finished. I would rather not keep her here late, so we're going to move her first, in terms of when we get to the items on the agenda. That will be one change to the agenda. Any objections to that? I don't see any, then that stands approved.

APPROVAL OF PROCEEDINGS

CHAIR BELL: Next, would be Approval of the Proceedings from the May 2022 Meeting. Are there any edits or changes necessary to the proceedings from May 2022? I don't see any hands. Then the proceedings will be approved.

PUBLIC COMMENT

CHAIR BELL: Okay, it takes us to public comment. Again, we're running a little late, but I know we

These minutes are draft and subject to approval by the Atlantic Menhaden Management Board.
The Board will review the minutes during its next meeting

have public comment in person, and I think online as well. What I would like to do is limit it to three minutes for each individual. We can start either online or in-person, whichever is easiest. Do we have somebody in person that would like to go first?

MR. PETER HIMCHAK: I'm surprised they called me so quickly. My name is Peter Himchak; and I work for Omega Protein. We are getting to the point where it's becoming intolerable to see the same public comments coming to this management board every time it meets. The particular comments only come from a few individuals. There are some form letters, or there are petitions now being circulated. There is always this accusation of overfishing menhaden in the Chesapeake Bay.

We're threatening the forage base of the predators. We would like to see some of these statements backed up by scientific fact or a publication. We rely on the ASMFC and its technical scientists are exploring the special component of the BAM. We've supported them through the ERP process, and we will consider to support them in whatever direction they go from here. But this whole issue of Chesapeake Bay. We hope it stays in the domain of the ASMFC scientists.

Just because you are constantly flooded with faxes and articles and letters, etcetera, etcetera, that talk about how we are crippling the forage base in the Bay. We would like to see that abate to some extent. We get tired of reading it, and hopefully you do as well. Until some science comes along, I just can't stand reading the same comments over and over, and I hope you feel the same way.

CHAIR BELL: Thank you, Sir, appreciate your comments. All right, we'll shift over to online. First, I have Phil Zalesak. Phil, if you would like to go first. Three minutes.

MR. PHIL ZALESK: Yes, Board members, and the representative of Omega Protein. My name is Phil Zalesak; I'm a recreational fisherman in southern Maryland. It's time to shut down the last remaining Atlantic menhaden reduction fishery on the Atlantic

Draft Proceedings of the Atlantic Menhaden Management Board Meeting
August 2022

coast, as the overharvesting of Atlantic menhaden is destroying the future of striped bass in the Chesapeake Bay and beyond.

Allocating 71 percent of the total allowable catch of Atlantic menhaden to a Canadian reduction fishery, Omega Protein, is of no benefit to American fishermen or American taxpayers. That is a total of 136,313 metric tons or over 653 million fish per year allocated to less than 300 workers in Reedville, Virginia, and the corporate profits go to Canada.

This is truly stupid. I call it the Canada first policy. To add insult to injury, the Board annually allocates 51,000 metric tons of Atlantic menhaden or 244 million fish to Omega Protein, to be harvested from the Chesapeake Bay. That is 26 percent of the total allowable catch for the entire Atlantic coast. That's obvious overharvesting, and violates common sense, and is totally stupid.

These allocations violate the mission of the U.S. Commerce Department, the goals and objectives of this Board, and the fishing regulations of Virginia. These allocations are not an equitable allocation of a natural resource to all user groups. They are based on political science not biological science.

The Commission lowered the total allowable catch of Atlantic menhaden from 216 metric tons to 194,400 metric tons to decrease the mortality rate of striped bass. Did you hear that representative of Omega Protein? And I'll send you the references. But this Board has done nothing to protect the striped bass in the Chesapeake Bay, where striped bass feed and breed. Finally, it's time for the Board to live up to its goals and objectives to the benefit of American fishermen and American taxpayers. It's easy, just do the damn job. I thank you for your time.

CHAIR BELL: All right, thank you, Phil. Next is Tom Lilly.

MR. TOM LILLY: I would like to try and answer Mr. Himchak's of Omega Protein's objection. Sir, the Commission ERP work concluded that the commercial harvest should not exceed 4 percent of

the stock, if it did so it would damage the menhaden, and in turn would damage the striped bass. Because as you know, the main conclusion of that study, Sir, was that striped bass are the most sensitive fish to menhaden harvest. Mr. Himchak, how can you assure the public that you are not taking more than 4 percent of the menhaden present in the Bay?

Because from all the observations that we have seen, there are many days that your ships can't even locate any menhaden, substantial number of menhaden in the Bay, because you have harvested all of them. Please advise the public how you can assure them that you are not catching more than 4 percent. Can I have a little more time to give my statement, please?

CHAIR BELL: Stick to the time, Tom, and also, please address the Commission. You're not here to address anybody else, okay please?

MR. LILLY: Okay. The Chesapeake Bay spawning stock has failed, three years of the worst young of the year ever. Shouldn't the Menhaden Board be looking at the location of the harvest? The poor condition of the Chesapeake Bay in fish and wildlife is a goal for the following. That the Board determine the ecological, social and economic consequences of moving the factory fishing out of Virginia waters into the U.S. Atlantic zone, compared to leaving it where it is in the Bay.

This action is supported by the Maryland legislatures, legislators that represent over a million Marylanders, by charter captains, ten statewide fishing clubs and the Maryland Sierra Club with 70,000 Maryland members. In Virginia as you know, a petition has been filed by the Theodore Roosevelt Partnership that represents over 100 organization, CCA, Virginia Saltwater Sportsmen, and the American Sportfishing Association.

There has never been a time where the damage being done to Chesapeake Bay and fish and wildlife and the interest of millions of people by the reduction fishing industry was more obvious, and there has never been a time where so many

These minutes are draft and subject to approval by the Atlantic Menhaden Management Board.
The Board will review the minutes during its next meeting

Draft Proceedings of the Atlantic Menhaden Management Board Meeting
August 2022

responsible organizations are requesting the Menhaden Board to act.

A lot of people say that you will never face up to your obligations and the responsibilities to wildlife and the people of the Chesapeake Bay, protect American jobs and resources. We say, our menhaden delegates care about Maryland, about our communities, about American jobs. But they will act to protect and enhance Chesapeake Bay experience for millions of our fishermen, and these are our deserving caregivers, our veterans, our disabled, our retired.

There are millions of these Maryland families and children that find a special happiness together enjoying the wonders of Chesapeake Bay, as Sierra Club put it. The people and their representatives have done everything they can do to convince the delegates the menhaden delegates, especially the Maryland delegates, to carry out their duty at this meeting. We will know shortly whether this will happen or not. Thank you.

CHAIR BELL: Thank you, Tom, and we also have your written comments as well. I had at least one more online right now. Robert Newberry. If you would like to take three minutes. I think we're having some technical issues. He can't successfully unmute. All right, I think we have some technical issues here with unmuting Robert, so let's go ahead and move along in the interest of time.

REVIEW 2022 ATLANTIC MENHADEN SINGLE-SPECIES STOCK ASSESSMENT UPDATE

CHAIR BELL The first item will be Dr. Amy Schueller. Amy was the Chair of the Menhaden Stock Assessment Committee, and she is going to brief us, this is just a briefing no action here on the Assessment. Amy, take it away.

DR. AMY SCHUELLER: Good afternoon, everybody. Happy to be here and talk about the update assessment for Atlantic Menhaden. I guess I'll first off start by saying that you may have noticed that the report looked a bit different than it has in the

past. It was a modified report for updates, called a Term of Reference Report.

As I go through this presentation, I'm basically going to go through each of the terms of reference that were in that report, and hit on the sort of highlight items from that report. The first term of reference was to update fishery dependent data, including landings, discards, catch at age, etcetera that were used in the previous peer reviewed and accepted benchmark stock assessment.

Basically, I'm going to just talk about the landings. All of the other data pieces there, for example catch at age, etcetera, were updated but I'm not going to go through the nitty gritty details of all of that. I'm starting off with this is a time series of the reduction landings in thousands of metric tons over time from 1955 to 2021.

The boxes are colored, north in the dark and south in the light, so you can see which reduction landings were attributed to the southern area and the northern area. To remind everybody, the landings are split at Machipongo Inlet, with those landings in the Bay being in the southern region. Overall, landings have declined over time, and are clearly limited by the coastwide TAC in the more recent years.

We also updated the bait landings. This is bait landings in thousands of metric tons for the same time period. Again, south is in the white and north is in the darker color. Notice the scale difference here. I do have another slide sort of showing total landings with both combined. One thing of note on this slide is that there is this sort of change in the mid-eighties, so sort of 1985 to 1990 time period, compared to the last benchmark assessment.

That is and was addressed in this update assessment through a bridge run. Particularly, the states are able to update their landings data from 1985 to the present based on information that they have, and there were some updates that were done since the benchmark assessment, which changed the landings time series.

These minutes are draft and subject to approval by the Atlantic Menhaden Management Board.
The Board will review the minutes during its next meeting

Draft Proceedings of the Atlantic Menhaden Management Board Meeting
August 2022

It is best scientific information available, and it is the most accurate landings time series, and we addressed it through a bridge run, which I will talk about in future slides. This is the total landings coastwide for the duration of the time series. In this particular slide the sort of dark gray color is reduction, and then the black is the bait plus the recreational landings over time.

This just gives you an idea of the scale between the fisheries, and that the bait and recreational landings are becoming a bigger proportion of the total landings as we're moving into the future. For term of reference Number 2, it is to update the fishery independent data, so the abundance indices and then the associated age/length data that were available, that were used in the previous accepted benchmark stock assessment. We updated all of the indices. This is a picture of the index for the young of the year or recruitment index. In the past we may have called it JAI, Juvenile Abundance Index.

If you've been around a while, you've heard this called JAI, YOY, Recruitment Index. It's all the same thing. It's very similar to what the index looked like during the benchmark assessment, with just some minor nuances. In addition to that we also updated the adult abundance indices, and I included the table here for these indices.

We have termed those indices the NAD the MAD and the SAD, so sort of northern, mid-Atlantic, and southern adult indices. They are based on different sets of data. I really put this up here just to talk about which datasets go into which of these indices. The NAD is a combination of Connecticut lists, the Delaware Bay Adult Trawl, and the New Jersey Ocean Trawl.

The MAD is the Maryland gillnet with the VIMS shad gillnet, and then the SAD is the North Carolina p915 SEAMAP and the Georgia EMTS. The other reason I put this up here is just to show that not all of these surveys had data for 2020 and/or 2021, which is a common thing that I'm sure has been discussed at multiple boards, or anywhere that is dealing with

data regarding anything, really, because there is just a lack of data in some years.

I say all that to say that the Stock Assessment Subcommittee still determined that there were sufficient data to update the indices through the terminal year of 2021. Each one of these datasets at least had one dataset that went through the terminal year, and so we went forward and updated them.

I put those three indices on one slide here, the NAD, the MAD and the SAD, just to give you guys an idea of what they look like. We'll see them again later on, but they generally were fairly similar. I guess nothing stood out as a concern. Also, in the lower right-hand corner here is the updated MARMAP and EcoMon, or I've called it MARECO in a lot of places, just a combination of MARMAP and EcoMon.

It's another index that was included during the benchmark assessment, and the Stock Assessment Subcommittee censored it from this update assessment for various reasons, which I will get to in future terms of reference. The third term of reference was to tabulate or list the life history information used in the assessment and/or model parameterization, so things like natural mortality, start year maturity, sex ratio, and note any differences from the benchmark.

There weren't any notable differences from the benchmark, in fact I don't think there were any differences from the benchmark, except for the change in the terminal year of the assessment, which is why we did this update to begin with. The model years include 1955 to 2021. The plus group was six plus, so the model represents Ages 0 to 6, with 6 being a plus group.

There are two fleets in the parameterization of the model. There is a bait fleet and a reduction fleet, with each of those being split north and south. Two fleets, yet four different time series of landings and age compositions. Fecundity was time varying. Fecundity at Age, which was updated this go around, using the exact same methods used in the benchmark assessment, which were done by VIMS.

These minutes are draft and subject to approval by the Atlantic Menhaden Management Board.
The Board will review the minutes during its next meeting

Draft Proceedings of the Atlantic Menhaden Management Board Meeting
August 2022

Maturity was time varying maturity at age, based on the time varying length at age information. The sex ratio was fixed at 1 to 1 for males and females, and then the natural mortality vector was based on a scaled Lorenzen, using the tagging data analysis done by Liljestrand et al, which is what we did during the last assessment as well.

All right, term of reference Number 4, this is probably where I'm going to spend like the bulk of the presentation, I guess. It's to update the accepted models and estimate uncertainty, including sensitivity runs, retrospective analyses, and compare them with the benchmark assessment results, including bridge runs to document any change from the previously accepted model.

This update assessment had basically two changes that were decisions made by the Stock Assessment Subcommittee. All of the data were updated through the terminal year of 2021, but we did sensor two items. The first is we excluded the 2020 Southern Commercial Bait Age Compositions.

I put this figure in here as sort of our, just to show why we did that. I'll give a bit of an explanation. For the southern commercial bait fleet, there were a few samples taken for ages, and of the samples that were taken, I think all of them were Age 3. Basically, the age composition for that year looked odd compared to other years, just because the sample size was very, very low.

You can see on this figure, on the bottom part of this slide is something called the CORR. That is the correlation between the observed and predicted data. We want our predictions to be as close to what we observed in a catch at age as possible. You'll notice for 2020 there is this little red circle with an X through it.

That means we're doing a horrible job predicting what the age compositions look like for 2020, and that is because they were all Age 3s, which doesn't really match with the surrounding years, and it doesn't match with the estimated selectivity that we are estimating within the model. We censored those data, we did a number of runs looking at how

to handle data from 2020 and 2021 with respect to the age compositions, and all of that is in the report.

A lot of it is in the appendix, so if you want to look at that in further detail, you can. The second change that we made was the exclusion of the MARMAP EcoMon or the MARECO Ichthyoplankton Index. In particular, this index, I'll talk about it more later on in this term of reference 4, but the inclusion of this index was causing problems with.

If you don't run statistical catch at age models, maybe this is too much lingo, but the Hessian didn't invert, and we had a high gradient. Basically, what that means is the model didn't do a good job finding that sort of place where everything matched up cohesively within all of the datasets.

It didn't know what to do, because it couldn't fit that dataset with the rest of the data in the model very well. I'll show some more slides about that in a little bit. I just have a couple slides for what the base run looks like here. This is the full fishing mortality rate over time for the base run of this update assessment on the left, and then on the right is the full fishing mortality but broken up by fishery. Each of the colored bars represents one of the fleets, and so you can see here there is reduction north, reduction south, bait north and bait south. The red and green are the reduction fleet, and then the blue and pink is the bait fleet. I also included in here the recruitment and the spawning stock, which is the fecundity value. Remember the spawning stock biomass for Atlantic menhaden is based on fecundity and numbers of eggs.

On the left in here is the recruitment time series, as estimated from the update assessment. It looks very similar to what we've seen in the past, but adds a couple more years on. One thing about the recruitment estimation is that typically statistical catch at age models have a difficult time estimating recruitment at the end of the time series, because there is little data informing it, because it doesn't have that full age composition structure to inform whether or not it was a big recruitment class or not.

These minutes are draft and subject to approval by the Atlantic Menhaden Management Board.
The Board will review the minutes during its next meeting

Draft Proceedings of the Atlantic Menhaden Management Board Meeting
August 2022

In particular that's an even less data in this case, because the terminal year is 2021, and so we're missing some data for 2020 and 2021. What ends up happening is sort of you end up at your median value. For the figure on the right that is the spawning stock biomass over time. Remember that's in fecundity or numbers of eggs.

That was an extremely fast like what the base run looks like in a nutshell, and then now I'm going to compare it with a few different runs that may be of interest to the Board. The first one here is a bridge run. I already mentioned that the bait landings for the northern commercial bait landings, changed in 1985 in that mid-eighty section.

We did some runs to look at whether or not that had an impact on the overall outcomes of the model, and so this is the geometric mean fishing mortality rate for ages 2 to 4 on the left, and then the fecundity values on the right. Those are our metrics by which we're looking at for the benchmark, so that is why I included those.

You do, if you look in the mid-eighties, you know you see a little bit of deviation from the benchmark. The benchmark assessment is in green on here, the update, base run is in black, and then the red is using the northern commercial bait landings from the last assessment. Over all I would say that this wasn't a huge change, even though it does look like the landings changed quite a bit in some of the other figures.

These next two slides are looking at comparisons of the update assessment, which is in black, so it's sort of black with black circles. It's underneath a lot of the runs that are on here, with the benchmark, which is in that cyan blue, sort of that lighter blue color, with a bunch of different runs looking at how to handle the 2020 and 2021 data.

The red run here excludes 2020. Okay, I can't read this on my screen very well, but each of these runs excludes 2020 or 2021 data in different ways, and that's described in the report. Basically, we're looking at what are the impacts of that on this assessment overall. Mostly as you would expect,

the impacts are in the last few years of the time series, and generally they're not big impacts. I say that because this is going to be within the uncertainty analysis runs that we did. This is for the full fishing mortality time series on the left, and then the geometric mean fishing mortality rate for ages 2 to 4 on the right. Then on the left here is the recruitment time series. Then on the right is the fecundity time series. You can kind of see here that depending on the assumptions you make or which data you use for 2020 and 2021, that has an impact on what's going on with recruitment. Are you informing recruitment at the end of the time series with those age composition data, or not?

I say all that, and the Stock Assessment Subcommittee discussed this. There is just some uncertainty about the recruitment. It's one of the things that we're always uncertain about, so just something to keep in mind. The other difference between the benchmark and the update is the use of the MARMAP or MARECO Index. The ultimate result was that the Stock Assessment Subcommittee decided to sensor that index, although we did make recommendations to explore it further in the future.

One thing we did do was, we compared our benchmark from the last go around, which is a black line here, and our update, which is also a black line, with different terminal years for that MARMAP/EcoMon Ichthyoplankton Index, and those are the different colored lines here. Basically, in the early part of the time series in the eighties, the lines are pretty much all on top of each other.

But as you go into the more recent time series from 2000 on, that index is having a difficult time increasing at a rate at which the observed data are increasing. If you look at this slide on the left here, that is the observed index, which is the black open circles, and then the fits to that index are the individual lines.

There was a lot of discussion. There is some discussion in the report with respect to this. We plotted this plot on the right here, which is the fecundity in red, which is pretty flat, versus the

These minutes are draft and subject to approval by the Atlantic Menhaden Management Board.
The Board will review the minutes during its next meeting

Draft Proceedings of the Atlantic Menhaden Management Board Meeting
August 2022

observed MARMAP or EcoMon Ichthyoplankton Index in black, with the black open circles. Then in the blue open circles is the predicted index from the model.

The reason we plotted this together is because this index is an index of fecundity. It's basically a larval Ichthyoplankton Index, which we matched with fecundity. Some of the discussion that was had within the SAS was that there is a lot going on between when spawning stock biomass is defined, versus when the larvae are counted.

I think, you know, we're maybe missing some of the interactions that are occurring there, or maybe there is some nonlinearities that we didn't account for, which is why we made a research recommendation to look at this in the future and consider some different options, such as changes in catchability related to the index over time. Just to show you the impact that this exclusion of this index had compared to the benchmark.

We have on the left here the geometric mean fishing mortality rate for ages 2 to 4, and on the right is a plot of the fecundity over time. The black line on the top here is the benchmark assessment. The black line underneath all of the other lines with the black open circles, you can see it in some places, is this update assessment. Then all of the different colored lines are running the assessment with different terminal years for that Ichthyoplankton Index. We put this up here to basically show that the impact on the overall outcome of the assessment isn't significant. We do think that this was a reasonable decision to make, given that this was an update, and that we need to do some further work to look at this index in the future. One of the other typical analyses that is done for an assessment is something called a retrospective analysis. That is when we're peeling off terminal years of data to look at the impact of those terminal years of data on the overall assessment outcome.

The base run is in black here with black open circles, and that goes to the terminal year 2021. Then each of these colored lines says retrospective with a year. That is the terminal year for that

retrospective run. This is showing geometric mean fishing mortality rate for ages 2 to 4 on the left, and then on the right is the fecundity over time.

Generally, we want to see an even dispersion of those terminal year points above and below the line. The SAS did caveat this analysis, given that there were with 2020 and 2021 there were some data missing. It wasn't as uniform or as representative, in some cases, as it has been historically. You sort of take this analysis with a bit of a grain of salt.

That being said, this retrospective analysis looks pretty good, and it would be within the bounds of the uncertainty analysis that I'm going to show next. We did run the Monte Carlo Bootstrap Ensemble analysis, so the MCB or the MCBE analysis, and we ran it exactly the same way we did for the benchmark assessment, so we included the exact same uncertainty components, which were in particular natural mortality and fecundity, I think.

I just showed a plot of recruitment here, time series, and the black circles with the black line is the base run of the update assessment. Underneath of that in this slide is a dashed black line, which is the median of the runs. There are 4,000 some runs contributing to this figure. Then, the gray shaded area is the 5th and 95th percentiles of those different uncertainty runs.

Just giving an idea of the range of recruitment uncertainty. This is a plot of fecundity over time on the left, and then the geometric mean fishing mortality rate for ages 2 to 4 on the right. This slide is set up the same as I just described for recruitments. The base run is the black filled circles with the black line.

In this case you can see the black dashed line under there. That is the median of all those uncertainty analyses runs, and then the gray again is the 5th and 95th percentiles of those runs. That was term of reference 4, which basically tried to quickly walk through the update assessment itself.

These minutes are draft and subject to approval by the Atlantic Menhaden Management Board.
The Board will review the minutes during its next meeting

Draft Proceedings of the Atlantic Menhaden Management Board Meeting
August 2022

Then the thing that the Stock Assessment Subcommittee discussed at length during our meetings, and so I'm going to move on to term of reference Number 5, which is update the biological reference points for trend-based indicators or metrics for the stock, and determine stock status. This figure is one that ASMFC uses, and we updated.

This is the fishing mortality, and in particular it's the age 2 to 4 geometric mean fishing mortality rate, which is the fishing mortality benchmark that we use, based on the peer review. That is shown over time here in green, and then we have the two reference points. There is the ERP target is the blue solid line, and then the ERP threshold is the blue dash line. The management board moved forward with using the ERP targets and thresholds, and so that is what we are basing our stock status on. As of right now, the fishing mortality rate for 2021 is below the ERP target. Okay, and then the alternative reference point is fecundity. This is in quadrillions of eggs. The green here is the fecundity value over time from 1955 to 2021.

Then the solid blue line is the ERP target, and then the dashed blue line is the threshold. We've been above the threshold for fecundity for a number of years, and then in the most recent terminal year the fecundity value is above the ERP target and the threshold. The question is always, well what does this look like compared to, you know our uncertainty analysis.

We did not run every single version of this model through and get an ERP with every single iteration of the Monte Carlo Bootstrap runs that we did, but we are comparing this, just to give like an indication of what the time series look like with respect to those reference points. On the left here is the geometric mean fishing mortality rate over the ERP threshold. We are below that in all of the runs in the uncertainty analysis. We're below that.

Then on the right is the fecundity time series over the fecundity threshold. In the terminal year, the majority of those runs were above that, which is where we would like to be. Stock status with respect to fishing mortality rate and fecundity, so

the F for 2021 over the F threshold, remembering that this is the ERP threshold at 0.28, and then the F 2021 over the target. Again, the ERP target is 0.85.

We want those values to be, well we want the value with respect to the threshold to be less than 1. The value of the target is sort of the purview of the management board in their risk. For fecundity, the fecundity value in 2021 over the fecundity threshold is 1.76. We want that value to be over one, and we are. Then for the target we're also above 1, which is 1.28. For stock status we are not overfished, and overfishing is not occurring.

Just to reiterate, this is with respect to the ERP benchmarks that were adopted for this species. Term of Reference Number 6 is to conduct short term projections when appropriate, and discuss assumptions if they're different from the benchmark. Projections were run. We gave one example. We used the exact same methods as in the benchmark assessment, and we projected at a TAC of 194,400 metric tons, which is the current TAC. We used the exact same allocations.

Pretty much just showing you what it looks like if you stayed with status quo, with the expectation that you will request additional projections to be run for your consideration. But the SAS not wanting to guess at the possibilities of what those could be, so just providing this as a kickoff point for you guys to then make some decisions about what you want to see for projections.

To remind you, during the last benchmark assessment we moved towards using a method called nonlinear time series analysis for projecting recruitment. That is basically using the time series of recruitment and its internal coherency, to predict forward what we expect the recruitment to be in the future. We maintained that for this assessment, and just to sort of reiterate, we moved to that method because it showed that we did show that Atlantic Menhaden had good internal consistency within its recruitment time series, and that it was able to predict forward fairly well, and it actually ends up giving us a little bit smaller confidence interval on our recruitment projections than what

These minutes are draft and subject to approval by the Atlantic Menhaden Management Board.

The Board will review the minutes during its next meeting

Draft Proceedings of the Atlantic Menhaden Management Board Meeting
August 2022

we had been doing in the past. This is the projections of the current TAC of 194,400 metric tons. In the upper left-hand side is the fecundity in billions of eggs. In the lower left-hand side is the fishing mortality rate. In the upper right-hand side is recruitment, and then the lower right-hand side is landings. Landings is one straight line at 194,400 metric tons, because we're specifying that.

In the other figures you see several black lines. The black dashed line is the median or 50th percentile across all the runs for the projections. The dashed lines are the 25th and 75th percentiles, and then the solid black lines are the 5th and 95th percentiles. Then in the figures on the left there is an orange line, which is the ERP target for fecundity and fishing mortality rate respectively, and then the blue line for the threshold is on there too.

You guys can see sort of where you are with respect to that target and threshold. When you look at this for 2022, if you are catching what you caught. This last year you have the same TAC. You are below the fishing mortality rate target, and you are above the fecundity target for 2022. As you move forward in time you get closer to that target.

All right, term of reference Number 7 is to comment on research recommendations from the benchmark, and note if there has been any progress, and if we have any further research recommendations. I tried to keep this short, they are in the document. But I'll go through a couple that were sort of highlighted.

The first was to develop and implement a coastwide menhaden specific multiyear fishery independent index of adult abundance at age, with ground truthing for biological information. You guys, if you've sat at the table for any length of time, know that we've asked for this over and over and over again.

Congress did include Chesapeake Bay Atlantic Menhaden Abundance Provision in their fiscal year 2022 Consolidated Appropriations Act, so there is some movement happening at a higher level. Mike Wilbur did a project to evaluate potential survey

designs for an aerial hydroacoustic survey within the Chesapeake Bay specifically.

However, no funding has been attached to these projects, and they remain unimplemented. But there has been some Board movement on this, which is nice to see. Continue current level of sampling from the bait fisheries, particularly in the Mid-Atlantic and New England. That is a wish from the Stock Assessment Subcommittee.

We're noting here 2020 and 2021 had reduced sampling. Everybody knows that because of the global pandemic. But the SAS does not expect that this will continue past the pandemic, so we do expect, as we're moving past 2020 and 2021 that the levels of sampling will increase, and we hope to see them increase even more.

Conduct an aging workshop to assess precision and error among aged readers with the intention of switching the bait fishery age reading to state aging labs. This was discussed during the last benchmark assessment, with the intention of having an in-person aging workshop. Again, this was postponed due to the pandemic, but there is still a want and a need for this to happen. It's still on the list. I just made a note here. These are just a couple that we picked out to present, but there is a full list of research recommendations in the report itself. That runs me through all of the terms of reference. I basically just have this slide to start hopefully discussion, and about what the Board would like to see for projections, and what they would like to request for their next meeting.

In the past, the Board's request, some options similar to what's up here. This is, you guys have requested based on a percent increase to the TAC or decrease to the TAC of some percentage, usually 10 to 40 percent increase, and what do the risks look like with that. You've also requested, based on some percent probability of exceeding the threshold or target, what would the landings be, or what would the TAC be?

The example here is an example of 50 to 60 percent probability, so if I want to exceed the ERP target or

These minutes are draft and subject to approval by the Atlantic Menhaden Management Board.

The Board will review the minutes during its next meeting

Draft Proceedings of the Atlantic Menhaden Management Board Meeting
August 2022

threshold, that's your choice, by some amount with some risk level, what are we looking for? I put this up here as just a queue to you guys, as to sort of what would you like to see for projection runs? Then I just have a slide here for any questions on the presentation of course, and on the assessment itself.

CHAIR BELL: All right, thank you very much, that is very detailed, and thank you for the work of the Subcommittee and all you've done. First of all, any questions for Amy? Claire, oh it's Allison Colden. Go ahead, Allison.

MS. ALLISON COLDEN: I will echo thanks for your presentation, and for your work, Amy. I just have a question on the projections for recruitment. It looked like, recognizing too that you mentioned during your presentation that recruitment is one of the trickier aspects that you guys are working on within the assessment.

It looked like for the top end, from the median up for those projections, that there would be a decline in the out years of recruitment under the existing or the current TAC. Can you comment on that at all, or do you have any indication of why that might be expected, when it looks like the fecundity and the abundance were within the ERP target and threshold level?

DR. SCHUELLER: Yes, that is a good question. The way in which the recruitment is projected is it basically takes the terminal year, and it says okay, I'm in this state space. That's what it's saying, and then it says what other points in the past have been in this similar state space, and where did they go?

What you have at the end of the time series is you have points in a certain state space, and they're moving in the same direction. Then you have a new point. It's going to do that every single time. I guess my statement is, just it's because of where the state spaces are forcing it to go as it's moving through time. I don't know that I have a super satisfactory answer besides that.

I will say during the benchmark assessment, we did this moving window analysis of this method, and we projected for ten years like, you know we peeled off time and said, okay if we were projecting this from you know 1995 or something forward, how close would we get? We did pretty well. I mean it's just using what I'm calling that internal consistency within the recruitment time series, and that's where it's putting you, based on the state space of those recruitment points.

CHAIR BELL: Any other questions? Yes, Conor.

MR. CONOR McMANUS: Thanks for the presentation, and nice work to the Assessment Committee. Just to follow up on the EcoMon. It sounds like the recent years caused challenges for fitting of the model. The hypothesis is that there is a misalignment, perhaps of spawning in the survey.

I guess did you look at the sampling intensity or sampling periods to see if those differed from previous years, to kind of test that, or could there be other things like reduced larval production perhaps, or different spatial mismatch in where the sampling is occurring and where they are spawning?

DR. SCHUELLER: Yes, I'm just conferring, because I can't remember every fine detail of everything, so 2021 was missing. But the rest of the years were similar. It isn't just a phenomenon in like the last couple years since the benchmark, meaning there is an uptick in the larval index. It looks like from 2010, 2012 on there is this increase in larvae over time.

You know because this was an update, we didn't have a ton of time to explore what would be going on there. But we did discuss it, and what's happening is the model has one sort of catchability coefficient for that whole time series. It's having a hard time estimating that value while also trying to get an uptick in the index, given that the fecundity information or estimation is still relatively flat but variable.

The fecundity is informed by that index, but all the other data components and pieces, and so there is some like incongruity between sort of all those

These minutes are draft and subject to approval by the Atlantic Menhaden Management Board.
The Board will review the minutes during its next meeting

Draft Proceedings of the Atlantic Menhaden Management Board Meeting
August 2022

other pieces and this piece. We need to figure out what that is. We did have a discussion about why that might be, and there is a lot of different possibilities.

But we weren't necessarily able to rule them out, given the timeframe of the update. That's why we made a research recommendation to look into it further. Keeping in mind that this is one dataset in a whole group of datasets, and when we did run this assessment without the index, and compared it with a benchmark and this current update, there wasn't extreme differences in the overall model outcomes. I hope that answers your question.

MR. McMANUS: Yes, thank you very much. Just trying to think through how missing surveys, difference in timing of sampling from year to year may impact the ability for the model to fit the data. Thanks, appreciate it.

CHAIR BELL: Any other questions? Yes, Lynn.

MS. LYNN FEGLEY: Thank you so much, Amy, for this presentation. I'm not entirely sure where this question belongs. Just please put it off if it's not in the right place, but it really is about the projections, which it looks like are through 2026, based on the current ERP. My question is, the next ecological reference point bench for update is schedule for 2025, I think. I guess my question is, what are the conditions under which those ERPs that we're projecting against might change, and when might they change? What would be the scenario where they would be lower or be higher, so that maybe we can just have that in the back of our mind when we do our projections.

DR. SCHUELLER: I can speak to that. I don't know if it's my place. But you're right, the next benchmark assessment for Atlantic menhaden is in 2025. I mean one of the things we do discuss is how many years to project forward, and what to provide. You guys can do with that what you will, right. If the expectation is that you will be delivered an assessment in 2025.

I mean let's face it, the real expectation will probably be winter meeting of 2026, by the time you would get it. Usually that's what happens. It comes in February, I think. My expectation would be you would use this through 2025, and then 2026 is a question, right. What are you going to do? These are projections for you guys to use to inform your management decisions. You know you can take them how you will.

CHAIR BELL: All right, other questions. We can shift to the question you had for us, I guess, guidance for the Committee, assessment folks, in terms of coming back to us with a future meeting. Yes, Megan.

MS. MEGAN WARE: Thank you, Amy. Yes, I had some, I guess suggestions for different projections to look at. Based off of Lynn's question. I guess they would be for 2023, 2024, and 2025. But I think the Board would still have the option at the next meeting to only set for two years if we so chose.

I guess I'm asking for three years, acknowledging that may not be what the Board ultimately chooses. I think you've already done one of them, which is our existing TAC. I would be curious, at a 5 and 10 percent increase in the TAC, and I'll just note the 10 percent increase, I think is 216, which is what we were at a few years ago.

Then kind of the other style of projection, looking at a 40, 50 and 60 percent probability of exceeding the ERP target. I think in the last round we saw those as individual years, and then also there was a run where they were all combined. I found that really helpful, so if that is possible, I realize that is probably more work given it is three years. Feel free to comment on workload, but I found that comparison really helpful last time. Thank you.

CHAIR BELL: All right, thanks for that, Megan, any other suggestions, desires of the Board? Nichola, do you want to go?

MS. NICHOLA MESERVE: I agree with Megan's suggestions, and was just going to ask that the probability-based projections be at the 5 percent

These minutes are draft and subject to approval by the Atlantic Menhaden Management Board.
The Board will review the minutes during its next meeting

Draft Proceedings of the Atlantic Menhaden Management Board Meeting
August 2022

increment, not 10 percent, which was similar to the last time you asked for projections.

CHAIR BELL: Thanks. I had another hand, yes, Ma'am. Allison.

MS. COLDEN: Similar to our last round of projections as well, I was going to ask if we could do the 5 and 10 percent below the current TAC for completeness, and so that we can see the full range above and below the existing TAC.

CHAIR BELL: Tom.

MR. THOMAS P. FOTE: As in the last couple years stimulating my thought. I'm trying to think if there is any speculation of what climate change is doing with the menhaden population. Because I look at nursery areas, we know it is affecting striped bass because of the warming of the waters. We know it's affecting other species like that, and do we have any idea, because as the Bays and estuaries warm up and we have more algae and plankton blooms, will there be any affect in the menhaden, or have we seen any?

CHAIR BELL: Other ideas, suggestions? Kristen.

DR. KRISTEN ANSTEAD: Yes, so in the previous benchmark Rob Latour did an analysis for us, a habitat analysis with all the data from the indices that we used, and looked at salinity profiles, temperature and kind of graphed ideal ranges for menhaden, based on the data that we have from our surveys, and we did not redo that for the update. But we could look into doing that again for the benchmark, and that at least gives us an idea of where menhaden tend to be, in which ranges, and where we are currently.

CHAIR BELL: Okay, thanks, Kristen, anything else?

DR. KATIE DREW: Can we get just a clarification from one of Megan's requests, where, so you had asked for looking at runs that would give you a 40, 50, and 60 percent chance of being at or above the ERP F target. You had said we could do that in each

year, which would give you a variable TAC every year, then for sort of a one TAC option.

The question would be, obviously you're going to get as recruitment comes in and goes out, you're going to get different percentages if you keep the TAC the same. When you say you have like a 40 percent chance of being at or above a target, do you mean in that first year, in the last year, in the middle?

MS. WARE: Yes, I mean the maximum TAC for those three years that keeps all three years at the 40 percent or 50 percent.

DR. DREW: All three years would have no more than a 40 percent chance of being at or above the target.

MS. WARE: Yes, all three years would have no more than a 40 percent chance of exceeding the ERP target.

DR. SCHUELLER: I just want to clarify too; you want me to cut 2026 off.

MS. WARE: That would be my recommendation. I'm not comfortable at this point setting a TAC for 2026. That seems pretty far off.

DR. SCHUELLER: Sure, I can do that really easily.

CHAIR BELL: Online, Rob LaFrance.

MR. ROB LaFRANCE: I just wanted to agree with the idea that we take a look not only at going up higher with the TAC, but also taking a look lower. I do think that is very beneficial. I think what I just heard about the idea of trying to take a look at some of the habitat impacts and some of the ecological aspects, I think makes a lot of sense.

CHAIR BELL: Anything else? I think you've got a good list there.

DR. SCHUELLER: Yes, we're just conferring with one member, to make sure we didn't miss anything. I mean I'll summarize. It looks like clearly 2022 is going to be projected at the current TAC. Then

These minutes are draft and subject to approval by the Atlantic Menhaden Management Board.
The Board will review the minutes during its next meeting

we're looking to project for 2023 to 2025, plus and minus 5 percent and 10 percent, so in 5 percent increments around what 194,400 is for those three years.

Then we're also looking for a 40, 50, and 60 percent risk of exceeding the ERP F target for two different options. One for the individual years, so variable TAC, and then two, for all years combined, where we're basically looking for the maximum TAC value that keeps all of the years below that target risk percentage that we stated. Okay, so we want 40, 45, 50, 55, 60. Okay. Did we capture everybody's requests?

CHAIR BELL: I don't see any hands.

DR. SCHUELLER: I see a lot of head nodding.

CHAIR BELL: Good job! Thank you, everybody. Do you need anything else from us then? All right, then we're concluded with this particular item, so thanks, thanks so much for all the hard work again, the Subcommittee and for being here.

CONSIDER FISHERY MANAGEMENT PLAN REVIEW AND STATE COMPLIANCE FOR 2021 FISHING YEAR

CHAIR BELL: All right, well thanks, folks, we'll move along then. We're going to go back to the originally, I think it was Item Number 4 on the agenda, which would be Consider Fishery Management Plan Review and State Compliance for 2021 Fishing Year, and James Boyle is going to walk us through that.

MR. JAMES BOYLE IV: Nice to be here in person with everybody, and start putting some faces to e-mail addresses mostly. Yes, I'm going to go through the 2021 FMP Review, and a lot of it will seem familiar from the data update I presented in May. I'll probably try to go pretty quickly through some of those sections.

Here is a quick overview of the presentation. I'm going to start out with a very brief reminder of the status of the FMP with last year's TAC, although we did get reminded in the last presentation as well. Since we just had the presentation of the stock

assessment update, I omitted the usual status of the stock section of the presentation. I'll be able to move on straight to the landings information that I presented in May, and then the compliance requirements and PRT recommendations, and then I'm going to return to the landing's information at the end, because I have a bit of an update with validated landings, and the discussion around that should apply both to the FMP review and possibly the Addendum we'll talk about later going forward as well. Just a quick reminder of the FMP.

Amendment 3 approved in 2017 and implemented in 2018, is still the most current management document that the fishery operates under. For notable changes from 2020, the Chesapeake Bay cap was returned to 51,000 metric tons as outlined in Amendment 3, and the Total Allowable Catch or TAC for the 2021 and 2022 fishing season is set at 194,400 metric tons, based on the Board approved Ecological Reference Points or ERPs.

The 2021 landings, this is the same as I showed in May. The total landings including everything directed, EESA, and incidental catch or small-scale fisheries landings amounted to 195,092 metric tons, or about 430 million pounds, which is approximately 6 percent higher than 2020, and 0.36 percent over the TAC if incidental catch was counted against the TAC, which it is not.

The nonincidental catch, so if you take those incidental catch landings out, is at 189,343 metric tons or 417 million pounds, which is also a 6 percent increase from 2020, and about 97 percent of the coastwide TAC. The incidental catch on its own is 5,750 metric tons, or something like 7 million pounds, which is a 9 percent decrease from 2020.

Also, I don't have a slide for you, but I'll throw a quick note in that I presented the quota transfers to be 17 in May. Between some new ones and some corrections, it's actually 25. I bring that up, because it is part of the objectives for the reason the Addendum that we're going to talk about later.

Next to look at the reduction fishery, again this has not changed. The reduction harvest for 2021 is

These minutes are draft and subject to approval by the Atlantic Menhaden Management Board.
The Board will review the minutes during its next meeting

Draft Proceedings of the Atlantic Menhaden Management Board Meeting
August 2022

estimated at 136,690 metric tons, or 301.3 million pounds, which is a 10 percent increase from 2020, but only 0.06 percent above the previous five-year average. Of those landings, about 50,000 metric tons came from Chesapeake Bay, which is approximately 1,000 metric tons below the Chesapeake Bay cap.

This figure shows landings in the reduction and bait sectors over time. The reduction landings are on the left-hand axis, and bait landings on the right. Note the different scales. The reduction landings are an order of magnitude larger than bait landings. The overall trend is still reduction landings declining, bait landings increasing, although 2020 to 2021 differences are slightly against those trends, but overall, the trend is the same.

A breakdown of the incidental catch over time. As I mentioned previously, the total was 5,750 metric tons, or about 12.7 million pounds, which is a 9 percent decrease. There were six states that reported incidental catch from 2021, that's Maine, Massachusetts, Rhode Island, Connecticut, New York and New Jersey.

Eighty-eight percent of those landings came from purse seines, and 9 percent from gillnets. The state of Maine accounted for 96 percent of the total incidental fishery landings in 2021. The incidental catch trips were lower than in 2020, but still higher than 2016 through 2019. In the episodic event set aside there were three participating states, Maine, Massachusetts, and Rhode Island. Their total combined landings were 2,213 metric tons or 4.9 million pounds, which was over the total set aside by 592,250 pounds. But a few quota transfers and donations at the end of last year and then earlier this year resolved that, so there was no overage going into the 2022 fishing year.

Moving on to the biological monitoring requirements, which was not presented in May. We have the non de minimis states are required to conduct biological monitoring, based on their landings as well as their geographic region. From Maine to Delaware, they are required one 10-fish sample per 300 metric tons and from Maryland to

North Carolina it's one 10-fish sample per 200 metric tons. In 2021 Massachusetts, Rhode Island and Connecticut fell short of their required samples, but I have some explanations and a compliance report here.

Massachusetts received a number of quota transfers to extend their fishery August 5th, but then were not able to complete the additional monitoring before it closed again five days later on August 10th. In Rhode Island some late reported landings pushed them from the four required sample sets to five, and so they only got the four 10-fish samples.

But they did note that over those four events 55 fish were sampled from the fishery, as well as an additional 49 from the coastal trawl survey. Connecticut has long faced difficulties collecting bait samples, and they rely primarily on their Long Island Sound trawl survey for sampling, which produced 103 age samples and 302 length samples over 139 tows.

The de minimis requests were the same as last year, so as a reminder to be eligible for de minimis status a state's bait landings must be less than 1 percent of the total coastwide bait landings for the most recent two years. The states of Pennsylvania, South Carolina, Georgia and Florida all requested and qualified for de minimis status for the 2022 fishing season.

For the PRT recommendations, the PRT continued to discuss a topic that was brought up in last year's FMP review, whether a sufficient number of samples are being collected from different gear types and regions, and whether substituting from fishery independent sources is appropriate for meeting the requirement.

The PRT reiterated its recommendation to reevaluate the sampling requirements, and suggested the Board task the Technical Committee with conducting a review of the requirements. Now having said that, after the PRT made that recommendation, we had a discussion with the, we the policy staff not the PRT, had a discussion with

These minutes are draft and subject to approval by the Atlantic Menhaden Management Board.

The Board will review the minutes during its next meeting

Draft Proceedings of the Atlantic Menhaden Management Board Meeting
August 2022

the science staff, and we went ahead and put that request to evaluate it in the draft terms of reference for the benchmark stock assessment in 2025. In the next six months or so those draft TORs will be presented to the Board.

They have gone ahead and done that. With that, the actions for the Board today are to approve the 2021 FMP review and state compliance, and approve the de minimis requests for Pennsylvania, South Carolina, Georgia and Florida. That brings me to the landing's discussion. The information I just presented comes from the state compliance reports, but because it's an assessment year and because the Board requested 2021 landings in the Addendum. The data were validated in time for this meeting. Now most years, data are not validated on the state-by-state level by species, and go through the normal ACCSP process. This slide shows the differences between the validated landings on the left, and the compliance report landings on the right. From the validated figures, the total commercial landings, included directed incidental catch and EESA landings, are estimated at 195,481 metric tons, or about 431 million pounds, which is approximately 6.2 percent above the 2020 values and 0.56 percent over the TAC, again if incidental catch was counted against that.

The nonincidental catch fishery landings are estimated at 189,500 metric tons, or 418 million pounds, which is 6.6 percent increase in 2020, and represents about 97.5 percent of the coastwide TAC instead of 97 percent. Landings from the incidental catch fishery in total are 5,981 metric tons, or about 13.2 million pounds, which is still a 5.5 percent decrease from 2020.

For context, out of the 15 states that have their data validated, so for example Pennsylvania is excluded, because they don't have any landings. Out of those 15, 6 matched exactly between their compliance report numbers and their validated numbers. The differences varied from as little as one pound to more than 700,000 pounds.

The biggest difference for an individual state was 3.5 percent from compliance reports to validated

landings. I'm bringing this up here, because how the Board chooses to address this issue or not, affects both how we monitor for compliance and calculate overages, and possibly how we set allocations, depending on the options chosen in the draft Addendum coming later.

One suggestion that came from the PDT, not the PRT, because we first discovered this issue working on the Addendum, is to move the compliance report deadline later. On April 1st, when compliance reports are due, some states are still working with preliminary data, especially on the specific, like gear type level on the very small level.

Moving the deadline could improve accuracy. On top of that staff was reviewing Amendment 3, and the timing of validated landings data does not line up with the payback provisions in Amendment 3 very well. While the Amendment says that overages need to be paid back in the subsequent year following the overage, so if you have an overage in 2021, it needs to be paid back in 2022.

What we've found out is that final landings aren't really ready until midsummer, so you could have a situation where states need to remove quota in the middle of a fishing year. As far as the FMP review is concerned, we recommend the Board consider moving the compliance report deadline later, possibly the summer, like July 1st was the example we said.

Then as we pivot to the Addendum discussion, staff will be recommending a new option for the Addendum that opens paybacks to the following year after the subsequent year. If we find an overage based on validated data in the middle of the year, states can pay it back in the next year, if needed, so then they can plan for having that less quota in their fisheries. Are there any questions?

CHAIR BELL: Yes, Lynn.

MS. FEGLEY: Thank you so much for that report. Just out of curiosity, did you reach out to states who have the largest differences between their validated, you know their two sets of data, to see if

These minutes are draft and subject to approval by the Atlantic Menhaden Management Board.

The Board will review the minutes during its next meeting

Draft Proceedings of the Atlantic Menhaden Management Board Meeting
August 2022

moving the deadline would help them, or if it was some other issue for them?

MR. BOYLE: We did reach out to a lot of the states that had some of the biggest differences, especially in working to create the tables in the Addendum, to make sure they were accurate, and especially also because normally the validation process doesn't break the landings down into categories, so we needed that as well. I do believe they said that that would be a significant help, I believe.

MS. TONI KERNS: We didn't discuss it specifically. I did have a conversation with one or two states earlier on in the compliance report process, in particular those states that do not have their landings divided up by gear type early on, and they can't provide that. All they can provide is the total, and those states had said that a later date would be beneficial to them. Several of the PDT members did say that it would be helpful.

CHAIR BELL: I guess then the question is, is there interest from the Board in moving the date for the compliance report? Chris and then Megan.

MR. CHRIS BATSAVAGE: I think I heard it correctly. The proposed compliance report date you're thinking of moving it to is July 1st, is that it? Okay. Yes, I think any push later in the year will help the final landings. The only thing I would I guess consider is the number of other compliance reports that are also due on July 1st.

You know you have staff internally review a lot of these before they get sent to ASMFC. I think there might already be six that are due on July 1st, so I'll know if June is workable or if August is too late, but just something to keep in mind, as far as if we decide to move the compliance report due date for menhaden. Thanks.

CHAIR BELL: No, it's a good point, Chris. Megan.

MS. WARE: I think it may be prudent to move it back. I think that would help several states. James just to help you a little bit. My recollection is having a month to compile the FMP review from 15 states

is a lot of work in a little time. If you choose July 1st, you're setting it up for the same kind of situation, where the first week of August is when you have to report out. I don't know if June 15th might give you a little extra time, unless you have a different system you've set up. But my recollection is that was always really tight.

CHAIR BELL: Toni, do you want to weight in here?

MS. KERNS: Our intention was to not provide an FMP review until the annual meeting if we switched it to July 1st, Megan, just because of what you said. I just did a quick count, Chris, you are correct. We currently have six compliance reports due on July 1st, this would make seven. If we did it in August, if we had August 1st, that would make a total of four due then. That would be the same for June, it would make a total of four due then. I think if we did August 1st, we would still have enough turn time to provide the FMP review at the annual meeting as well.

CHAIR BELL: Okay, so August 1st is kind of, does anybody have a problem with August 1st? It's my birthday, just thought I would mention that. See what I did on my birthday this year. Okay, do we need a motion for that or just general consent? Okay, is everybody good with that? We will move the compliance report for menhaden to August 1st, for all the reasons we just discussed. Yes, I guess we probably would need a motion for that, yes to accept the compliance reports.

MR. JOHN CLARK: Is that motion prepared? I would be glad to make it.

MR. BOYLE: Yes, I think Maya prepared a motion.

MR. CLARK: Ah, the magic mysterious Maya. There we go. You want to read that or I can read it.

CHAIR BELL: Go ahead.

MR. CLARK: Move to approve Fishery Management Plan Review, state compliance reports and de minimis requests for Pennsylvania,

These minutes are draft and subject to approval by the Atlantic Menhaden Management Board.
The Board will review the minutes during its next meeting

South Carolina, Georgia and Florida for Atlantic menhaden for the 2021 fishing year.

CHAIR BELL: Okay, that knocks out two things. Yes, is that a second, Pat? Pat seconds. Any discussion of that? Any objection to the motion? Toni.

MS. KERNS: Mr. Chair, since Maya is not here, I just wanted to make sure she knew it was Pat Geer.

CHAIR BELL: Okay, yes. **No objections to the motion? All right the motion carries, great.** Does anybody need a break? Okay, I don't see any hands. If I can do this you can do it.

CONSIDER DRAFT ADDENDUM I TO AMENDMENT 3 ON COMMERCIAL ALLOCATIONS, EPISODIC EVENT SET ASIDE PROGRAM, AND INCIDENTAL CATCH/SMALL-SCALE FISHERIES FOR PUBLIC COMMENT

CHAIR BELL: All right, it takes us to Item 5, now we're going to get into Draft Addendum I to Amendment 3, so we've got some unfinished business there we need to clean up, right? James will walk us through that and hopefully this will go smoothly.

MR. BOYLE: I'll just jump right in. A quick outline of the presentation. I'm going to give a very quick overview and recap of the process that we've gone through until this point. Then I'm going to move on to covering the contents of the Draft Addendum. As in previous meetings, I'm going to go section by section, and pause for discussion and motions at the end of each one.

First the allocations, and then the EESA, and then incidental catch. Those will all be done separately. The goal of today's meeting is to finalize the options in the document, and consider approving it for public comment. Additionally, going off what we discussed just now at the end of the FMP review, staff is recommending adding language into the Addendum that will allow for overage paybacks in the year following the subsequent year from the overage.

A quick recap. The Board initiated the development of Draft Addendum I in August of 2021. The first draft was presented to the Board in January of 2022, after which Board comments were incorporated into the document and presented again in May, where the PDT received further edits that are included in the version presenting here today. Ideally the document will be approved for public comment today, and hearings will commence from August until October, and the Board will consider final approval at the annual meeting in November. Like I said, to help work through the Addendum we're going to take each section at a time, and consider Board action specific to each section.

As a quick note, there are two options, two sub-options removed between briefing materials and supplemental materials. The total is 33 options not 35, as is written in the document. There is only one option remaining that the PDT specifically recommends removing. But any additional options the Board would like to remove, will always help ease the process going forward, presenting it to the public.

First up is allocation. The objective of the options in this section are to align with the recent availability of the resource, enable states to maintain current directed fisheries with minimal interruptions during the season, reduce the need for quota transfers, and fully use the annual TAC without overage.

The PDT used the same two-step approach as outlined in Amendment 3. First, we're going to consider the fixed minimum allocation step, and then second is allocate the remaining TAC based on the timeframes. Before I start going through the options, the tables that are associated with each combination of the two steps are in the Draft Addendum provided in supplemental materials, if anyone would like to compare.

Then I have them in the presentation here, but I think it's easier to see them in the document, so we'll just skip through those when I get to the slides of that. Okay, so for the fixed minimum approaches we have the status quo option of 0.5 percent to

These minutes are draft and subject to approval by the Atlantic Menhaden Management Board.
The Board will review the minutes during its next meeting

Draft Proceedings of the Atlantic Menhaden Management Board Meeting
August 2022

every state, and a three-tiered option that would have different minimums for different groups of states.

The PDT developed the tiered option to reduce the amount of TAC that was reserved for minimum allocations, while still allowing for states to acquire the necessary allocation when combined with the second allocation step. Under the status quo option, 8 percent of the TAC is apportioned out to the fixed minimum, and under the tiered option that would be reduced to 5.53 percent.

The three-tiered option still contains the changes made by the Board at the January meeting, of course, and the PDT previously voiced their concerns over that, but have no new recommendations regarding those options. Moving on to Step 2. Options 1 and 2 are fairly straightforward. They are the average landings from each of those listed timeframes, the current one being 2009 to 2011, status quo.

I'll add a quick reminder that at the last meeting the Board voted to replace 2020 with 2021 landings in all of the relevant options, so that is reflected up here. For the weighted timeframe allocation, the PDT still recommends removal of Timeframe Number 2, or Option 3B. The Board requested two versions of the weighted allocation timeframe be developed in October of 2021. While the state allocations vary slightly between the two versions, by expanding the range of years by one, they are conceptually the same. The PDT reiterates its recommendation that Timeframe Number 2 be removed, because the same objective is achieved with Timeframe Number 1, which utilizes the original timeseries that we use now, and then adds on the most recent three years. Then we have Option 4, which is the moving average option. In response to Board concerns in the January meeting about the types of landings that can affect the moving average, the PDT split Option 4 into three sub-options, two of which remain after the May meeting.

Option 4A represents the original moving average method that include all catch types, including

episodic even set aside landings and incidental catch or small-scale fisheries landings to most accurately reflect the distribution of stock and effort. The PDT continues to support the retention of this option, as it's the most responsive to the current fishery. But if the TAC is exceeded, it could impact states that use their full quota.

Option 4B only uses landings under or equal to the TAC in the moving average calculation. This option recognizes the importance of incidental catch and small-scale fisheries landings, and episodic events landings in a state's total landings, to reflect stock distribution, and as a way to move averages up, if needed.

However, it does not reward states for activities that could lead to overfishing, such as exceeding the TAC, and it does not damage existing markets in other states by, for example, shifting quota away from states that fully utilize their allocation. A proportional allocation of the incidental catch and EESA landings among participating states eliminates concerns about the timing or availability of when fish become available, so it's not a first come first served situation.

The PDT supports the retention of this option, as it adds protection for states that fully utilize their fishery, but is not as representative of the current fishery as in Option 4A. Due to the fact that in 2021 incidental catch landings put the total harvest above the TAC, this is the first time we could utilize the calculation to only count a portion of those landings, and there is a full explanation of that calculation in the document, if you would like to see it in more detail.

Here we are, we've gotten to the tables. If anyone has any questions, I'm happy to try to answer them, but otherwise they are the same as have been presented before and have been in the document before, except with the update of replacing 2020 landings with the validated 2021 landings. I think Maya, we can go ahead and skip to Slide 16, please, which brings us to the end of the allocation section. Are there any questions?

These minutes are draft and subject to approval by the Atlantic Menhaden Management Board.
The Board will review the minutes during its next meeting

Draft Proceedings of the Atlantic Menhaden Management Board Meeting
August 2022

CHAIR BELL: All right that's simple, any questions at this point? I don't see any hands. We have recommendations from the PDT. There is the PDT recommendation that we have, and they have been consistent.

MS. KERNS: Maya, do you want to put that slide back up? I think it was on.

MR. BOYLE: It's Slide Number 8, please.

MS. KERNS: We're in the PRT presentation somehow, Maya.

CHAIR BELL: Again, remember what we're doing is just approving for taking it to public comment, so there will be much more time with this. But the PDT has been pretty insistent in their appeal for some simplification if we can. Joe then Cheri.

MR. JOE CIMINO: Yes, and I appreciate that. I think the PDT has really gotten this document to a really impressive place. I've been fighting to keep Option 3B in. It's more inclusive of data. You know there is a lot of interannual variability in the landings for this species. I don't think it makes this a more complex document, slightly larger with more tables. But the understanding of, it's a different set of years, not any older data, just more inclusive. I would like to see it stay in.

CHAIR BELL: Joe would like to see it stay in, well, Cheri, you're next. You don't have to comment on that if you don't want to.

MS. CHERI PATTERSON: Well actually, I was going to agree with the PDT and recommend that it be removed. I think that there is just a lot of similarities to it, and there is not much difference.

CHAIR BELL: Right, and they pointed that out, I think consistently to us. Someone in favor, some want to leave it in, take it out. Any other thoughts on that? All right, well if someone wanted to make a motion one way or the other, I guess we could do it that way. Cheri.

MS. PATTERSON: I would like to make the motion to remove Option 3B under 3.1.2. I'm sorry: Move to remove Option 3B: Weighted Allocation Timeframe #2 from Section 3.1.1 in Draft Addendum I.

CHAIR BELL: Thank you, can I get a second? Does anybody want to second that? Yes, Sir, is that a second?

MR. KRIS KUHN: Yes, Kris Kuhn.

CHAIR BELL: Okay we have a second, good. We have a motion then, we had discussion of the motion.

MS. KERNS: Maya, that second was Kris Kuhn.

MR. BOYLE: Sorry to jump in also, Maya. My mistake in drafting the motion, 3.1.2.

CHAIR BELL: Okay, so we'll correct that. Thank you, Kris. Discussion of the motion. You all are kind of quiet. Well, we could vote on it if there is no further discussion. Emerson.

MR. EMERSON C. HASBROUCK: I agree with Joe, so I'm going to vote against this. I would not support this motion. I would support keeping it in the document, and let's see what the public has to say. Thank you.

CHAIR BELL: All right, would anyone like to speak the other direction? Yes, go ahead, Toni.

MS. KERNS: I just point out that if we do remove this option it takes us from 16 to 12 allocation options that the public would have to weigh.

CHAIR BELL: I think from the beginning we've been kind of having a plea for simplification, and I understand taking a large suite of things out, let them comment. But at some point, it does get a little overwhelming, I think. It's my opinion. All right, any other discussion? We can vote on this then.

These minutes are draft and subject to approval by the Atlantic Menhaden Management Board.
The Board will review the minutes during its next meeting

Draft Proceedings of the Atlantic Menhaden Management Board Meeting
August 2022

All right, all in favor of the motion, raise your hand. Oh, first of all, does anybody need to caucus? Yes, caucus. All right, we'll take three minutes. The magic three-minute timer, three-minute caucus. We've finished caucusing, good deal. All right, everybody ready? All in favor of the motion, just raise your hand, please.

MS. KERNS: I have Rhode Island, Massachusetts, Pennsylvania, Florida, Georgia, South Carolina, North Carolina, Virginia, PRFC, Maryland and New Hampshire. Did I miss anybody on this line?

CHAIR BELL: All opposed raise your hand.

MS. KERNS: I have Connecticut, New York, New Jersey, Delaware and Maine. Two abstentions, NOAA Fisheries and Fish and Fish and Wildlife Service.

CHAIR BELL: Two abstentions. That's 11 in favor, 5 opposed, 2 abstentions and no null votes. All right, it passes. Thank you. Yes, Megan.

MS. WARE: Just before we get off this section. I just wanted to provide one suggestion on tweaking wording, if that's okay. It was on 4B, the calculation procedure for the overage. There is a sentence that talks about overages to episodic and evaluating state landings on a weekly basis. I understand that we in the FMP report our episodic landings by week.

But in reality, we're reporting them by day, and I think a lot of the states are making decisions, not on a weekly basis, but on a day-by-day basis. For example, I don't assess, should Maine be an episodic in Week A, I assess, should Maine be an episodic on Monday versus Tuesday, versus Wednesday.

I was just going to recommend that we slightly tweak that wording, to consider each state's landings in day or days, but specifically each state's reported landings, because I know, and I'll clean this for Maine. We've had like a late report come in, and so that would be counted towards the overage in using that word reported. Does that make sense

what I'm suggesting? I'm seeing head nods. I realize it's really specific, but I just think it better captures where we're at.

CHAIR BELL: All right, I think that makes sense. Nichola.

MS. MESERVE: Just regarding the background information for this section. I think there is a mistake in the number of transfers that are reported occurring in each year. James, I think you mentioned it, with the FMP review there are 25 in 2021, and I don't think that is reflected in this document. Then with the background information for the episodic event set aside, that we're going to talk about next, I think the count is also off for Maine and Mass for the number of years that they have participated in the set aside. If you could just doublecheck those numbers before it goes out to public comment that would be great.

CHAIR BELL: Okay, thanks, Nichola. All right, anything else? Speaking of episodic set asides. That's what we'll move to next.

MR. BOYLE: Thanks for that, I'll doublecheck those. Moving on to the Episodic Event Set Aside Provision. The objective of the options in this section are to ensure sufficient access to episodic changes in regional availability, in order to minimize in-season disruptions, and reduce the need for quota transfers and incident catch or small-scale fisheries landings.

There are no changes to these options since the May Board meeting. As a reminder, Option 1 is to maintain the set aside at 1 percent of the coastwide TAC, the status quo, and then Option 2 would be to set the set aside at some value between 1 and 5 percent, with sub-options that would allow the Board to decide how the set aside could be adjusted, either as a static value during final action of this Addendum, or dynamically during specification proceedings.

Then I made a quick note that's just for clarification or for information. If the 0.5 percent fixed minimum was replaced by the three-tiered

These minutes are draft and subject to approval by the Atlantic Menhaden Management Board.
The Board will review the minutes during its next meeting

Draft Proceedings of the Atlantic Menhaden Management Board Meeting
August 2022

minimum allocation strategy, then the minimum allocated TAC would be reduced to 5.53 percent from 8 percent, like I mentioned before. That 2.47 percent freed up by selecting the three-tiered option, will be reallocated to the states.

But if you increase the EESA to 2.47 percent or less, then you would result in a similar value in terms of pounds of fish, being removed from the TAC prior to timeframe based allocation, prior to the Step 2 of allocation. That's all of this section as well. Thank you.

CHAIR BELL: All right, any questions? Any desire to mess with anything? Okay, I don't see any hands. All right, so we'll just hold what we've got. Good.

MR. BOYLE: Lastly, we have the incidental catch or small-scale fishery section, the objective of which, for these options, is to sufficiently constrain landings to achieve overall management goals of meeting the needs of existing fisheries, reducing discards, and indicating when landings can occur, and if those landings are part of the directed fishery.

In this section there are four subtopics to address incidental catch landings. For simplicity in this outline, I've only shown the non-status quo options. The topics include changing or proposed changes to the timing of when states can begin landing under the provision, permitted gear types, changes to the trip limit for those permitted gear types, and considering a new accountability system for incidental catch or small-scale fisheries landing.

To start with the timing of the provision, Option 1 is the status quo. Once a quota allocation is reached for a given state, the fishery moved to an incidental catch fishery. Currently, individual states can interpret that differently, so whether they consider it a sector or a gear type reaches their allocation, and they move into incidental catch, or whether the whole state reaches its allocation, and that whole state moves in incidental catch. Option 2 would unify it at sector, fishery or gear type allocation. Currently, states such as New Jersey and Virginia divide their state allocation into sector and gear

type specific allocations. This provision would confirm that once a sector or fishery or gear type specific allocation is reached for a state, then that sector or fishery or gear type fishery moves into the incidental catch provision.

Option 3 is the opposite. Once the entire quota allocation for a given state is reached, regardless of the sector or gear type allocation, then the menhaden fishery for that state moves into incidental catch for small scale fisheries. Section 2 is for permitted gear types. In the process of editing the options, the PDT discovered that fyke nets were mistakenly listed as both directed and non-directed gear in Amendment 3.

Additionally, in the May Board meeting the PDT was asked to review the classification of trammel nets, and consider redefining them as nondirected gear. In Options 2 and 3, which were drafted by the PDT, fyke nets and trammel nets are both reclassified as only nondirected gear. However, the status quo option must match Amendment 3.

Underneath the status quo option we created sub-options that would present the Board the chance to still choose the status quo provision, but change the classification of one or both of those gear types, if they so choose. Option 2, the incidental catch provision would apply to both small-scale directed gears and nondirected gears, but exclude purse seines.

This option is included due to the growth of directed landings from small scale purse seine gears in recent years. Landings from purse seine gears would count against a state's directed fishery quota. In Option 3, the incidental catch provision would apply only to nondirected gears. Under Amendment 3 this includes pound nets, anchor staked gillnets, drift gillnets, trawls, fishing weirs, fyke nets and floating fish traps, and we've added trammel nets to that as well. Section 3 is to modify trip limits.

Option 1 would maintain the status quo of 6,000 pounds per trip, or 12,000 pounds for two people for all permitted gear types. Options 2 and 3 would

These minutes are draft and subject to approval by the Atlantic Menhaden Management Board.

The Board will review the minutes during its next meeting

Draft Proceedings of the Atlantic Menhaden Management Board Meeting
August 2022

lower the limit for directed gear types only to 4,500 pounds or 3,000 pounds respectively. For both Options 2 and 3, the proposed change in the trip limit would only apply to small-scale directed gears.

Those gear types are listed in full in the document again, but as a reminder, it's cast nets, traps except floating fish traps, pots, haul seines, hook and line, bag nets, hoop nets, handlines, bait nets and purse seines, which are smaller than 150 fathoms long and 8 fathoms deep. Again, fyke and trammel nets have been removed from the directed gear category for Options 2 and 3.

Nondirected gear and stationary multispecies gears would still be able to land up to 6,000 pounds of menhaden per trip per day, with two individuals working from the same vessel, fishing stationary multispecies gear permitted to work together can land up to 12,000 pounds. Section 4, the catch accounting.

This section has changed significantly with comments from the Board at the May meeting. Option 1 is the status quo, where incidental catch or small-scale fisheries landings continue to not count against the TAC. In Option 2, total landings under this provision would be evaluated against the annual TAC, and then if those total landings exceed the TAC, the trigger is tripped, and the Board must take action as specified in Option 2A and 2B. Option 2A is for the Board to modify the trip limit for permitted gear types, and Option 2B is for the Board to modify permitted gear types.

Both 2A and 2B have a sub-option that would provide the Board a mechanism to make a change through Board action and not have to use adaptive management or create a management document. The PDT chose to draft the options in this way, and not to make a specific recommendation on whether the Board use Board action or adaptive management, because they felt it is a strictly Board decision to weigh the pros and cons of those two strategies for any given situation.

I'll also just throw in a couple of reminders here that with regard to these options, the first is the

These minutes are draft and subject to approval by the Atlantic Menhaden Management Board.
The Board will review the minutes during its next meeting

Board could always choose to use adaptive management, and create a new management document instead. Even if you have the power to use Board action, you do not have to use it. There is no sub-option for using adaptive management. Second, as in other sections of this document, the Board is not limited to the options as written here, and can make any combination within the scope of these options.

I would like to thank the PDT for all their hard work, especially for me, as I joined into the Commission in January, and I appreciate their help and patience in getting me up to speed in this process. Thanks a lot! Board actions to consider. Consider amending the language regarding overage paybacks, as I talked about earlier, and then consider approving Addendum 1 to Amendment 3 for public comment as modified today. That brings us to questions.

CHAIR BELL: All right, any questions about all of the language in there, the options available to us? Again, this is taking things out to public comment. Yes, Nichola.

MS. MESERVE: I had a question about Section 3.3.4, the catch accounting provisions. I appreciate the way that the PDT restructured Option 2. My question is whether adopting Option 2 there, which has a trigger mechanism for when the TAC is exceeded, would remove the language that is currently in the plan about the Board having the discretion if they see a nondirected gear directing, or the landings increasing significantly, even if the TAC isn't exceeded yet to ask for adaptive management, then.

MS. KERNS: Maya, can you throw up the trigger slide, which James will help me with which one it is. I just want to make sure I am reading.

MR. BOYLE: That's Slide 25, Maya, please.

CHAIR BELL: Conferring on that question.

MR. BOYLE: No, I don't think so. The wording here we believe, means that if the trigger is tripped the

Draft Proceedings of the Atlantic Menhaden Management Board Meeting
August 2022

Board has to act, but does not preclude the Board from acting if it is not.

MS. MESERVE: Okay, thank you. I guess my hope then is that if the Board does pick something under Option 2, then that language that is already in the status quo about that the Board may act if they see nondirected directing, that that would be in the final document, based on the answer that you just provided.

CHAIR BELL: Okay, Lynn and Allison.

MS. FEGLEY: Just to recap Nichola's question and the answer. Regardless of whether or not the trigger is hit, the Board will have the discretion to make changes to that provision, based on how gears are performing, so that the gear is really increasing, we maintain that ability. Toni.

MS. KERNS: I guess, Nichola, the question would be. Well, what we described is true, but collectively we wouldn't know how you are performing in the middle of the year, and your trigger would get tripped at the end of the year. I don't know if the Board would be able to respond in the middle of the year to make that change. I don't know if that's what you're thinking or not. I just want to make sure.

MS. MESERVE: No, I wasn't thinking of that timely response. But if I use the last five years as an example, for four years we saw purse seines directing, and the landings increasing, increasing, and it was causing concern. We started the working group, and we had this process. It was only in 2021 that we actually exceeded the TAC. I don't want that ability for the Board to see that.

I think it's the normal adaptive management process, but it kind of spells it out in Amendment 3 now, like what the Board can consider, if they see a direction under the provision happening. Just maintaining that language there, I think provides the Board a little bit of guidance that even before the TAC may be exceeded, they can still act under adaptive management. Option 2 kind of adds to the Board's current ability, as opposed to replaces it.

These minutes are draft and subject to approval by the Atlantic Menhaden Management Board.
The Board will review the minutes during its next meeting

CHAIR BELL: Lynn, did we leave you hanging, or did it answer your question? Good, Allison, did you have a question as well?

MS. COLDEN: Yes, maybe just a clarifying question to jog my memory. Option 2 addressed a situation in which the TAC is exceeded when the IC/SSF landings are added. If there is another situation in which the TAC is exceeded, the overages are only accounted for on a state-by-state basis at this point for directed landings, is that correct?

MR. BOYLE: Yes.

MS. COLDEN: The reason why this is addressing just in the cases where the incidental catch landings exceed the TAC, is because otherwise it would be directed under the state landings. Just want to make sure I've got that correct.

CHAIR BELL: Toni.

MS. KERNS: There is episodic overages that get addressed through theirs, and that comes out of next year's episodic set aside, and then you have your directed landings for your directed state quotas, which come back out of your state which you're referencing.

MS. COLDEN: But basically, there are mechanisms depending upon where we see the overages.

MS. KERNS: That is correct.

MS. COLDEN: Yes, okay, just wanted to clarify, thank you.

CHAIR BELL: Other questions? Yes, Megan.

MS. WARE: If it's okay, I had just another wording suggestion. But I can hold that if you would like.

CHAIR BELL: Oh, yes Ma'am, go ahead.

MS. WARE: I realize it's not necessarily a question. I guess under the trip limits and the gear types there were sub-goals, I'll call them that were under each section. I'm wondering if we can just add the

Draft Proceedings of the Atlantic Menhaden Management Board Meeting
August 2022

word consider to those goals, because I think as they are currently written, they are actually narrower than the scope of options in the document. For example, for the trip limit one it would be, limit the annual volume of IC/SSF landings by considering reductions to the trip limit.

MR. BOYLE: Yes, okay. Thank you.

CHAIR BELL: Is that it? Thanks. Any other comments, questions, suggestions, tweaks? I don't see any up here yet. Chris. Who is that?

MS. KERNS: Before we go to the public, can I ask the Board a question about the staff recommendation to the payback provision? We figured this out after the PDT had met, so the PDT did not see this recommendation. When James and I were thinking about it, I was like, I guess we could just add another year.

But in further consideration as I've thought, I think that if the Board agrees that it is good to move it back, that payback should only come in a single year, we shouldn't spread it out over a two-year timeframe. I am suggesting that the option just be two years later. For example, if we find out that there was an overage in 2021, it would come out of quotas in 2023. I just want to make sure the Board is okay with adding that language to the document.

CHAIR BELL: Yes, Nichola.

MS. MESERVE: I'll admit I haven't had long to think about this, other than today. But I don't like that there is additional lag if it's not needed, in accounting for overages. I guess my question is really whether this has been an issue for any states that have had overages, and having to account for them in the subsequent year, to know if this is really a necessary change that we need to make right now and add it to the document.

CHAIR BELL: Yes, Megan.

MS. WARE: I think to respond to that, Nichola. For example, we've had situations where incidental landings have changed slightly from April 1st to May

1st. I think in one of the weighted options, if total landings were over the TAC, those would then be used to reduce our quota in the subsequent year, and I'll look to staff to confirm that. I think we may not have a final number on those at the end of the existing fishing year, if I am understanding the option correctly, unless that is already lagged. It's already lagged. Then I think it would be okay.

MS. KERNS: Trying to remember the language from that weighted option, Megan, hold on.

CHAIR BELL: We'll answer that, and then I'll get to you, Joe.

MS. KERNS: It's lagged, and it's spelled out specifically to two years, which overage payback is not spelled out that way. Does that help, Nichola?

MS. MESERVE: I don't know, is this consideration being added because of the moving average option, or this is a distinct issue that the PRT came up with, staff realized, and just looking to add it here? From a Massachusetts state perspective, we have a good enough sense to handle any overage that we have in the immediate year.

From my standpoint, I'm not seeing a need to add this. But if it's helpful to other states I would be willing to consider it. Just I don't want to complicate the document with an option that we don't need, if no one around the table things we need to address overages two years later, as opposed to one year later.

MS. KERNS: I can help clarify where James and I ran into this issue. As we were trying to figure out the validated data and kept going back and forth with a couple of different states on the issue. We realized that a, Jeff tells me to never say data is final, but a good value for that fishing year is often not going to come until sometime in the summer.

There are states that divide their quota up by quarters, by gear types at the beginning of the season. One gear type may have already had their run. They wouldn't be able to take a quota overage out of that gear type, and wouldn't be able to

These minutes are draft and subject to approval by the Atlantic Menhaden Management Board.
The Board will review the minutes during its next meeting

Draft Proceedings of the Atlantic Menhaden Management Board Meeting
August 2022

address the overage in that year, and so it would have to come out of their next year's quota, in order to get it out, once we told them that they had an overage. Because they would have already allocated out to their fishery. That's why we had made the suggestion.

CHAIR BELL: Okay, so there is utility in leaving that in. Joe, you had a question?

MR. CIMINO: Actually, I was just going to ask Toni to do what she just did, but it wouldn't be leaving it in, it would be adding language. Is that also, correct? Yes. Nichola, we would be one of those states that Toni just created that scenario. You know we have vessels that harvest a great amount at one time, and if one of those was missed and that overage needed to come out in the next year. But we didn't know that until sometime during the year. It would impact all the allocations for all the other fisheries.

CHAIR BELL: Yes, that was leaving it in in the context of the draft where we are right now.

MR. BOYLE: I would also just like to add really quickly that the way we're going to draft the language it wouldn't stop a state from paying an overage if they could in the subsequent year, like in the original, the year after the overage.

MS. KERNS: I just suggested that we only do one year for accounting purposes, sorry. That was what I was getting at, where I was correcting, because I think accounting purposes it would be maybe a bit of a nightmare if we had it spread over two. Yes, it's my fault.

CHAIR BELL: Anything else? Yes, Allison.

MS. COLDEN: I just wanted to sort of agree and reiterate Nichola's point. If there is no need for a lag, especially for a species like menhaden, which we're managing on an ecosystem context. I would hope that we could make those changes, and respond to those overages as quickly as possible.

I'm not quite sure why whatever we're discussing today would be different than how we've dealt with directed landings overages since Amendment 3. I don't know if I'm just not following the issue here, because we have had overages, but is it that they've always been covered, so we haven't dealt with this yet? I'm not sure what is different, thank you.

CHAIR BELL: Toni.

MS. KERNS: We have not had any overages, but I anticipate we are going to start getting very close to our quotas as we change these allocations, and there could be overages. Because of the difficulties we had in getting a version of final landings this year, I realized that this would become a problem in the future if we had overages.

CHAIR BELL: It's just thinking ahead and changing the field. Okay. Anything else? We have a draft motion we could put up on the board. Hang on, Jim Gilmore.

MR. JAMES J. GILMORE: Sorry, my energy level has dropped below most of what is in the room right now. This goes to Section 3.3.2, which we had raised the issue at the last meeting, and it had to do with the IC/SSF and particularly the small-scale fishery. In that scenario that I raised at the last meeting.

New York's fishery really is a beach seine fishery now. That is what we catch 85 percent of the fishery is prosecuted with a beach seine. I raised a point that under Option 3 under 3.3.2, if you chose that option, you would eliminate New York's fishery, essentially. We've already banned purse seines, the Legislature did that. We have the ultimate small-scale fishery. We're catching everything with a beach seine. We had made a request that the PDT essentially fix that, and one suggestion was to add it in as an exemption under Option 3, and it would be considered under a nondirected fishery, even though technically it wasn't. I think the response that the PDT came back with was, and if I can raise it. At the spring meeting the PDT requested to review Option 3, and consider creating an exception for beach seines to

These minutes are draft and subject to approval by the Atlantic Menhaden Management Board.
The Board will review the minutes during its next meeting

Draft Proceedings of the Atlantic Menhaden Management Board Meeting
August 2022

continue operating if this option is selected. However, given that Options 1 and 2 both allow for beach seines to continue under the IC/SSF provision, so I agree, if we pick one of those options, we don't have a problem.

However, Option 3, the intent was to create a provision where there was no menhaden-directed fishery. Such an exception would be contrary to the spirit of the option, and essentially did not have a directed fishery. I tend to agree with that. But the spirit of it was not to eliminate a state's fishery. It essentially goes on to say that since because of that that we didn't want to have a directed fishery, that the PDT chose not to modify the option.

Right now, I'm looking at this, and if the PDT can't fix it, we've got two things that New York can do. Either eliminate Option 3, which I know may give some folks some Ajita, or I have a motion ready to put up to maybe consider adding beach seines in under Option 3, so that it could be considered if that option is selected. If you would like me to, Mr. Chairman, I would go ahead with that motion.

CHAIR BELL: Toni.

MS. KERNS: Jim, go ahead with your motion. I just would point out that New York is not the only state with a fishery that gets eliminated by Option 3. There are other state fisheries that do get eliminated, and the PDT was following the direction of the Board to eliminate these directed fisheries as requested, and so that is why they had the response. Some other fisheries were also eliminated by that option. It's not just New York.

MR. GILMORE: Okay, so is there a different solution to it then, Toni? That again was the intent was not to, we're talking about small-scale fisheries, and it was trying to restrict harvest so that we wouldn't. I mean the whole intent of that section was that we would not exceed harvest. But now we're eliminating valid harvest.

Maybe there is a different way to go about doing this, because all I was going to do in the motion was to add on essentially, it was essentially Option 3,

and change the language to nondirected and beach seines only. That would fix my problem, but is that going to cause other problems for other states?

MS. KERNS: I will leave that to the Board's discretion. I'm just telling you what the PDT was directed to do, and therefore that was their rationale.

CHAIR BELL: Allison, to that.

MS. COLDEN: Just a clarifying question. Wouldn't removing it as a gear under the incidental catch provision simply move those landings to directed landings? I'm not sure I understand how it would end the fishery. It would just change the pot under which it's accounted for.

CHAIR BELL: Go ahead, Jim.

MR. GILMORE: I'm not sure. If the quota increases, yes. I don't think it's going to be an issue. But if it doesn't, and that's what we don't know right now, then it could be an issue, because if we go over our directed fishery quota, then essentially, we would be into the incidental catch section, and then we may come up short.

CHAIR BELL: Yes, Lynn.

MS. FEGLEY: I do understand the concern here, but I just want to take everybody back to the objective of this Addendum, which is one, to align with the availability of the resource, and two, to enable states to maintain current directed fisheries with minimal interruption during the season. I think, looking at the tables. It looks like you guys are harvesting 300,000 pounds, and one year you maybe have 800,000 pounds.

I think we would be better off, rather than trying to craft an exception to a very specific piece, to really consider when we're finalizing this document. This is the sort of thing that we need to consider. It's not that much fish. I mean I would hope that we could figure out a way that your directed fishery isn't eliminated, because that's directly counter to

These minutes are draft and subject to approval by the Atlantic Menhaden Management Board.
The Board will review the minutes during its next meeting

Draft Proceedings of the Atlantic Menhaden Management Board Meeting
August 2022

one of the goals of the Addendum. I don't know if that helps, but I just wanted to flag that.

MR. GILMORE: Let me ask Toni a question then. The PDT response was something to the affect that we would create some kind of a loophole. That I didn't quite understand where the loophole was coming in that all these states are going to come out of the woodwork now and start having big beach seine fisheries, which if anybody has ever tried to catch menhaden with a beach seine, it's not the most efficient way of doing it. What is the loophole, if anybody knows, from the PDT?

MS. KERNS: I'm going to go to one of our PDT members in the back of the room and ask her to come to the table, unless James remembers, but Nicole. I'm phoning a friend.

MS. NICOLE LENGYEL COSTA: Thanks, Toni. Yes, you are correct, Mr. Gilmore. The concern from the PDT was that other states could then develop beach seine fisheries. We did have a conversation about it. We do recognize it is small scale. It is not the most effective method, as you said.

But it still would open that door for the opportunity, and we just felt that beach seines being a directed gear, we didn't feel it was appropriate to move it into the nondirected gear. We would be open to other suggestions of how to address the issue, but we just felt it was really a directed gear, so it didn't belong in the nondirected gear category.

CHAIR BELL: Okay.

MR. GILMORE: Let me try a motion, and maybe that will help out.

CHAIR BELL: Why not?

MR. GILMORE: I've got two different versions of this, but I'll try Emerson's suggestions first, because the other one was going to be, for any state that's got a beach seine fishery that hasn't banned purse seines, but I'll try a simpler way. **Move to modify Section 3.3.2, Option 3, nondirected and states**

with existing beach seine fisheries. Put it up there and let me wordsmith it a bit.

MS. KERNS: Jim, we're going to probably need you to, let's see what Maya gets. Then s-l-o-w-l-y.

MR. GILMORE: Sure, I will slow down. Okay, 3.3.2 nondirected, move to modify Section 3.3.2, Option 3 to read, nondirected and beach seines. Give me a second, Maya. And states with existing beach seine fisheries.

CHAIR BELL: That's good enough for you, can I get a second to that from someone? Okay, Tom had his hand up. Okay Tom first.

MR. FOTE: I'm trying to get the term straight in my mind. When I look, because there is a haul seine, and a haul seine is the same as a beach seine, because the haul seines are a very efficient way of harvesting. I mean think what North Carolina did on striped bass back in the seventies, and we think that's why New York eliminated the haul seine for striped bass before it was done, because it could basically see a large area.

I mean I used to drive to beaches out in Montauk, and basically watch the haul seines load up pickup trucks with striped bass, and also it was basically kind of destructive about the fishery. It had a lot of bycatches of other fish, and once you dragged them on the beach, you weren't basically releasing them alive. I'm a little confused here, so I want to know how it operates.

CHAIR BELL: That wasn't a second from you then, that was just a question about gear type, because what you're describing haul seine, yes that is in my mind a different gear from probably a beach seine, I think. Yes, Joe.

MR. CIMINO: You have a motion on the table, so I will second for discussion, and then we can get to Tom's question.

CHAIR BELL: Joe seconds that, now we'll have some discussion. Jim.

These minutes are draft and subject to approval by the Atlantic Menhaden Management Board.
The Board will review the minutes during its next meeting

Draft Proceedings of the Atlantic Menhaden Management Board Meeting
August 2022

MR. GILMORE: Yes, actually, as Emerson and I were just looking at it. It might be easier to leave the heading alone, and just add on at the end, you know the last thing with the states with existing beach seine fisheries. Let me change, do you want to try it, Toni?

MS. KERNS: Jim, I'm not sure it should say states with existing beach seine, it should just existing beach seine fisheries. You would just add to the gear list existing beach seine fisheries. Maya, we will friendly amend. Move to modify Section 3.3.2 Option 3 to add or by adding, and then take out parentheses, nondirected. Exactly, thank you, Maya.

CHAIR BELL: Okay, Jim, is that good, as far as modifying wording. Joe seconded.

MR. GILMORE: I think, yes Joe has the second, not Tom.

CHAIR BELL: Okay then, discussion of the motion. Nichola and then Emerson, and then Megan.

MS. MESERVE: I am going to oppose the motion. I agree with the PDTs rationale that this is counter to the intent of the option. I understand New York's situation, I believe, but think that this option has to be taken in consideration of the other options that look at quota reallocation. I'm sure we could all find one option that we don't like on its own. But you have to think about this in the context of what else the Addendum may do. I'm going to oppose this.

CHAIR BELL: All right, Emerson.

MR. HASBROUCK: Obviously I support this motion. Under some of the goals that we have in this document, one of which is to maintain current direct fisheries. It doesn't say if they're large scale directed fisheries or small scale directed fisheries, but to maintain those fisheries. That is under the allocation section.

We don't know at this point in time where we're going to end up with allocation, and that is some of

the issue in New York is that we really don't have sufficient allocation, because menhaden landings weren't really tracked until just recently in New York. If we knew where we were going with allocation, we may not need this.

But since we don't know where we're going with allocation, I think we're going to need this. Another goal was to meet the needs of existing fisheries, and as Jim said, in New York the fishery is a beach seine fishery. That is what it is. You know they really depend on that bycatch allocation. To answer Tom's question.

The beach seine is different from the haul seine, and the fishery is also executed in an area and in a method where there is essentially hardly any, if any, bycatch, including striped bass. I know the people who are involved in this fishery. I've had discussions with them several times about bycatch, and it's almost nonexistent. This is a totally different fishery than the haul seine fishery for striped bass that used to occur in New York.

CHAIR BELL: To that Tom, just really quickly.

MR. FOTE: Yes, I'm trying to figure out how is it different if you basically are taking a boat and launching it from the beach, and then wrapping it around or is that the way it's being done, because that is a haul seine. I'm trying to figure out, and what areas are they doing this in? That's all I'm asking the question before I vote.

CHAIR BELL: All right, Emerson.

MR. HASBROUCK: It's up in Flanders Bay and Peconic Bay. It's an area where there was never a striped bass haul seine fishery. This is not occurring along the south shore ocean beaches.

CHAIR BELL: Okay, thank you. Megan.

MS. WARE: I mean I think I can confidently say I probably best understand people's concerns about reliance on small scale, given where Maine is right now, and I certainly get New York's angst about where Option 3 could go. But respectfully, both

These minutes are draft and subject to approval by the Atlantic Menhaden Management Board.
The Board will review the minutes during its next meeting

Draft Proceedings of the Atlantic Menhaden Management Board Meeting
August 2022

Options 2 and 3 are threatening Maine's small-scale fishery, which we've become completely reliant on, given our quota. I'm just getting a little nervous here that we're starting to carve out exemptions for certain gear types over others. I think how the options are listed right now is appropriate, and I think we should keep them that way.

CHAIR BELL: Chris, and then Cheri.

MR. BATSAVAGE: Yes, I think just confusion and specificity of the definition of a beach seine makes this problematic when you look across states. I appreciate the definition of how the beach seine is being fished in New York, but the way this is written, the beach seine would be fished much differently in North Carolina, and possibly other states.

Then if you get any gear changes that are still called a beach seine, you know it can then kind of snowball on top of there. I mean I understand New York's dilemma, but I think just the unintended consequences of this makes me reluctant to support this motion.

CHAIR BELL: Okay, Cheri.

MS. PATTERSON: Yes, I think this kind of, I completely sympathize with New York. I know that this is going to likely affect us also in New Hampshire. But I think it goes against what the option is indicating. It's indicating nondirected gears, and this sounds like a directed gear. That is where I'm a little confused about why we're adding something that's directing, when it's under a nondirected gear revision.

CHAIR BELL: Jim.

MR. GILMORE: Yes, and both Cheri and Chris. You are 100 percent right, it's a directed gear. From a technical standpoint I will not argue that. From a practical standpoint, it's essentially a fishery that if I go back two years ago, before our Legislature banned purse seines, I would have other gears that I might be able to prosecute the fishery.

But I don't. We're down to, the intent of that legislation was to preserve the menhaden fishery in New York, and keep a population high, so we're restricted to the smallest gear possible. Now it's created this dilemma, because of the name. But let me put a couple of more points in here before we vote. The concern, and it's in the Addendum, is that we want to prevent fish kills. Each year for the last couple of years, we've run through our directed fishery quota and we've gone to this small-scale fishery using beach seines to keep fish kills from happening. Fish kills that, trust me I've had town supervisors at meetings and I said, the fish are alive in the water, I can catch them. They are my problem. They die and they are on the beach they are your problems. They've been spending hundreds of thousands of dollars taking these fish off the beach. That is our bigger concern about it. Yes, if our quota goes up and everything, it's not going to be an issue. If it stays the same, then I get to the fall. I've got menhaden kills all over the Peconic's.

We've got fish not going to market, just essentially going to a landfill. The guys that are doing this, and it's one guy with a group of people now, are catching that fish, Megan, and they're going to Maine. That is where they are selling them for the lobster fishery. This is a practical management right now.

I understand getting into yes, it's not directed fisheries. But we're trying to get something that maintains the fishery, and essentially prevents some of the other issues like fish kills and loss of a resource or waste of a resource. Again, we need something better than what's in there right now. Thank you.

CHAIR BELL: Okay, any other discussion on this really quickly? Max.

MR. MAX APPELMAN: Yes, I just want to raise a technical point, maybe, a concern about inconsistent terminology. I mean we're hearing haul seine, beach seine. It's the first time that beach seine is even entering this document, and so if we want to keep things, avoid any confusion, and

These minutes are draft and subject to approval by the Atlantic Menhaden Management Board.
The Board will review the minutes during its next meeting

Draft Proceedings of the Atlantic Menhaden Management Board Meeting
August 2022

if this is a haul seine, as what's been described here in the small-scale directed gears, maybe we should be talking about haul seines. I'm being confused between beach versus haul seine, and if I'm being confused maybe some others are getting confused too.

CHAIR BELL: Thanks, Max. Let's go ahead and vote on this. All right, there is the motion. Do you need to caucus? Yes, probably so. Let's take three-minute caucus. Maya, can you hit the timer? I guess that's three minutes, folks. Everybody finished caucusing? Yes, Jim.

MR. GILMORE: Just a suggestion, because of consistency in the document. We've been calling it a beach seine, which is not in the document. But we have haul seine that is in the document, and if they are synonymous, because we changed the word.

MS. KERNS: They are not the same. A haul seine is not a beach seine.

MR. GILMORE: No, I agree with you. But we don't have beach seine anywhere else in the document. We probably could have a good coffee discussion or a drinking discussion about a haul seine and a beach seine, what the difference are. But anyway, all right, we'll leave it alone.

CHAIR BELL: Max, do you have something to that?

MR. APPELMAN: I don't mean to open up a can of worms, but with all due respect, the small-scale directed gears identified in the document does not include beach seine, so how if we're saying they are different gear types, how is it that a state is using beach seines under the small-scale directed fishery provision? I mean I think the discussion is that they are essentially synonymous. We're calling them the same thing. That is where this concern is coming from.

CHAIR BELL: All right, I think we've had plenty of discussion on this, and plenty of gear confusion a little bit. Let's go ahead and vote then. See the

motion to modify the wording in 3.3.2. All in favor of that motion, please raise your hand.

MS. KERNS: I have New York.

CHAIR BELL: All right, all opposed to that motion, please raise your hand.

MS. KERNS: I have Rhode Island, Massachusetts, Connecticut, Pennsylvania, Florida, Georgia, South Carolina, North Carolina, Virginia, Potomac River Fisheries Commission, Maryland, Delaware, Maine and New Hampshire.

CHAIR BELL: All right, any abstentions? Two abstentions.

MS. KERNS: NOAA Fisheries and Fish and Wildlife Service.

CHAIR BELL: Any nulls?

MS. KERNS: New Jersey.

CHAIR BELL: One null, all right. What is the final score there, 1 for, 14 opposed, 2 abstentions and 1 null? All right, so the motion does not pass. I guess we're back. We have a Draft, right? We could put a motion to approve this Draft to move forward, get that up there. Is that a Maya thing? Would anyone care to make this motion to approve? Okay, I saw Megan's hand first. Megan.

MS. WARE: Sure, move to approve Draft Addendum I for public comment as amended today.

CHAIR BELL: All right, a second, Cheri. Just got a second from Cheri. See if we can do it this way. Any opposition to the motion? Thank you, she's holding me to this. Before we vote, I think we have a member of the public that would like to comment, so we will take a public comment on this right now before we vote.

MR. SHAUN GEHAN: Thank you, Mr. Chairman, Members of the Board. This will be quick. My name is Shaun Gehan, I work with Omega Protein

These minutes are draft and subject to approval by the Atlantic Menhaden Management Board.
The Board will review the minutes during its next meeting

Draft Proceedings of the Atlantic Menhaden Management Board Meeting
August 2022

and will be doing comments on this. It's just a question about what specifically may be within the range of options in the document that could be selected.

The question is whether the way the document is laid out is, advocating for allocations based strictly on current and/or current and historic use within the range of options. That would be either without any minimum allocation to the states, or no minimum allocation and no episodic even set aside. Is that just purely done on the basis of current and/or current historic landings within the range of options?

CHAIR BELL: Did you get the question?

MS. KERNS: Shaun, I don't think so. The only thing that the Board can choose from are within the current range of options that are in the document itself. The document does state that the Board has the prerogative to cross options, but it has to be within the current range of options of the document.

MR. GEHAN: Okay, thanks. Just wanted clarification.

CHAIR BELL: Okay, thank you for that question, Shaun. All right, okay now, are there any objections to this motion to adopt the Draft document? We have one objection.

MS. KERNS: Note who that objection is. New York objects.

CHAIR BELL: Yes, so just one. Okay, we're good, then that carries. Motion passes, woo, on to public comment.

MS. KERNS: Maya, motion carries with one objection, and then you can put in parentheses, New York. Thank you.

CHAIR BELL: What have we got left? Yes, is Tina going to do that, are you doing that?

MS. TINA L. BERGER: I'm here.

These minutes are draft and subject to approval by the Atlantic Menhaden Management Board.
The Board will review the minutes during its next meeting

REVIEW AND POPULATE ADVISORY PANEL

CHAIR BELL: We were just talking about you. Yes, the last agenda item we have is an Advisory Panel Appointment, so Tina, do you want to do that?

MS. BERGER: Be happy to. Members of the Board, I have for your review and consideration and approval the nomination of Barbara Garrity-Blake from Gloucester, North Carolina. Her nomination form was in your main meeting packet. That's it.

CHAIR BELL: Thank you, Tina. Yes, Chris.

MR. BATSAVAGE: Yes, I'll move to approve the nomination of Barbara Garrity-Blake from North Carolina to the Atlantic Menhaden Advisory Panel.

CHAIR BELL: All right, Pat, are you seconding? Pat seconds. All right, any objection to the motion? **I don't see any objection. The motion carries.** All right, thank you and thank you, Tina. Wow, I guess that's it. All right, any other business to come before the Menhaden Board?

MS. BERGER: Toni, could you tell us who the seconder was.

CHAIR BELL: Pat Geer.

MS. BERGER: Thank you.

ADJOURNMENT

CHAIR BELL: I got us finishing on time then. All right, well done, folks. Thank you very much. We are adjourned then.

(Whereupon the meeting adjourned at 4:55 p.m. on
Wednesday, August 3, 2022)



Atlantic States Marine Fisheries Commission

1050 N. Highland Street • Suite 200A-N • Arlington, VA 22201
703.842.0740 • 703.842.0741 (fax) • www.asmfmc.org

MEMORANDUM

TO: Atlantic Menhaden Management Board
FROM: James Boyle, FMP Coordinator
DATE: October 21, 2022
SUBJECT: Public Comment Summary on Addendum I to Amendment 3

The following is an overview of all comments received by ASMFC on Addendum I to Amendment 3 to the Atlantic Menhaden Fishery Management Plan as of September 30, 2022 (closing deadline).

A total of 121 comments were received on Draft Addendum I from individual comments, organizations, and form letters. A total of 8 organizations submitted comments; one organization's letter also listed 14 supporting organization signatories, and another's had one signatory. A total of 34 comments were received through 3 form letters¹. The remainder of comments (64) came from individual comments including from private anglers, charter captains, commercial fishermen, and concerned citizens.

10 public hearings were held for 11 jurisdictions from September 7-September 27, 2022. 2 hearings were conducted via webinar only: Rhode Island and New Jersey. 6 public hearings were conducted in-person: Maine (Augusta), Maine (Brewer), Massachusetts, New York, Virginia, and North Carolina. 2 hearings were conducted in a hybrid format with attendees participating via webinar and in-person: New Hampshire and Delaware-Maryland-Potomac River Fisheries Commission.

246 individuals (not including state staff, ASMFC staff, or Commissioners/Proxies) attended the hearings and some of these individuals attended multiple hearings. Live polls or a show-of-hands vote were used at most hearings for some of the proposed options; the tables indicate when a poll or vote was used.

The following pages include comment tables summarizing written and hearing comments for each option proposed in Addendum I. There is also a list of other topics/themes commonly raised in the comments. The summary tables are followed by the letters and emails sent by organizations, form letters with total submissions count, and individual comment letters and

¹ Form letters (more than 3 of the same comment) include comments stating support for an organization's comments; however, if the commenter provided additional comments/rationale related to management beyond the organization's or letter's comments, then it was considered an individual comment.

emails. The public hearing summaries and attendee lists are provided as a separate attachment included in the 2022 Annual Atlantic Menhaden Board main meeting materials.

Public Comment Summary Tables

Table 0. Comment Count

Number of written comments received by individuals, organizations, and form letters, and number of people who attended and participated in the polls/provided comments for each public hearing

Written Public Comments Received		
Individual Comments		64
Form Letters		34 [^]
Organizations		8
Org/Business Signatories ⁺		15
<i>TOTAL</i>		121
Public Hearing	# Public Attendees *	# Poll Participants/ Commenters **
Maine (Augusta)	72	72
Maine (Brewer)	57	57
New Hampshire	11	5
Massachusetts	24	5
Rhode Island	8	7
New York	11	4
New Jersey	5	5
Delaware-Maryland-PRFC	21	8
Virginia	54	54
North Carolina	0	0
<i>TOTAL</i>	<i>261*</i>	<i>217</i>

[^]3 different form letters received.

⁺One organization’s letter also listed 14 supporting organization signatories, which are categorized as Signatories (subset of Organizations). Another organization listed 1 signatory.

^{*}Some people attended multiple hearings. Public attendees do not include state staff, ASMFC staff, or Commissioners/Proxies.

^{**} Some individuals and organizations participated in polls at multiple hearings and/or provided verbal comments at multiple hearings.

Commercial Allocation

Section 3.1

Table 1. Step 1: Fixed Minimum

Number in support for fixed minimum options

	Option A: Status Quo	Option B: Three-Tier
Individual	3	13
Organization	18	4
Form Letter	18	12
Hearings	*	*
ME		
NH	1	2
MA		
RI		2
CT		
NY		
NJ	2	
DE/MD/PRFC	1	5
VA	2	46
NC		
FL		
TOTAL	45	84

**Poll/show of hands conducted at hearings except for MA and NY hearings.*

Most comments favored Option B to use a three-tiered minimum system. Many of the comments in support of Option B expressed concern that giving quota to states that do not use it reduces the quota to states with a greater economic reliance on the menhaden fishery.

Comments in support of Option A often felt that it was most equitable to assign the minimums equally and wanted states with smaller or no menhaden fishery to have a greater ability to reserve quota for other ecological purposes.

Table 2. Step 2: Timeframes
Number in support for timeframe options

	Option 1	Option 2	Option 3A (No Sub-Option specified)	Option 3A: Sub-Option 1	Option 3A: Sub-Option 2	Option 4 (No Sub-Option)	Option 4A	Option 4B
Individual		8				1	7	4
Organization		18			4		2	
Form Letter		22					12	
Hearings	*	*	*	*	*	*	*	*
ME	3	107				8		
NH		1						2
MA								
RI		3						1
CT								
NY		4						
NJ	1	1	1		2			
DE/MD/PRFC		2	1		1		1	1
VA		1			53			
NC								
FL								
TOTAL	4	167	2	0	60	9	22	8

**Poll/shows of hands conducted at hearings except for MA and NY hearings.*

Most comments favored Option 2 to use landings from 2018, 2019, and 2021 as the basis for distributing the TAC. There were also a number of individual comments that called for an increase or to maximize quota to Maine, often citing the economic impacts of bait costs on the lobster industry, but did not choose a specific option. Comments in support of Option 2 often referred to increased availability in the northeast and a desire for quotas to align more closely with that availability. A number of commenters who prefer Option 2 also gave a secondary preference for Option 3A Sub-option 1, which would use historical and recent landings while giving recent landings greater weight.

Comments in support of Option 3A Sub-option 2 often said that it is more equitable to weight historic landings equally with recent landings to benefit long-standing fisheries.

Comments in support of the various options within Option 4 expressed largely similar views to supporters of Option 2 by citing a desire for quota distribution to align with the changing fishery.

Other Comments Related to Allocation

A number of commenters expressed concern over the distribution of coastwide quota, particularly the concentration in the reduction fishery.

Many commenters believe that menhaden caught in Maine are larger than those caught farther south, which would cause the quota to be used with fewer fish, and caused concern that other states are fishing for juveniles, thereby hurting the spawning stock.

Episodic Event Set Aside

Section 3.2.1

Table 3. Percentage of EESA
Number in support for EESA options

	Option 1	Option 2 (No sub-option specified)	Option 2 Sub-Option 1	Option 2 Sub-Option 2
Individual	1	11	3	3
Organization	3	1	16	1
Form Letter		12	18	
Hearings	*	*	*	*
ME		129		
NH	1		1	2
MA				
RI	1	1	3	1
CT				
NY				
NJ	3		1	
DE/MD/PRFC				
VA	53	1		
NC				
FL				
TOTAL	62	155	42	7

**Poll/show of hands conducted at hearings except for MA and NY hearings.*

Most comments were in favor of Option 2, although the vast majority did not specify a sub-option. Of the supporters that chose a sub-option, most supported Option 1 for the Board to set the new EESA percentage statically at the annual meeting. Many comments in support of a version of Option 2 also expressed support for the increase to be to the maximum 5%.

Incidental Catch/Small-Scale Fisheries
Section 3.3

Table 4. IC/SSF Timing
Number in support of Timing options

	Option 1	Option 2	Option 3
Individual	7		3
Organization	2	2	
Form Letter	12		
Hearings	*	*	*
ME			
NH	1		2
MA			1
RI	2		2
CT			
NY			
NJ	2	0	2
DE/MD/PRFC	2	4	1
VA		1	
NC			
FL			
TOTAL	28	7	11

**Poll/show of hands conducted at hearings except for MA and NY hearings.*

Most comments supported Option 1, although it is notable that Option 2 achieves the same goal of maintaining the ability for states to divide their quota by sector and for sectors to enter the IC/SSF at different times. Supporters of the current system frequently cited the benefits of flexibility for different states, and some referred to the success of the sector divisions in New Jersey and Virginia.

Supporters of Option 3 frequently expressed concern that the system can be manipulated to get fisheries into the IC/SSF provision earlier in the fishing season.

Table 5. IC/SSF Gear Types
Number in support for Gear Type options

NOTE: For clarity, the sub-options of Option 1 were not the focus of the public hearing presentations and received few public comments.

	Option 1 (No sub-option)	Option 2	Option 3
Individual	40		2
Organization	3	2	16
Form Letter	12	4	18
Hearings	*	*	*
ME	129		
NH		1	2
MA			
RI			3
CT			
NY		4	
NJ	1	2	1
DE/MD/PRFC	2	4	2
VA		1	
NC			
FL			
TOTAL	187	18	44

**Poll/show of hands conducted at hearings except for MA and NY hearings.*

Most comments favored Option 1 to maintain the current permitted gear types. The primary concern for many commenters was the inability of other gears, particularly gillnets if those were to become the dominant gear, to release non-target species and menhaden over the trip limit alive. Along with the bycatch mortality, commenters cited the economic and physical toll of removing purse seines, as they felt gillnets were less efficient and harder on fishing crews.

Opponents to Option 1 frequently commented that purse seines are a directed gear and felt that they do not conform to the goals of the IC/SSF provision.

Table 6. IC/SSF Trip Limits
 Number in support for IC/SSF Trip Limit options

	Option 1	Option 2	Option 3
Individual	17		2
Organization	4		16
Form Letter	16		18
Hearings			
ME	57		
NH	2		2
MA			
RI	1		3
CT			
NY	4		
NJ		1	2
DE/MD/PRFC	2	2	4
VA			
NC			
FL			
TOTAL	103	3	47

**Poll/show of hands conducted at hearings except for MA and NY hearings.*

The majority of commenters favored the status quo for directed gear trip limits, often citing the relatively small percentage of IC/SSF landings compared to directed landings, and believing that lowering the trip limit would make the IC/SSF fishery economically unviable, thereby enhancing the burden on small fishers.

Table 7. IC/SSF Catch Accounting
 Number in support for IC/SSF Catch Accounting options

	Option 1	Option 2 (No sub-option)	Option 2A	Option 2B	Both 2A and 2B
Individual	7	3			
Organization		17			1
Form Letter	12	18			
Hearings					
ME	57				
NH	1		2		2
MA					
RI	2		3	1	1
CT					
NY					
NJ	2		1		1
DE/MD/PRFC	2		1	1	2
VA		2			
NC					
FL					
TOTAL	83	40	7	2	7

**Poll/show of hands conducted at hearings except for MA and NY hearings.*

Most comments supported the continuation of not counting the IC/SSF landings against the TAC. Similar to other sections of this provision, some commenters believe the IC/SSF to be a small percentage of the overall landings and that imposing limits on it puts an undue burden on small fishers.

When counted together, all of the versions of Option 2 represent a significant minority, who largely expressed the view that IC/SSF landings should be counted equally to directed landings to limit the overall use of the provision.

Other Comments Related to the IC/SSF Provision

Some commenters did not choose specific options, but expressed concern that without more restrictive limits on menhaden fishing, the stock will follow the same decline as was seen in Atlantic herring. Additionally, many commenters were concerned about the level of IC/SSF landings in Maine and the potential for those landings to lead to a greater increase in quota relative to other states.

ADDITIONAL TOPICS RAISED IN PUBLIC COMMENTS

In addition to comments on the specific options, the following topics/themes were commonly raised by commenters. Due to the breadth of comments, this overview does not represent the entirety of topics addressed in the comments.

Additional common themes/topic raised during the hearings included:

- Concern about menhaden harvest in sensitive areas, such as Chesapeake Bay and Boston Harbor
- Concern for the concentration of menhaden fishing boats in certain areas of ME and the decrease in bird and mammal activity that is seen afterwards
- Concern about the complexity of Addendum I

Comments were submitted by the following groups and organizations:

Theodore Roosevelt Conservation Partnership	Virginia Saltwater Sportfishing Association
National Audubon Society	Wellfleet Natural Resources Advisory Board
National Wildlife Federation	Riverkeeper, Inc.,
Marine Retailers Association of the Americas	Stellwagen Bank Charter Boat Association
International Game Fish Association	Chesapeake Bay Foundation
American Sportfishing Association	Reedville Bait
Wild Oceans	Lund's Fisheries Inc.
Bonefish Tarpon Trust	Omega Protein
Menhaden Defenders	Ocean Harvesters
Great Egg Harbor Watershed Association	Maine Coast Fishermen's Association
Gotham Whale	Regal Marine Products, Inc.,
The Rhode Island Saltwater Anglers Association	Maine Lobstermen's Association

Comments were submitted via the following form letters:

L&L Wholesale Bait (4)

Form Letters from unknown sources:

Form Letter 1 (18)

Form Letter 2 (12 ME fishers)



CHESAPEAKE BAY FOUNDATION
Saving a National Treasure

OFFICERS

Elizabeth Oliver-Farrow
CHAIR

Otis S. Jones
VICE CHAIR

Hilary Harp Falk
PRESIDENT AND CEO

David A. Fogle
TREASURER

William A. Agee
SECRETARY

TRUSTEES

Marnie Abramson

Dara C. Bachman

R. Bruce Bradley

Joan P. Brock

George L. Bunting Jr.

Michael J. Chiaramonte

Brian Cobb

Margaret M. Freeman

Alexandra Grayson

Jennifer E. Green

Harry S. Gruner

Ann D. Horner

Robert A. Kinsley II

Katie Z. Leavy

Jonathan D. Manekin

Anne Mehringer

Pamela B. Murphy

Mamie A. Parker, Ph.D.

Crystal Patterson

Anna R. Pauletta

Ann Pelham

Nathaniel J. Rose

Janine J. Smith

J. Sedwick Sollers III

R. Todd Stravitz, MD

Sandra E. Taylor

Preston M. White

Robert N. Whitescarver

Stephen M. Wolf

HONORARY
TRUSTEES

Donald F. Boesch, Ph.D.

W. Russell G. Byers Jr.

D. Keith Campbell

Louisa C. Duemling

Richard L. Franyo

Alan R. Griffith

Carolyn Groobey

Ann Fritz Hackett

C.A. Porter Hopkins

T. Gaylon Layfield III

Harry T. Lester

Byron F. Marchant

M. Lee Marston

Wayne A. Mills

Arnold I. Richman

Marie W. Ridder

James E. Rogers

Truman T. Semans

Simon Sidamon-Eristoff

Jennifer Stanley

Thomas H. Stoner

Bishop Eugene Taylor Sutton

Alan L. Wurtzel

September 30, 2022

James Boyle
Fishery Management Plan Coordinator
Atlantic States Marine Fisheries Commission
1050 N. Highland Street, Suite 200A-N
Arlington, VA 22201

RE: Comments on Draft Addendum I To Amendment 3 of the Atlantic Menhaden
Interstate Fishery Management Plan

Submitted via email to: comments@asmfc.org

Dear Mr. Boyle:

On behalf of the Chesapeake Bay Foundation (CBF), I wish to provide the following comments on the Atlantic States Marine Fisheries Commission's (ASMFC) Draft Addendum I to the Interstate Fishery Management Plan (FMP) for Atlantic Menhaden. CBF is the largest conservation organization dedicated solely to saving the Chesapeake Bay. Our motto, *Save the Bay*, defines the organization's mission and commitment to reducing pollution, improving fisheries, and protecting and restoring natural resources such as forests, wetlands, and underwater grasses. CBF represents more than 300,000 members who support the wise management of the region's living resources. CBF staff and its members have been involved in menhaden management efforts both in the Chesapeake Bay and along the Atlantic Coast for more than 20 years.

3.1.1 Allocation Options for Addressing the Minimum Allocation

CBF supports **Option A**. Status Quo which maintains the current 0.5 percent fixed minimum allocation. This minimum level of allocation allows for landing of a small amount of menhaden bycatch and reduces the likelihood of regulatory discards in states without commercial fisheries. It also allows for quota transfers when necessary to support increased resource availability in other states. This state-by-state approach has generally worked well and allows for states to harvest menhaden to support locally important fisheries and ensure available quota through different periods of abundance.

BROCK ENVIRONMENTAL CENTER

3663 MARLIN BAY DRIVE | VIRGINIA BEACH, VA 23455 | 757-622-1964 | CBF.ORG

3.1.2 Timeframes to Base Allocating the Remaining TAC

CBF supports **Option 2** which would use landings from 2018, 2019, and 2021 as the timeframe for allocating the remaining total allowable catch (TAC). Soon after the adoption of Amendment 2, it became apparent that certain sectors of the fishery suffered from a lack of reporting data and therefore landings, particularly in the bait fishery, during the 2009-2011 timeframe. In addition, both the regional abundance of the stock and associated fishery has changed significantly since adoption of the 2009-2011 timeframe. Option 2 more closely matches the geographic abundance and recent changes in the fishery and represents the best available information for menhaden landings.

3.2.1 Increase the Set-Aside

CBF supports **Option 2**, specifically to increase the Episodic Events Set-Aside for New England states to five percent. This would allow flexibility to address periodic high abundances of menhaden in New England waters while minimizing losses due to regulatory or environmental events.

3.3.1 Timing of IC/SSF Provisions

CBF supports **Option 2**. States such as Virginia have developed sector-specific allocations based on historical landings. The reduction fishery in Virginia has the largest quota along the Atlantic coast and to require the bait fishery's entry into the IC/SSF program to wait until the entire reduction quota is landed would be detrimental to smaller-scale fisheries.

However, CBF recognizes the possibility that sector-specific allocations could be implemented in such a way as to allow fisheries to quickly enter the IC/SSF fishery by setting artificially low sector-specific allocations. We urge the Board to include safeguards against this activity by, for example, requiring historical allocations to be considered and/or review of sector-specific allocations through the annual FMP compliance process. Any flexibility that this option would provide must be responsibly balanced with transparency and accountability.

3.3.2 Permitted Gear Types, of IC/SSF Provisions

Incidental catch provisions for menhaden were first implemented in Amendment 2 as a means to support bycatch of menhaden in stationary, multi-species gear. This helped avoid regulatory discards and allowed for landings of limited numbers of fish through the 6,000 pound per day trip limit. Amendment 3 added directed gears, including purse seines, to this provision, the effect of which has been profound. Since Amendment 3, landings under the IC/SSF program have

increased by 200 percent, now representing up to three percent of the total coastwide TAC. In 2020, 53 percent of Maine's landings were a result of the IC/SSF program, landing nearly 14 million pounds. Specifically, purse seine landings increased from 57 percent prior to Amendment 3 to 88 percent of IC/SSF landings after Amendment 3. These trends clearly demonstrate a significant increase in directed landings and justifies further evaluation of the appropriateness of inclusion of directed gears in this program.

These trends are especially concerning as IC/SSF landings have caused the total coastwide TAC to be exceeded in recent years, which is unaccounted for in overage paybacks. Therefore, CBF supports **Option 3** which would ensure that only non-directed gears use this provision. Gears such as purse seines, even on a smaller scale, do not meet the criteria of an incidental catch or small-scale fishery. Removing directed gears from this program would better align with the goals of Addendum I to allocate quota to states where menhaden are available, rather than allowing extraneous landings through this provision with little accountability.

3.3.3 Trip Limit for Directed Small-Scale Fisheries of IC/SSF Provision

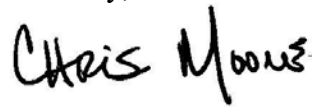
Currently, trips landing the maximum 6,000 pounds per trip limit are dominated by purse seines. Should purse seines be removed from the IC/SSF provisions, CBF believes that a 6,000-pound trip limit is appropriate for small-scale, non-directed gears. If purse seines are retained in the IC/SSF program, CBF supports **Option 3** which would establish a 3,000 pound per day limit for directed gears.

3.3.4 Catch Accounting of IC/SSF Provision

Landings by the IC/SSF have increased dramatically over the past few years resulting in a million pounds of menhaden being landed each year that do not count toward the coastwide TAC. In the Chesapeake Bay region, many of these landings come from stationary, non-specific gears such as pound nets, which are deployed for a variety of species throughout the fishing season. Now, however, the volume of menhaden landings under the IC/SSF provision has resulted in total landings greater than the TAC. This is a critical issue as the coastwide TAC is set based on recently adopted ecological reference points which account for the importance of menhaden to coastal ecosystems. Exceeding the coastwide TAC, regardless of the source of the exceedance, puts the sustainability of predator species at risk. The Board should adopt **Option 2** in order to ensure all landings of menhaden are counted towards the coastwide TAC. Further, CBF, supports **Option 2B, Sub-Option 2** which would allow the Board to revise the gear types included in the IC/SSF program Board action as needed.

Thank you for your consideration of these comments on Draft Addendum 1 to the Atlantic Menhaden FMP. CBF hopes that these comments are helpful in the deliberations by the Board.

Sincerely,

A handwritten signature in black ink that reads "Chris Moore". The signature is written in a cursive, slightly slanted style.

Chris Moore
Senior Regional Ecosystem Scientist

cc: Alison Prost, Vice President, Environmental Protection & Restoration, CBF
Peggy Sanner, Virginia Executive Director, CBF
Josh Kurtz, Maryland Executive Director, CBF



Managing the Needs of our Customers Through our Commitment to Sustainable Fisheries

September 30, 2022

Mr. James Boyle
Senior FMP Coordinator, ASMFC
1050 N. Highland St., Suite 200 A-N, Arlington, VA
By Email to: jboyle@asmfc.org / comments@asmfc.org

Re: Draft Addendum 1 to Amendment 3 of the Atlantic Menhaden IFMP

Dear Mr. Boyle and members of the Atlantic menhaden board:

Lund's Fisheries was established in 1954 and is a family owned and operated, vertically integrated seafood company. Like many multi-generational fishing businesses in our community, I represent the third generation and have been actively working at Lund's Fisheries in sales, production, and management roles since 1994.

Our investments in shoreside processing and freezing capacity over the years have positioned Lund's as a leader in providing high quality Atlantic menhaden for bait in a variety of food fisheries operating on the Atlantic and Gulf of Mexico, including the lobster, crab and crawfish fisheries.

Lund's Fisheries currently employs 150 people annually, between our Cape May and Bridgeton, New Jersey locations, and another 80-90 fishermen in our fleet of fishing vessels. We also work with many independent fishermen who rely upon us to purchase their harvest and, together, develop markets for local seafood products, including Atlantic menhaden, as they become available.

New Jersey has established a limited entry program for its menhaden purse seine fishery and individual transferrable quotas are in use, for both harvesting and landing menhaden, to spread fishing effort out over the season and efficiently maximize both resource and market opportunities for the Cape May menhaden fleet and our plant as we have been forced to work with a limited quota for the past 10 year.

Our comments on the Draft Addendum follow:

Statement of the Problem:

We do not agree that the dynamics in the commercial menhaden fishery have changed since the implementation of A3 in 2017, as stated in the draft addendum. In fact, since the A1 quotas were established in 2012, New Jersey has both stayed within its quotas and, in each year, the fishery was closed while menhaden persisted in the area well into the fall months.



Managing the Needs of our Customers Through our Commitment to Sustainable Fisheries

This is not a new phenomenon affecting only the northern states around the Gulf of Maine. In fact, it appears that Atlantic menhaden are successfully overwintering north of the Chesapeake Bay as the stock appears to be benefitting from a warming ocean. These stable fishery dynamics isolates the fact that those northern states are either unwilling or unable to stay within their allocated quotas, which should not result in a threat of another reduced quota in states that depend upon the Atlantic menhaden fishery for jobs and community stability during the summer and fall months, as is the case in the State of New Jersey.

While northern states have been allowed to exceed their quota, since at least 2017, through the intended use of the Episodic Event Set-Aside (EESA) program combined with their irresponsible use of the Incidental Catch and Small-Scale Fisheries (IC/SSF) provision, other states south of NY, which have not had access to the EESA but have stayed within their Amendment 1 and 3 quotas while prohibiting directed gears, including purse seines, to be used in the incidental catch fishery. The result has been to allow an increase in recent landings in the northern states without the same opportunity being made available to other states, which are closing their fisheries to stay within their quota even though fish remain available to those states' fisheries following the closure of the directed fishery. This situation continues to threaten the stability of New Jersey's menhaden fishery. Making management changes through this addendum is important coastwide.

Commercial Allocations:

While we support the intention of the Addendum to “enable states to maintain current directed fisheries with minimal interruptions during the season”, we do not agree that the availability of the resource has changed to the extent that a reallocation of existing A3 quotas, from states with a historic menhaden fishery, can in any way be justified.

3.1.1 – Allocation Options for Addressing the Minimum Allocation

We support Option B – the Three-tiered fixed minimum approach, which would assign states to three tiers (0.01%, 0.25%, or 0.5%), with the result being that the states without a fishery would be awarded a lower fixed minimum allocation. PA, SC and GA would be included in Tier 1 @ 0.01% and CT, DE, NC and FL would be included in Tier 2 @ 0.25%. The remaining states would be in Tier 3 @ the status quo minimum of 0.5% of the coastwide quota.

3.1.2 – Timeframes to Base Allocating the Remaining TAC

We support Option 3 – Weighted time frames, considering both recent and historical timeframes with sub-options of different weighting values and support Option 3A, Sub-option 2 weighing the allocation timeframes of 2009-2011 and 2018, 2019 & 2021 evenly.



Managing the Needs of our Customers Through our Commitment to Sustainable Fisheries

4 – Moving average – this option would use a three-year moving average to annually adjust allocations as the stock and fishery dynamics change (i.e., 2018, 2019 & 2021 average would be used to set 2023 allocation).

We strongly support Option 4A, and are opposed to the recent years, moving average option, since using the current-years' moving average clearly disadvantages those states, like New Jersey, without access to the EESA and responsibly using its IC/ISSF opportunities as intended by the Commission. Retaining the fishing history from 2009-2011 is important to New Jersey, a state with a historic fishery that is limited today to harvesting only its A3 quota, and with no other opportunity to increase its annual catches. This has been the case here since the implementation of A1, in 2012, when our states' access to the Atlantic menhaden resource was reduced by nearly 50%.

EESA Program

3.2.1 – Increase the Set-Aside

We support the Status Quo EESA allocation of 1% of the total coastwide TAC, with any EESA quota remaining unused after 10/31, annually, to be reverted back to the common pool. We do not support increasing the EESA allocation up to 5%, either as a static amount or set annually during the specifications process.

3.3 – IC/SSF Provision

3.3.1 Timing of the IC/SSF Provision

We support Option 1 (Status Quo); once a quota allocation is reached for a given state, that fishery moves to an incidental catch fishery, to finally require all states to consider the use of this provision in the same way.

3.3.2 Permitted Gear Types of the IC/SSF Provision

We strongly support Option 2, which would remove the use of purse seines from the definition of small-scale and non-directed gears. This has been the position of the State of New Jersey since implementation of A1 in 2012. The use of purse seines as a non-directed gear in northern states has been unfair and wrong for years and has allowed for the irresponsible use of the IC/SSF provision throughout that time, to the detriment of states otherwise appropriately using the provision as originally intended. The 150 fathom (900 foot) seine used by Maine as a 'small scale' gear is the same size seine limit established for New Jersey's directed purse seine fishery, which has been excluded from the IC/SSF since the establishment of quotas in the fishery, in 2012, through the implementation of Amendment 1.



Managing the Needs of our Customers Through our Commitment to Sustainable Fisheries

3.3.3 – Trip Limit for Directed Small-Scale Fisheries of IC/SSC Provision

We support Option 1, no change to the current small scale and non-directed gear types of up to 6000 pounds of menhaden per trip per day. Two authorized individuals, working from the same vessel fishing stationary multi-species gear would continue to be permitted to work together and land up to 12,000 pounds from a single vessel, limited to one vessel trip per day. This provision has been responsibly utilized and monitored by the State of New Jersey since its implementation through A1 and has benefitted our gill net fishermen who historically have landed menhaden for bait for recreational fishermen targeting striped bass, following the closure of the directed fishery, for several years. Maintaining this trip limit will work to reduce regulatory discards in the fishery.

3.3.4 – Catch Accounting of IC/SSF Provision

We support Option 2, requiring IC/SSF landings to be evaluated against the annual, coastwide TAC. If IC/SSF landings cause the TAC to be exceeded the Board would take action either by modifying the trip limit for permitted gear types or by eliminating one or more gear types from the IC/SSF provision. This change would protect those states accurately reporting their catches and staying within their quotas, like NJ, over the last 10 years.

Thank you for your attention to and your consideration of our comments and concerns.

With best regards,

Wayne Reichle

Wayne Reichle, President
wreichle@lundsfish.com

James Boyle
FMP Coordinator
1050 N. Highland Street
Suite 200 A-N
Arlington, Virginia 22201



Re: Comments on Atlantic Menhaden Draft Addendum I

September 30, 2022

Dear Mr. Boyle,

The Maine Coast Fishermen's Association (MCFA) would like to take this opportunity to comment on the Atlantic Menhaden Draft Addendum I. MCFA is an industry-based nonprofit that identifies and fosters **ways to restore the fisheries of the Gulf of Maine and sustain Maine's historic** fishing communities for future generations. Established and run by Maine fishermen, the objectives of the MCFA are to provide a voice for our fishing communities, to rebuild the Gulf of Maine ecosystem, and to support diverse fishing businesses throughout Maine.

Addendum I was created with the intent to align state quotas with recent landings and assessment data **while also maintaining access to the fishery for the states managed under the ASMFC's Interstate Fishery Management Plan**. MCFA represents community-based fishermen from Maine and advocates for their concerns which include access to the Menhaden fishery and the maintenance of a substantial forage base within the ecosystem. It is clear that, through the conservation-focused efforts of the ASMFC, the menhaden fishery has expanded its range into the Gulf of Maine significantly and that, with continued appropriate management, the fishery will continue to inhabit that expanded range.

As such, increased access for fishermen and communities in the Northeast is crucial. MCFA has provided the following comments and recommendations for options as outlined in Addendum I.

MCFA supports the following:

- Minimum allocation & time frame used:
 - MCFA supports 3.1.1 Option A which maintains the 0.5% minimum quota for each state. The alternative three-tiered option puts states which currently have low landings at a disadvantage and does not allow for those states to increase their landings in response to changes in the resource in the future.
 - MCFA supports 3.1.2 Option 4 Sub-option 4A which uses a three-year moving average to annually adjust allocations as the stock and fishery dynamics change and uses total landings in the calculations. The use of a moving average allows for more responsive management decisions as the resource changes over time and the use of total landings makes the best use of the available data in making those decisions.
- Episodic Event Set-Aside (EESA):
 - MCFA supports 3.2.1 Option 2, Sub-option 1 which would increase the percentage allocated directly to the Episodic Event Set-Aside to the maximum amount of 5% and set this as a static amount. The number of quota transfers has increased over time showing a very real need for this program. Increasing the percentage to a fixed amount of 5% allows

for flexibility for states and managers to respond to changes in the fishery faster than regional management actions would be able to moving forward.

- Incidental Catch and Small Scale Fisheries Provision (IC/SSF):
 - MCFA supports 3.3.1 Option 1 **which maintains that a state's fishery moves to an incidental catch fishery** once the quota allocation is reached for that state. This maintains the maximum flexibility for each participating state to decide whether this refers to the entire allocation or a sector, fishery, or gear allocation.
 - MCFA supports 3.3.2 Option 1 in regards to permitted gear types which maintains all currently permitted gear types. This includes both small-scale directed gear and non-directed types. In particular, we would like to stress the importance of maintaining access for purse seine gear types in the fishery as these are an important gear type in Maine. Purse Seines are considered a very clean way to fish for menhaden, and most importantly are NOT a fixed gear fishery which could potentially put additional lines in the water at a time when reduction of gear, particularly endlines, is of the utmost importance.
 - MCFA supports 3.3.3 Option 1 which maintains the trip limit for the IC/SSF provision at 6,000 pounds per trip per day for all small-scale gear and non-directed gear types. Reducing the trip limit for small-scale directed gear, as proposed in the other options, does not maintain adequate access to the resource for small-scale fishermen.
 - MCFA supports 3.3.4 Option 2 which would include catch from small-scale fisheries as a part of the menhaden TAC and would ensure that all landings data from this fishery are considered when assessing the status of the resource. This is essential to manage the fishery appropriately.

Thank you for your time and attention to this important issue. We would be happy to provide any further details about any of the specific options we requested.

Sincerely,



Ben Martens

Executive Director



MAINE

Lobstermen's Association, Inc.

2 Storer St, Ste 203 * Kennebunk, ME 04043
207-967-4555 * 866-407-3770 * www.maine lobstermen.org

Atlantic States Marine Fisheries Commission
James Boyle, Senior Fishery Management Coordinator
1050 North Highland St, Suite 200 A-N
Arlington, VA 22201

Via email

September 30, 2022

Dear Mr. Boyle:

The Maine Lobstermen's Association (MLA) provides these written comments in response to ASMFC's *Draft Addendum 1 to Amendment 3 of the Atlantic Menhaden Interstate Fishery for Public Comment*. The MLA was founded in 1954 and is the oldest and largest fishing industry association on the east coast. The MLA advocates for a sustainable lobster resource and the fishermen and communities that depend on it. The MLA strongly supports management options which better match quota to areas where the menhaden resource is available, and which continue to support a flexible and robust small-scale fishery.

Atlantic Menhaden has become the most important bait fish for Maine's lobster fishery, which directly supports well over ten thousand jobs and generates at least \$1.5 billion in economic activity in Maine. Maine's lobster industry is a primary economic driver that serves as the foundation of Maine's coastal economy because, by law, all Maine lobstermen must own and operate their own vessels. Access to a steady supply of local baits – fresh or frozen – has been challenging in recent years. Due to the severe reduction of Atlantic herring quota, the lobster industry is no longer able to source the majority of its bait locally and prices have skyrocketed. Sustainably managing local bait stocks such as Atlantic menhaden and allowing the fleet to access those fish when and where they are present is fundamental to the continued success of the Maine lobster fishery.

The recent increases in Maine's menhaden landings have provided some stability of supply and price to Maine's lobster bait market. When menhaden are landed locally, Maine lobstermen have access to a steady supply of fresh bait that is more affordable than other baits that are trucked in and stored. Lobstermen report that the bait they purchase from Maine boats is comprised of fish significantly larger than those shipped in from other states. They contend that Maine pogies are half the cost and work twice as well. If the fish are abundant in Maine, it makes sense to catch them where they are used.

In recent years, fishermen have been unable to catch menhaden that are readily available in Maine waters due to insufficient quota allocation. Maine's menhaden fleet has been underutilized relative to resource availability and forced to fish inefficiently to conserve quota allocation. The fleet is consistently shut out while fish are still readily available. This mismatch of quota to resource availability causes unnecessary variability in the menhaden bait supply, leading to price and supply instability.

Many lobstermen are also highly dependent on catch from the small-scale menhaden fishery. This is an extremely clean fishery prosecuted with purse seines that release non-target fish alive. Catch from the

small-scale fishery allows lobstermen to supply their own bait and avoid paying significantly more for lower quality baits from other areas. They are also able to provide a local, affordable bait option for others in their community.

Accordingly, the MLA supports the following options in Draft Addendum I.

Issue 3.1 Commercial Allocation

The MLA supports establishing a three-tiered fixed minimum allocation to account for 5.53% of the total TAC. The MLA then supports using a three-year moving average, based on total reported landings, to annually adjust allocations as the stock and fishery dynamics change. The MLA does not support overage paybacks unless the Total TAC for the Atlantic menhaden fishery is exceeded.

Issue 3.2 EESA Program

The MLA supports increasing the EESA to up to 5% of the Total TAC and allowing the Menhaden Board to set this annually or on a multi-year basis to keep the program flexible in addressing changes to the resource and fishery.

Issue 3.3 IC/SSF Program

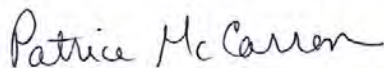
The MLA supports maintaining the status quo for the small-scale menhaden fishery to maintain existing daily limits with no change to currently permitted gear types.

The MLA strongly opposes any option that would exclude the use of purse seines. This is the primary gear used by fishermen in Maine's small-scale menhaden fishery. It is a very efficient and clean gear that allows fishermen to target menhaden and release live non-target species. Taking away the small-scale fishery would eliminate access to affordable bait and compromise the profitability of many lobster businesses. The ability to catch your own bait and also sell to local fishermen keeps operational costs down and increases chances of making a paycheck when the boat price for lobster is low and bait prices are high. In Maine, supporting small boats is essential to the survival of the lobster industry and our coastal communities.

In closing, the MLA urges ASMFC to support options to better align commercial allocation with resource availability. This includes maximizing Maine's baseline quota so that it aligns with the availability of the menhaden resource along the Maine coast. Increasing the Maine quota to better match resource availability would support the menhaden resource by targeting larger fish and provide lobstermen access to high quality, locally caught bait at lower prices.

Thank you for your consideration.

Sincerely,



Patrice McCarron
Executive Director



September 30, 2022

Via Electronic Mail

James Boyle
Senior Fishery Management Plan Coordinator
Atlantic States Marine Fisheries Commission
1050 North Highland St., Suite 200 A-N
Arlington, VA 22201

RE: Comments on Addendum I to Amendment 3 to the Interstate Fishery Management Plan for Atlantic Menhaden

Dear Mr. Boyle:

This letter is submitted on behalf of Ocean Harvesters and Omega Protein Corporation who appreciate this opportunity to comment on Addendum I to Amendment 3 to the Interstate Fishery Management Plan for Atlantic Menhaden. This action was initiated by the Atlantic Menhaden Board to revisit the menhaden total allowable catch (“TAC”) allocation among the Atlantic States Marine Fisheries Commission (“ASMFC” or “Commission”) member states and jurisdictions. There are no states or entities with as much at stake in this process as Virginia and, by extension, these two companies Reedville, Virginia-based companies.

For background, Ocean Harvesters, a U.S. company formed in 2018, owns eight purse seine vessels operating out of Reedville, Virginia that harvest Atlantic menhaden. Ocean Harvesters sells its catch to Omega Protein under a long-term Supply-Support Agreement. Omega Protein was founded in 1913, though one of its predecessor companies, the John A. Haynie Company, was first established in 1878. Omega Protein is deeply rooted in this rural fishing community where it has been producing needful products, such as those for aquaculture, agriculture, and human nutrition, from menhaden for over 140 years.

The importance of these companies to their community cannot be overstated. Collectively they are the largest private employers in Northumberland County, a community that is deeply impacted by the decisions currently before the Board. Allocation reductions directly lead to job losses. As the Commission’s 2017 socioeconomic study of the menhaden fishery shows, a five percent change in TAC allocation to the reduction sector (using 2017 as a baseline) leads to a gain or loss of \$3.6 million in economic activity and 77 jobs in Northumberland County alone. *See* Addendum I at 11. While the companies recognize that Virginia is likely to lose quota share in this process, the companies hope that the Menhaden Board will keep mind the importance of this historic fishery and long-time fishery participants and keep such losses to a minimum.

There are available choices that help the New England states continue to take advantage of the recent local availability of menhaden while also protecting the historic reduction fishery and the traditional bait fisheries of Virginia and New Jersey which compete with the New England fishery. Specifically, the best set of allocation options to meet these goals includes adopting the three-tier minimum allocation alternative (3.1.1, Option B); the weighted allocation timeframe based on equal weight on average harvests between 2009 and 2011 and those from 2018, 2019, and 2021 (3.1.2, Option 3A, Sub-option 2); and status quo on the Episodic Event Set-Aside (1%) (3.2.1; Option 1). Our rationale follows.

Justification for Preferred Allocation Options

For the second time in two reallocations, Virginia is posed to lose share of its historic quota share to other states.

In 2012, Amendment 2 created a coast-wide menhaden TAC and allocated it among states based on average catches from 2009-2011. Virginia's initial allocation under this amendment was 85.32%. This was reduced by 6.7% in 2017 to provide all states, including those with no fishery like Pennsylvania, a "minimum allocation" of 0.5% and to increase the New England states' (including New York) allocation by 150% (from 2% to 5%). The latter reallocation was justified by a shift in menhaden availability in the north, particularly to inshore Gulf of Maine. The minimum allocation, however, simply created inefficiencies. It deprived traditional fisheries in Virginia and New Jersey of historic share while also making it impossible for states like Maine to rationally manage their growing fishery because the northern states had to plead for transfers once their TAC was exhausted.

Under Addendum I, the best outcome Virginia can reasonably hope for is to lose only another 0.5% percent of its allocation. At its most extreme, Virginia could see its allocated share of the quota cut to under 72%, or a 16% reduction from its Amendment 2 baseline. Based on the Commission's socioeconomic analysis, this implies a loss to Virginia of over 300 jobs and \$17 million in economic output in its bait and reduction sectors since the TAC was first established.¹

Some of these losses are gains to other states,² but those adversely impacted Virginians are life-long, and often second or third generation, participants wholly dependent on the menhaden fishery. **Both companies are asking the Menhaden Board to provide a level of stability to Virginia's historic reduction and bait fisheries as it also allows for reasonable increases in opportunities for newer entrants.** To that end, Omega Protein and Ocean Harvesters respectfully recommend the Board adopt the following options:

¹ John C. Whitehead & Jane Harrison, *Socioeconomic Analysis of the Atlantic Menhaden, Commercial Bait and Reduction Fishery A Report to the Atlantic States Marine Fisheries Commission*, at 37-43 (Tables 35 & 38) (May 3, 2017), available at http://www.asmfc.org/uploads/file/5952c923ASMFC_MenhadenSocioeconomicReport_June2017.pdf.

² Although notably, any such gains would likely be less than the jobs and economic impact lost. See Addendum I at 11 ("Interestingly, subsequent analysis of coastal county income and employment changes in response to changes in bait landings (not reduction landings) showed little effect, casting some doubt on the conclusion that adjustments in menhaden TAC consistently lead to changes in fishery income and employment in the bait fishery.").

Step 1, Minimum Allocation (3.1.1): Option B, the Three-Tier Allocation.

Providing every state with a minimum amount of TAC creates distortions and inefficiencies by reducing allocations to traditional menhaden fishing states (Virginia and New Jersey) while under-allocating TAC to states with growing fisheries. Ideally, the minimum allocation, implemented by Amendment 3, would be removed and TAC allocations would be based on historic dependence and current use. This is not an option, and thus the best alternative is Option B which more closely aligns the minimum allocation with current use and gives more to states with active fisheries. This is a better approach than the status quo for the following reasons:

- As the Addendum I Public Hearing Document explains in its Statement of the Problem section, “[t]he current allocations have resulted in ... TAC not being fully used coastwide while some states do not have enough quota to maintain current harvests.”
- A better alignment of allocation with use is more efficient, reducing the need for, and amount of, in-season transfers of quota between states.
- The three-tier system likewise better enables states to better manage their fisheries by reducing the number of times they must open and close their fisheries while awaiting transfer of TAC from states that do not have fisheries.
- This alternative benefits the majority of states, while still providing states with smaller fisheries and whose allocation will decrease enough TAC to maintain recent catch levels.
- It will also better help the fishery achieve the TAC—which has recently been reduced to account for menhaden’s role as forage in the ecosystem—by reducing the amount of quota “stranded” in states without an interest in either harvesting or transferring their allocations.

Step 2. Timeframes to base allocating the remaining TAC (3.1.2): Option 3A, Sub-option 2, Base Allocations on 50% Recent and 50% Historic Catch.

This option is the only one that fairly weights historic dependence on the fishery by the traditional Mid-Atlantic menhaden fishing states while still providing a substantial increase in TAC to the New England states. Notably, the states most dependent on the fishery, Virginia and New Jersey, will see their share of the TAC reduced under this option, but the loss is reasonable compared to other options. This helps provide their established industries some stability. Meanwhile, this option adds nearly 3% to the New England states’ allocation and maintains their ability to receive transfers from states that will continue to have more TAC than they have used in recent years. The northern states also have access to the episodic event set aside.

The reasons this allocation is the most fair and equitable to all states include:

- The Virginia reduction and bait fishery (the second largest after New Jersey’s bait fishery) have centuries’ worth of reliance on the menhaden fishery. **Virginian’s infrastructure investments and the companies and jobs that depend on the fishery deserve at least equal consideration with new entrants.** For example, Ocean Harvesters and Omega Protein have together invested over \$60 million in long term capital improvements since

Amendment 2 was implemented—upgrading vessels, production, and packaging equipment and improving customer support and operational efficiency.

- Any option that weighs recent history more heavily, such as 25/75 option, gives undue influence to the dramatic increase in the New England bait fishery between 2017 and 2021 based on an episodic interval of abundance and the fact that New England states were able to be relatively unconstrained by their respective TACs.³ Over that period, landings in Maine to New York **increased four-fold** (10.9 million lbs. to 43.7 million lbs.) while the **traditional Mid-Atlantic fisheries were limited by their TACs**, which for the largest fisheries in New Jersey and Virginia were lower than historic shares.
- Fisheries management means living within constraints. **It is neither fair nor equitable to grant some states the full measure of recent increased opportunities at the expense of historic participants that have operated under the rules set by the Board.**
- It should be noted that even if the episodic event set-aside remains at 1% (which the companies suggest it should), any of the alternatives that use **only** recent history **will give New England states substantially more TAC than they have harvested in any year since the TAC was established.** For instance, assuming the three-tier minimum allocation and a 1% EESA, Option 4A allocates 46.9 million pounds of 2023 TAC to New England states, compared to 43.7 million pounds landed in the region in its best year thus far, 2021.
- The Mid-Atlantic bait sector sells to the same markets as do the New England bait fisheries. It is inequitable to severely discount historic bait participants' long-term investments in the fishery. There is no principled basis for reallocating fishing opportunities from long-time bait harvesters simply so their new competitors do not have to face any reductions or constraints.

As a final note the companies would like to address some comments that were made during the public hearing process regarding the supposed inequity of Virginia's current allocation, which at 78.66% is still 6% lower than its Amendment 2 share. Some members of the public and organizations have also suggested that there may be ecological concerns associated with the amount of TAC harvested in the Mid-Atlantic region. These comments miss the mark.

First, menhaden harvests in the mid-Atlantic region generally, and within the Chesapeake Bay specifically, have been at historic lows in recent years.

One big factor in these declines was the closure of Beaufort Fisheries in North Carolina in 2006, which was the last remaining menhaden reduction facility (out of the scores which used to dot the east coast) other than Omega Protein. During the 1990s, the coastwide reduction catch averaged nearly 300,000 metric tons ("mt") per year. From an even longer historical perspective, decreases in the reduction fishery have been even more dramatic. In the 1950s, its harvests averaged 625,000 mt of menhaden per year. Between 1960 and 1989, average annual menhaden harvest for reduction purposes was 330,000 mt. Today's catches are 60% lower than that.

As to the subset of the fishery in the Chesapeake Bay, removals from 2003-2005 were 109,020 mt, equal to the original Bay reduction fishery cap. Today, that cap has been reduced by

³ New Hampshire had no traditional menhaden fishery but accounted for nearly 2% of coastal landings in 2021.

more than fifty percent and recent overall reduction fishery harvests are 117% lower than 1990s levels. Since Amendment 2, the companies' Chesapeake Bay harvests average 41,000 mt per year, whereas the reduction fishery took on average 147,700 mt per year from the Bay between 1980 and 1999.

The point is that this fishery is smaller and has less impact on the Chesapeake Bay and the coastal ecosystem today than at any sustained period over the past 67 years.

Second, there is no evidence that the Mid-Atlantic reduction fishery has had any adverse impact on the marine ecosystem, even when its harvest was magnitudes greater than current levels. At virtually every meeting of the ASMFC Menhaden Board, a member of the public will testify that at some point in the past they could “walk across menhaden in the Bay” or opine how great striped bass and other sport fishing was. What never gets noted is that in that halcyon past, much more menhaden were being harvested both in the Bay and along the Mid-Atlantic coast. In fact, Chesapeake Bay menhaden harvests were **three times higher** during the period striped bass rebuilt than over their recent period of decline. Blaming the menhaden fishery for striped bass' woes or other environmental problems is easier than dealing with overfishing, poor water quality, aging municipal wastewater systems, the loss of wetlands nursery habitats, the continued armoring of the existing shorelines, and climate change.

In fact, many environmental groups have supported options that would lead to the most extreme reallocation of TAC to the northern states. But not one has mentioned or grappled with the Menhaden Technical Committee's finding, based on Dr. Alexei Sharov's research, that a shift of the fishery to the older menhaden found in northern waters has a greater negative impact on the population's fecundity than does a Mid-Atlantic fishery focused on age-1 to age-3 menhaden. This is not to say that the New England fishery is problematic. Indeed, the very precautionary TAC guarantees the fishery as a whole is sustainable both from a population and ecosystem perspective. It is to say, however, that organizations and individuals that purport to be guided by science are quick to make unsupported claims and slow to examine actual scientific evidence and empirical data provided by the Commission's and National Marine Fisheries Service's scientists.⁴

In sum, it is not unfair, inequitable, nor biologically problematic that Virginia receives the lion's share of the TAC. It is based on actual use of a resource upon which there were no management restrictions on catch up until 2012. Communities like Reedville, Virginia have been dependent on the menhaden fishery for over a century. At the same time, Virginia has given up substantial quota that has allowed other states to develop their fishery and will do so once again in

⁴ Another example is the oft made claim that menhaden “clean” water or prevent algal blooms, a point raised again in this process. In fact, direct studies show no impact on nitrogen levels. See Lynch, P.D., M.J. Brush, E.D. Condon, and R.J. Latour. 2010. Net removal of nitrogen through ingestion of phytoplankton by Atlantic menhaden (*Brevoortia tyrannus*) in Chesapeake Bay. Marine Ecological Progress Series 401: 195-209. Menhaden older than age-0 feed by filtering water, but gillrakers in older fish are too large to capture small particulate matter; rather, they feed on larger phytoplankton and zooplankton, which themselves are the primary consumers of small phytoplankton. Brush, Mark J., *et al.* *Modeling Atlantic Menhaden In Support of Nutrient and Multispecies Management*, Final Report for Environmental Protection Agency Grant No. CD-973256-01-0, submitted to the Chesapeake Bay Program (2010). Finally, menhaden “have the potential to rapidly remineralize nutrients and excrete them back to the water where they could stimulate phytoplankton growth and nitrification, and negatively affect water quality.” (Brush, *et al.*, 2010).

this process. However, the Virginia reduction and bait fishery deserve some stability, which Option 3A, Sub-option 2, which weights historic and recent catch history equally, will provide.

Section 3. The Episodic Event Set-Aside (“EESA”) (3.2.1): Option 1 Status Quo 1%.

As an initial matter, because the set-aside comes off the top of the quota, it disproportionately impacts the states with the largest fisheries. Every 1% increase in the EESA costs Virginia 0.78% and New Jersey 0.11% of their share of the TAC. Thus, increasing the set-aside to 5% would take 3.9% of Virginia’s TAC and cost New Jersey over half a percent of its allocation. For many of the reasons specified above, the companies believe this to be inequitable not only to Virginia, but also to other Mid-Atlantic states that would be required to sacrifice TAC to allow their new competitors in the northern bait fishery to increase market share.

Moreover, an increase in the EESA is not necessary to make the New England states whole (or nearly so) compared to recent catch history. Addendum I makes direct adjustments to calibrate northern landings to recent landings history. Also, the fact that the minimum allocation will be retained means a substantial amount of unused TAC will remain available for transfer to northern states. That provides more than a reasonable accommodation for the episodic increase in menhaden abundance in the north. It should not be the goal of menhaden management to ensure that some states can catch as much as they can while other states are constrained. The Commission should not be picking economic winners and losers. The status quo is the most equitable option for the majority of states.

Other Issues/Options in Addendum I: The companies take no opinion on any of the other options and issues included in the addendum.

###

Omega Protein and Ocean Harvesters appreciate this opportunity to comment on Addendum I. Most commenters have advocated for a suite of options that best benefits their state and their own economic interests. This is understandable and this letter largely does the same. It is worth noting, however, that what the companies advocate for here still results in a loss of TAC for Virginia. They believe, however, this approach is most consistent with general fishery management principles, primarily making allocation decisions that balance historic dependence and current use of a resource. Allocation decisions should try to avoid resulting in job losses in historic fishing communities when possible. It is avoidable in this Addendum.

The companies hope that you give serious consideration to these comments. I and their representatives will be happy to answer any questions you may have.

Sincerely,

/s/ Shaun M. Gehan
Shaun M. Gehan

Counsel for Omega Protein Corp. & Ocean Harvesters



Reedville Bait, Inc.
P.O. Box 370
Burgess, VA 22432

September 30, 2022

VIA ELECTRONIC MAIL: BOYLE@ASMFC.ORG

James Boyle, IV, FMP Coordinator
Atlantic States Marine Fisheries Commission
1050 N. Highland Street, Suite 200 A-N
Arlington, Virginia 22201

RE: Atlantic Menhaden Draft Addendum I

Dear Mr. Boyle:

Reedville Bait is one of the largest of all the state menhaden bait fisheries. Based in Virginia's Northern Neck, our company has experienced increased demand for our products. Menhaden processed at our operations in Virginia are used by watermen along the East Coast and Gulf States. More specifically, our products are used to support crabbers in Georgia, South Carolina, North Carolina, Delaware, and Maryland, and our chum product is used by recreational fishermen in Florida, and throughout the Chesapeake Bay states. We have seen in just the past few years an increased demand for our products in each of these states.

Unfortunately, the commercial growth of our bait companies has been limited by recent decisions by the ASMFC Menhaden Management Committee.

The current TAC for menhaden – set by ASMFC – is 194,400 MT. Virginia receives 78.66% of the TAC. The bait sector receives just 9.96% of this allocation – or about 33 million pounds. The remainder and bulk are allocated to the reduction sector.

This background for the menhaden fishery in Virginia is important as ASMFC considers its addendum to Amendment 3 of the Atlantic Menhaden Interstate Fishery Management Plan. Our goal, as demand for our menhaden products continue to exceed available bait allocations in Virginia, is to minimize impact to our business and the many watermen and customers requesting our products.

We respectfully request that you consider this information when ASMFC considers public comment:

We support the following option:

- **Step 2, Option 3B, providing for weighted timeframe option – Sub Option 2 (50% recent / 50% earlier). This would provide Virginia with only a very small reduction – to 78.13% (v. 78.66% current), and would weight timeframes evenly, or more fairly, in our opinion.**

This option, unfortunately, fails to accommodate the importance of the existing set-asides. As you consider additional action on the existing set-aside program, we wanted to share our perspective. Earlier this year the VA Marine Resources Commission amended its regulation (**CHAPTER 4 VAC 20-1270-10**) to allow the Commissioner to request menhaden transfers from other ASMFC states, with certain provisions. Virginia received more than 3.56 MM pounds, all of which went to the bait fishery. Transfers from the southern ASMFC states, South Carolina for instance which transferred 370,000 pounds, benefitted from this transfer as the volume of fish transferred was returned to that state for use in its crab fishery. Florida's fish transfer was returned to that state in the form of chum to support the recreational fishery there. So, not only are transfers sent to Virginia providing an economic benefit in our Commonwealth, but states that transfer fish are gaining economic benefits when fish are returned to the transferring state for commercial or recreational use. To our knowledge, the Virginia bait fishery – and specifically Reedville Bait – is unique in the dual benefits provided to transferring states.

Reedville Bait Please do not hesitate to contact any of us regarding the contents of this correspondence.

Respectfully yours,

Frederick Rogers
Reedville Bait

S. Lake Cowart, Jr.
Mid-Atlantic Bait

Ronnie Bevans
Reedville Bait

Cc: J. Greene, Commissioner, VMRC
The Honorable T. Voyles, Acting Virginia Secretary of Natural and Historic Resources
Mr. Robert E. Beal, Executive Director
The Honorable Monty Mason, Virginia Senate
Bryan Plumlee



Regal Marine Products, Inc.
198 West 9th Street
Huntington Station, N.Y. 11746
www.regalbait.com
631-385-8284 Fax: 631-271-5294



September 30, 2022

James Boyle, FMP Coordinator
Atlantic States Marine Fisheries Commission
1050 North Highland Street, Suite 200A-N
Arlington, VA 22201

I am writing to you today on behalf of Regal Marine Products, Inc., regarding Draft Addendum I to Amendment 3 of the Atlantic Menhaden Fishery Management Plan. Regal Marine Products Inc., is a wholesale fishing bait and tackle distributor and we service the NJ, NY, CT and RI region. Menhaden is an important bait to the recreational fishing industry. In NY especially, the bait and tackle shops, as well as wholesalers rely on a viable commercial menhaden fishery in our state to support the bait needs of the recreational industry.

As stated within the addendum, the current allocation has resulted in a TAC that is not being fully utilized coastwide, yet some states do not have enough quota to maintain their fishery. NY is one of the states that has found itself shy of enough quota in recent years and has depended upon transfers and the incidental catch provision. In fact, NY is unique in the fact that we do not allow any purse seine fishery, our entire menhaden fishery is small scale.

- With regards to section 3.1.1, I would support Option A for status quo allowing the .5% fixed min. quota.
- With regards to section 3.1.2, I would support Option 2 to change the timeframe to a more recent time frame of 2018, 2019 & 2021. If the board were to go with a weighted time frame, I would support sub-option 1 giving more weight to the recent time series.
- With regards to section 3.3.1 I would support Option 2 that if a state has divided their allocation into sectors, that once that sector reaches their quota it would move into the IC/SSF provision.
- With regards to Section 3.3.2, I am **very opposed** to Option 3 for non-directed gears only. In NY our entire fishery is a small scale and many rely on beach seines. This gear type is extremely low impact, with many harvesters hauling into their pick-up truck under the 6,000lb limit. Under this option, almost our entire fishery would be shut out. A state, such as ours, which has opted not to allow any purse seine fishery, already falls under Option 2. However, without knowing the impacts that a change in quota allocation could give some of the northern states, and their stakeholders who do utilize a purse seine fishery, **I support option 1 for status quo.**
- With regards to section 3.3.3 I would support status quo.

The reality is that 14 states are sharing just 12% of the quota! And at times they are relying on the EESA program and the IC/SSF provision for their fishery to operate as they see increased availability of Atlantic Menhaden. The changes in the herring fishery have also had a tremendous impact to all of the harvesters for bait in the menhaden fishery. Many of the issues concerning the growing dependence on the IC/SSF Provision, stem from the issue that there has been a shift in the availability of fish to different regions and that it is time to re-evaluate the time series and state allocation of the quota. Address the allocation so that the states who have had to overuse the IC/SSF can have a viable fishery and then address the gear types, trip limits, and catch accounting. However, until we know the impact of a quota reallocation and the effect it may have in addressing the states who have overused the IC/SSF provision, I believe it is premature to shut out sectors or gear types for the commercial participants that are among the 14 states sharing just 12% of the overall TAC.

Sincerely,

Melissa Dearborn
Owner/VP – Regal Marine Products, Inc.



39 Industrial Park Road, Unit C
Plymouth, MA 02360
www.stellwagenbank.org

Officers

Capt. Michael J. Pierdinock
President

Capt. Timothy Brady
Vice President

Capt. Rick Golden
Secretary

Capt. Stew Rosen
Treasurer

Board of Directors

Capt. John Bunar

Capt. Jeff Depersia

Capt. William Hatch

Capt. Eric Morrow

Capt. Damon Sacco

Capt. Mike Delzingo

Trustees

Capt. Tom Depersia

Capt. David Waldrip

Capt. Charlie Wade

Capt. Peter Murphy

Capt. Brian Curry

Capt. Robert Savino

Capt. John Richardson

September 28, 2022

Mr. James Boyle
Senior Fishery Management Plan Coordinator
Atlantic States Marine Fisheries Commission
1050 North Highland St., Suite 200 A-N
Arlington, VA 22201

RE: Atlantic Menhaden Draft Addendum I

Dear Mr. Boyle:

On behalf of the Stellwagen Bank Charter Boat Association (SBCBA) whose membership includes the for hire fleet, recreational anglers, and commercial fisherman that fish in Boston Harbor and Massachusetts state and federal waters, we recommend the following Options concerning Atlantic Menhaden Draft Addendum I.

- 3.1.2 Option 2 - This quota allocation timeframe is based on the most recent average landings from 2018, 2019, and 2021. This timeframe is representative of the increased number of menhaden observed over this timeframe on average each year.
- 3.3.2 Option 2 - Landings from purse seine gears would count against a state's directed fishery quota. The purse seine vessels are operating in a fishery that is supposed to be and incidental small scall fishery that with elevated trip limits is not the case. As a result, we also support 3.3.3 Option 3, with a reduced 3,000 pound trip limit for directed gear types.
- 3.3.4 Option 2 - IC/SSF landings are evaluated against the annual TAC. This provided flexibility and accountability to manage the TAC annually.

In addition to the recommended measures set forth above the SBCBA continues to recommend prohibiting Friday commercial menhaden seining inside Boston Harbor Prior to opening Fridays to commercial menhaden fishing (Monday, Tuesday, Wednesday, and Thursday) in 2021, typically one commercial fishing vessel would fish in Boston Harbor. When the Friday prohibition was lifted in 2021 up to five commercial vessels would fish these waters removing menhaden five straight days a week.



39 Industrial Park Road, Unit C
Plymouth, MA 02360
www.stellwagenbank.org

This led to select conflicts with the recreational and for hire fleet that resulted in one purse seine vessel being banned from commercially fishing for menhaden in Boston Harbor. This has also resulted in additional catch and/or removal of menhaden that is a key forage fish for striped bass and bluefish that the recreational and for hire fleet rely upon.

When the menhaden are caught by the purse seine fleet the striped bass and bluefish disperse until conditions stabilize after a few days that not only impacts Fridays but the weekend. Fridays and the weekends are key to the recreational and for hire fleet and all of those that rely on the blue economy to make a living. As a result, the SBCBA request that MassDMF restrict and not allow Friday purse seine commercial fishing in Boston Harbor as well as the Options associated with Atlantic Menhaden Draft Addendum I.

If you have any questions or comments, please email, or give us a call.

Very truly yours,

Capt Mike Delzingo

Capt. Mike Delzingo
SBCBA, Board of Directors
ff_boston@yahoo.com

Capt Rob Savino

Capt. Rob Savino
SBCBA, Trustee
robsavino@mac.com

Capt Paul Diggins

Capt. Paul Diggins
SBCBA, Trustee
catpain_paul@bostonfishing.com

Capt Jaron Friedman

Capt. Jaron Friedman
SBCBA, Member
captainjaron@fishlucky7.com



39 Industrial Park Road, Unit C
Plymouth, MA 02360
www.stellwagenbank.org

Cc: Ron Amidon, MassF&G
Dan McKiernan, MassDMF
Raymond Kane, MassMFAC
Nichola Meserve, MassDMF
Sarah Peake, Rep.
Sarah Ferrara, COS

September 19, 2022

Dear ASMFC Menhaden Management Board,

On behalf of the following organizations, we write to express our support for certain options available to the Board for approval within Draft Addendum I to Amendment 3 of the Atlantic Menhaden Interstate Fishery Management Plan, as follows:

- We support maintaining the 0.5% fixed minimum quota for each state, with allocation based off landings data from the 2018, 2019, and 2021 timeframe.
- We support increasing the episodic events set-aside program to 5%.
- We support permitted gear types of the IC/SSF provision including only non-directed gears, a 3,000 lb/day limit for small-scale gear types, and counting all IC/SSF landings against the coastwide TAC.

We would also like to express our concern with certain considerations that do not appear to be included in your deliberations. While the recent single-species stock assessment found the Atlantic menhaden stock to be above the biomass target, *how that biomass is distributed and fished along the coast are important considerations* for sustaining predators, including recovering populations of striped bass and bluefish, that depend on the availability of various year classes of menhaden (and other forage species) throughout their range. We believe that the fishery should be distributed throughout the species' known geographic range, not concentrated in the middle of its range, especially in and near sensitive natal areas like estuaries. Further, the fishery should not be dominated by industrial fisheries, but rather enable the growth of smaller-scale and local commercial and recreational fisheries. Thus, a restructuring of fishery exploitation through the following options will better benefit the overall Atlantic coast ecosystem.

Optimal, sustained fishery catches should reflect the natural age structure of the menhaden population. This would be best achieved by fishing effort that is distributed along the coast, and not concentrated nearshore in sensitive nursery habitats at the center of their range. With the fisheries' effort and catch centered at the menhaden population's natal area and focused on juveniles (ages 0-2), this prevents larger, more fecund individuals from existing in the stock.

With the recent advent and significant growth of small-scale fisheries, it becomes necessary to ensure that these catches are counted toward the coastwide TAC quota. This is simply sound fisheries management.

The decision-making processes involved in: (i) how the TAC is allocated to the states; (ii) the episodic events set-aside; and (iii) incidental catch/small-scale fisheries, are all key to accomplishing stated management priorities.

3.1.1: Allocation options for addressing the minimum allocation: **Option A**

The status quo option which allocates a 0.5% fixed minimum quota to each state is the only equitable utilization of a minimum quota system for each state participating in the interstate fishery management plan. The alternative option penalizes states with low landings and does not account for the benefits that leaving fish in that states' coastal waters could have on their other fisheries (ie: forage for

predators, etc.). States who wish to dedicate their quota to striped bass productivity, for example, should be able to do so, as these fisheries are closely linked coastwide. Furthermore, the alternative option assumes that states with low current landings will not increase their landings in the future, which goes directly against the objective of this section: to adjust allocations to align with the availability of the resource, and to reduce quota transfers.

3.1.2: Timeframes to base allocating the remaining TAC: **Option 2**

Using landings data from 2018, 2019, and 2021 most accurately reflects the current state of the fishery and the availability of the menhaden resource and best meets the addendum objectives. The ISFMP allows the Board to adjust allocation for any changes in the resource or fisheries that may occur in the future through an addendum or amendment process. This will allow the Board to adjust for current landings in the future, in a next reallocation process, to reflect how future landings may look. The current TAC allocation timeframe uses 2009-2011 landings data, which does not reflect the current stock distribution. This updated timeframe does reflect current stock distribution along the entire Atlantic coast.

3.2.1: Increase the Set-Aside: **Option 2 (Sub-Option 1)**

The objective of the EESA program is to ensure that Northeastern states can be flexible regarding episodic changes in menhaden availability. Increasing the flexibility that the Northeastern states have through increasing the EESA program to a static amount of 5%, will give them more autonomy within their states' fisheries and minimize in-season disruptions.

3.3.1: Timing of IC/SSF Provision: **No preferred option**

The options within this section would impact states differently based off other final option choices. It is not clear how this will affect the equitability of each state's fishery if they divide their allocation by sector, fishery, or gear type. The Board should consider equity among states and fisheries when addressing this section, and preservation of the viability of small-scale fisheries throughout the coast.

3.3.2: Permitted Gear Types of the of IC/SSF Provision: **Option 3**

The objective of this section is to address the volume of IC/SSF landings by removing specific gear types. Choosing this option will keep only non-directed gears within the IC/SSF provision, addressing the objective, and making the provision more straightforward regarding gear types. Gear types such as floating fish traps should not be considered together with purse seines, even if the purse seine is smaller than 150 fathoms. This option will create the most equitable definition of the provision's creation in the first place and return it to its original Amendment 2 intentions.

3.3.3: Trip Limit for Directed Small-Scale Fisheries of IC/SSF Provision: **Option 3**

If Option 3 to Section 3.3.2 is chosen, then this section is no longer necessary. However, if another option in Section 3.3.2 is chosen, creating a 3,000 lb/day trip limit for small-scale gear types will achieve the objective of this section: to sufficiently constrain landings to achieve overall management goals. This option will still allow non-directed gear types to land up to 6,000 lbs/day, while moving small-scale directed gear catch lower, to reflect the definition of the 'small-scale' aspect of the fishery more accurately.

3.3.4: Catch Accounting of IC/SSF Provision: **Option 2**

With the recent and significant growth of small-scale fisheries (SSF) comes the responsibility for fishery managers to ensure that their catch is factored into and counts toward the coastwide quota. That all catch should count against the menhaden TAC is a best practice for sound fisheries management. IC/SSF landings should be evaluated against the TAC because while they only account for a small portion of the total, they are still landings within the fishery, and should be considered as such, just as directed landings are. Whether it is a small-scale fishery or an incidental catch fishery should depend in part on whether the catch is counted against quota. In 2021, IC/SSF landings were 13.2 million lbs or 3.1% of the coastwide TAC. This option will address the objective of this section: to create a system where annual IC/SSF landings are limited and there is accountability for overages.

Lastly, we are concerned that because the latest stock assessment update does not include updated data on species which were used to create the ERP targets and thresholds, the setting of the coastwide TAC for the 2023 season may disregard vital ecosystem effects. The 2021-2022 TAC of 194,400 mt was set with the intention of keeping the fishery below the F target and above the SSB target set using ERP criteria. However, those criteria use species data from terminal year 2017. Therefore, the latest menhaden stock update does not consider the effects of the decline of the Atlantic herring stock, for example, which is a primary alternative prey species to menhaden. The 2022 Atlantic Herring Management Track Assessment concluded that herring remain overfished at just 21% of the target biomass. Within the ecosystem, the depletion of the Atlantic herring resource has likely had wide-ranging effects on both prey and predators since 2017, and these impacts will continue as the resource slowly rebuilds. Resiliency of the ecosystems on which many fisheries depend requires that we carefully consider the impacts of menhaden harvest on the forage base. Just as menhaden are increasingly important as bait to compensate for shortages of Atlantic herring, river herring, and mackerel, so too are they important as a food source for predators. Therefore, *it is imperative that we use a precautionary approach to TAC-setting for the 2023 season*, and consider the current TAC as a maximum value, not as a baseline.

Thank you for your consideration of the desires of the following organizations, representing stakeholders from each state along the Atlantic coast, and thousands of concerned anglers and citizens.

Sincerely,

Jaelyn Higgins

Forage Fish Associate

Theodore Roosevelt Conservation Partnership

Remy Moncrieffe

Policy Manager, Marine Conservation

National Audubon Society

Zach Cockrum

Senior Director, Ocean Sustainability
National Wildlife Federation

Fred Akers

Administrator
Great Egg Harbor Watershed Association

Chad Tokowicz

Government Relations Manager
Marine Retailers Association of the Americas

Sarah Ryan Hudson

Director of Advocacy
Gotham Whale

Bruce Pohlot

Conservation Director
International Game Fish Association

Greg Vespe

Executive Director
The Rhode Island Saltwater Anglers Association

Michael Waine

Atlantic Fisheries Policy Director
American Sportfishing Association

Steve Atkinson

President
Virginia Saltwater Sportfishing Association

Pam Lyons Gromen

Executive Director
Wild Oceans

John Duane

Fisheries Advocate
Wellfleet Natural Resources Advisory Board

Kellie Ralston

VP Conservation and Public Policy
Bonefish Tarpon Trust

George Jackman

Senior Habitat Restoration Manager
Riverkeeper, Inc.

Capt. Paul Eidman

Founder
Menhaden Defenders

James Boyle

From: Stephanie Choate <stephosgood@gmail.com>
Sent: Monday, September 26, 2022 8:55 AM
To: Comments
Subject: [External] Atlantic Menhaden Draft Addendum I: WO

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Auto Replied

Dear Mr. Boyle,

Dear ASMFC Atlantic Menhaden Management Board,

Thank you for the opportunity to comment on Draft Addendum 1 to Amendment 3 to the Atlantic Menhaden Interstate Fishery Management Plan.

How Atlantic menhaden biomass is distributed and fished along the coast are important considerations for sustaining predators, including recovering populations of striped bass and bluefish, that depend on the availability of various year classes of menhaden (and other forage species) throughout their range. The menhaden fishery should be distributed throughout the species' known geographic range, not concentrated in the middle of its range, especially in and near the Chesapeake Bay, the most important menhaden nursery along the coast.

Of the options presented in the addendum, I support the following options as best meeting the management and conservation needs of this vital forage fish:

- Maintain the 0.5% fixed minimum quota for each state, with allocation based off landings data from the 2018, 2019, and 2021 timeframe. (3.1.1 Option A & 3.1.2 Option 2)
- Increase the episodic events set-aside program to 5%. (3.2.1 Option 2, Sub-Option 1)
- Include only non-directed gears in the list of permitted gear types for the Incidental Catch (IC) and Small-Scale Fisheries (SSF) provision and implement a 3,000 lb/day limit for small-scale gear types. (3.3.2 Option 3 & 3.3.3 Option 3)
- Count all IC/SSF landings against the coastwide Total Allowable Catch (TAC). (3.3.4 Option 2)

Finally, I am concerned that because the latest single-species stock assessment update does not include updated data on species that were used to generate the ecological reference points (ERPS), including overfished Atlantic herring, the coastwide TAC should be held at 194,400 mt until an updated Ecological Reference Points Stock Assessment is completed.

Thank you for taking my comments into consideration.

Sincerely,
Stephanie Choate
3136 S Madison Ave
Tulsa, OK 74105

James Boyle

From: James Keelen <jim.keelen2228@gmail.com>
Sent: Sunday, September 25, 2022 1:06 AM
To: Comments
Subject: [External] Atlantic Menhaden Draft Addendum I: WO

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Auto Replied

Dear Mr. Boyle,

Dear ASMFC Atlantic Menhaden Management Board,

Thank you for the opportunity to comment on Draft Addendum 1 to Amendment 3 to the Atlantic Menhaden Interstate Fishery Management Plan.

How Atlantic menhaden biomass is distributed and fished along the coast are important considerations for sustaining predators, including recovering populations of striped bass and bluefish, that depend on the availability of various year classes of menhaden (and other forage species) throughout their range. The menhaden fishery should be distributed throughout the species' known geographic range, not concentrated in the middle of its range, especially in and near the Chesapeake Bay, the most important menhaden nursery along the coast.

Of the options presented in the addendum, I support the following options as best meeting the management and conservation needs of this vital forage fish:

- Maintain the 0.5% fixed minimum quota for each state, with allocation based off landings data from the 2018, 2019, and 2021 timeframe. (3.1.1 Option A & 3.1.2 Option 2)
- Increase the episodic events set-aside program to 5%. (3.2.1 Option 2, Sub-Option 1)
- Include only non-directed gears in the list of permitted gear types for the Incidental Catch (IC) and Small-Scale Fisheries (SSF) provision and implement a 3,000 lb/day limit for small-scale gear types. (3.3.2 Option 3 & 3.3.3 Option 3)
- Count all IC/SSF landings against the coastwide Total Allowable Catch (TAC). (3.3.4 Option 2)

Finally, I am concerned that because the latest single-species stock assessment update does not include updated data on species that were used to generate the ecological reference points (ERPS), including overfished Atlantic herring, the coastwide TAC should be held at 194,400 mt until an updated Ecological Reference Points Stock Assessment is completed.

Thank you for taking my comments into consideration.

Sincerely,
James Keelen
1212 Tatamy Rd
Easton, PA 18045

James Boyle

From: Robert Egger <tuckermarine@gmail.com>
Sent: Saturday, September 24, 2022 10:46 PM
To: Comments
Subject: [External] Atlantic Menhaden Draft Addendum I: WO

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Auto Replied

Dear Mr. Boyle,

Dear ASMFC Atlantic Menhaden Management Board,

Thank you for the opportunity to comment on Draft Addendum 1 to Amendment 3 to the Atlantic Menhaden Interstate Fishery Management Plan.

How Atlantic menhaden biomass is distributed and fished along the coast are important considerations for sustaining predators, including recovering populations of striped bass and bluefish, that depend on the availability of various year classes of menhaden (and other forage species) throughout their range. The menhaden fishery should be distributed throughout the species' known geographic range, not concentrated in the middle of its range, especially in and near the Chesapeake Bay, the most important menhaden nursery along the coast.

Of the options presented in the addendum, I support the following options as best meeting the management and conservation needs of this vital forage fish:

- Maintain the 0.5% fixed minimum quota for each state, with allocation based off landings data from the 2018, 2019, and 2021 timeframe. (3.1.1 Option A & 3.1.2 Option 2)
- Increase the episodic events set-aside program to 5%. (3.2.1 Option 2, Sub-Option 1)
- Include only non-directed gears in the list of permitted gear types for the Incidental Catch (IC) and Small-Scale Fisheries (SSF) provision and implement a 3,000 lb/day limit for small-scale gear types. (3.3.2 Option 3 & 3.3.3 Option 3)
- Count all IC/SSF landings against the coastwide Total Allowable Catch (TAC). (3.3.4 Option 2)

Finally, I am concerned that because the latest single-species stock assessment update does not include updated data on species that were used to generate the ecological reference points (ERPS), including overfished Atlantic herring, the coastwide TAC should be held at 194,400 mt until an updated Ecological Reference Points Stock Assessment is completed.

Thank you for taking my comments into consideration.

Sincerely,
Robert Egger
1936 Seaman Ct
Toms River, NJ 08753

James Boyle

From: Donald T Reilly <domotoreilly@verizon.net>
Sent: Tuesday, September 20, 2022 3:51 PM
To: Comments
Subject: [External] Atlantic Menhaden Draft Addendum I: WO

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Auto Replied

Dear Mr. Boyle,

Dear ASMFC Atlantic Menhaden Management Board,

Thank you for the opportunity to comment on Draft Addendum 1 to Amendment 3 to the Atlantic Menhaden Interstate Fishery Management Plan.

How Atlantic menhaden biomass is distributed and fished along the coast are important considerations for sustaining predators, including recovering populations of striped bass and bluefish, that depend on the availability of various year classes of menhaden (and other forage species) throughout their range. The menhaden fishery should be distributed throughout the species' known geographic range, not concentrated in the middle of its range, especially in and near the Chesapeake Bay, the most important menhaden nursery along the coast.

Of the options presented in the addendum, I support the following options as best meeting the management and conservation needs of this vital forage fish:

- Maintain the 0.5% fixed minimum quota for each state, with allocation based off landings data from the 2018, 2019, and 2021 timeframe. (3.1.1 Option A & 3.1.2 Option 2)
- Increase the episodic events set-aside program to 5%. (3.2.1 Option 2, Sub-Option 1)
- Include only non-directed gears in the list of permitted gear types for the Incidental Catch (IC) and Small-Scale Fisheries (SSF) provision and implement a 3,000 lb/day limit for small-scale gear types. (3.3.2 Option 3 & 3.3.3 Option 3)
- Count all IC/SSF landings against the coastwide Total Allowable Catch (TAC). (3.3.4 Option 2)

Finally, I am concerned that because the latest single-species stock assessment update does not include updated data on species that were used to generate the ecological reference points (ERPS), including overfished Atlantic herring, the coastwide TAC should be held at 194,400 mt until an updated Ecological Reference Points Stock Assessment is completed.

Thank you for taking my comments into consideration.

Sincerely,
Donald T Reilly
128 Bradford St
Needham, MA 02492

James Boyle

From: John Moy <jmoy@ospf.org>
Sent: Monday, September 19, 2022 6:21 PM
To: Comments
Subject: [External] Atlantic Menhaden Draft Addendum I: WO

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Auto Replied

Dear Mr. Boyle,

Dear ASMFC Atlantic Menhaden Management Board,

Thank you for the opportunity to comment on Draft Addendum 1 to Amendment 3 to the Atlantic Menhaden Interstate Fishery Management Plan.

How Atlantic menhaden biomass is distributed and fished along the coast are important considerations for sustaining predators, including recovering populations of striped bass and bluefish, that depend on the availability of various year classes of menhaden (and other forage species) throughout their range. The menhaden fishery should be distributed throughout the species' known geographic range, not concentrated in the middle of its range, especially in and near the Chesapeake Bay, the most important menhaden nursery along the coast.

Of the options presented in the addendum, I support the following options as best meeting the management and conservation needs of this vital forage fish:

- Maintain the 0.5% fixed minimum quota for each state, with allocation based off landings data from the 2018, 2019, and 2021 timeframe. (3.1.1 Option A & 3.1.2 Option 2)
- Increase the episodic events set-aside program to 5%. (3.2.1 Option 2, Sub-Option 1)
- Include only non-directed gears in the list of permitted gear types for the Incidental Catch (IC) and Small-Scale Fisheries (SSF) provision and implement a 3,000 lb/day limit for small-scale gear types. (3.3.2 Option 3 & 3.3.3 Option 3)
- Count all IC/SSF landings against the coastwide Total Allowable Catch (TAC). (3.3.4 Option 2)

Finally, I am concerned that because the latest single-species stock assessment update does not include updated data on species that were used to generate the ecological reference points (ERPS), including overfished Atlantic herring, the coastwide TAC should be held at 194,400 mt until an updated Ecological Reference Points Stock Assessment is completed.

Thank you for taking my comments into consideration.

Sincerely,
John Moy
25 Eel Point Road
Nantucket, MA 02554

James Boyle

From: PAUL EWING <pf6262@aol.com>
Sent: Monday, September 19, 2022 9:40 AM
To: Comments
Subject: [External] Atlantic Menhaden Draft Addendum I: WO

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Auto Replied

Dear Mr. Boyle,

Dear ASMFC Atlantic Menhaden Management Board,

Thank you for the opportunity to comment on Draft Addendum 1 to Amendment 3 to the Atlantic Menhaden Interstate Fishery Management Plan.

How Atlantic menhaden biomass is distributed and fished along the coast are important considerations for sustaining predators, including recovering populations of striped bass and bluefish, that depend on the availability of various year classes of menhaden (and other forage species) throughout their range. The menhaden fishery should be distributed throughout the species' known geographic range, not concentrated in the middle of its range, especially in and near the Chesapeake Bay, the most important menhaden nursery along the coast. GET THE MENHADEN FISHERY OUT OF THE CHESAPEAKE BAY AND QUIT KICKING THE CAN DOWN THE ROAD AS YOU HAVE DONE FOR OVER 20 YEARS!! I HAVE THE RECORDS TO PROVE THE PAST RECORD OF ASMFC.

Of the options presented in the addendum, I support the following options as best meeting the management and conservation needs of this vital forage fish:

- Maintain the 0.5% fixed minimum quota for each state, with allocation based off landings data from the 2018, 2019, and 2021 timeframe. (3.1.1 Option A & 3.1.2 Option 2)
- Increase the episodic events set-aside program to 5%. (3.2.1 Option 2, Sub-Option 1)
- Include only non-directed gears in the list of permitted gear types for the Incidental Catch (IC) and Small-Scale Fisheries (SSF) provision and implement a 3,000 lb/day limit for small-scale gear types. (3.3.2 Option 3 & 3.3.3 Option 3)
- Count all IC/SSF landings against the coastwide Total Allowable Catch (TAC). (3.3.4 Option 2)

Finally, I am concerned that because the latest single-species stock assessment update does not include updated data on species that were used to generate the ecological reference points (ERPS), including overfished Atlantic herring, the coastwide TAC should be held at 194,400 mt until an updated Ecological Reference Points Stock Assessment is completed.

Thank you for taking my comments into consideration.

Sincerely,
PAUL EWING

FISHING FEVER
Virginia Beach, VA 23451

James Boyle

From: Francis Weld <frankiedubs@icloud.com>
Sent: Sunday, September 18, 2022 6:04 AM
To: Comments
Subject: [External] Atlantic Menhaden Draft Addendum I: WO

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Auto Replied

Dear Mr. Boyle,

Dear ASMFC Atlantic Menhaden Management Board,

Thank you for the opportunity to comment on Draft Addendum 1 to Amendment 3 to the Atlantic Menhaden Interstate Fishery Management Plan.

How Atlantic menhaden biomass is distributed and fished along the coast are important considerations for sustaining predators, including recovering populations of striped bass and bluefish, that depend on the availability of various year classes of menhaden (and other forage species) throughout their range. The menhaden fishery should be distributed throughout the species' known geographic range, not concentrated in the middle of its range, especially in and near the Chesapeake Bay, the most important menhaden nursery along the coast.

Of the options presented in the addendum, I support the following options as best meeting the management and conservation needs of this vital forage fish:

- Maintain the 0.5% fixed minimum quota for each state, with allocation based off landings data from the 2018, 2019, and 2021 timeframe. (3.1.1 Option A & 3.1.2 Option 2)
- Increase the episodic events set-aside program to 5%. (3.2.1 Option 2, Sub-Option 1)
- Include only non-directed gears in the list of permitted gear types for the Incidental Catch (IC) and Small-Scale Fisheries (SSF) provision and implement a 3,000 lb/day limit for small-scale gear types. (3.3.2 Option 3 & 3.3.3 Option 3)
- Count all IC/SSF landings against the coastwide Total Allowable Catch (TAC). (3.3.4 Option 2)

Finally, I am concerned that because the latest single-species stock assessment update does not include updated data on species that were used to generate the ecological reference points (ERPS), including overfished Atlantic herring, the coastwide TAC should be held at 194,400 mt until an updated Ecological Reference Points Stock Assessment is completed.

Thank you for taking my comments into consideration.

Sincerely,
Francis Weld
PO Boix 595
Northeast Harbor, ME 04662

James Boyle

From: Bill Rogers <billretired4ever@yahoo.com>
Sent: Sunday, September 18, 2022 4:52 AM
To: Comments
Subject: [External] Atlantic Menhaden Draft Addendum I: WO

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Auto Replied

Dear Mr. Boyle,

Dear ASMFC Atlantic Menhaden Management Board,

Thank you for the opportunity to comment on Draft Addendum 1 to Amendment 3 to the Atlantic Menhaden Interstate Fishery Management Plan.

How Atlantic menhaden biomass is distributed and fished along the coast are important considerations for sustaining predators, including recovering populations of striped bass and bluefish, that depend on the availability of various year classes of menhaden (and other forage species) throughout their range. The menhaden fishery should be distributed throughout the species' known geographic range, not concentrated in the middle of its range, especially in and near the Chesapeake Bay, the most important menhaden nursery along the coast.

Of the options presented in the addendum, I support the following options as best meeting the management and conservation needs of this vital forage fish:

- Maintain the 0.5% fixed minimum quota for each state, with allocation based off landings data from the 2018, 2019, and 2021 timeframe. (3.1.1 Option A & 3.1.2 Option 2)
- Increase the episodic events set-aside program to 5%. (3.2.1 Option 2, Sub-Option 1)
- Include only non-directed gears in the list of permitted gear types for the Incidental Catch (IC) and Small-Scale Fisheries (SSF) provision and implement a 3,000 lb/day limit for small-scale gear types. (3.3.2 Option 3 & 3.3.3 Option 3)
- Count all IC/SSF landings against the coastwide Total Allowable Catch (TAC). (3.3.4 Option 2)

Finally, I am concerned that because the latest single-species stock assessment update does not include updated data on species that were used to generate the ecological reference points (ERPS), including overfished Atlantic herring, the coastwide TAC should be held at 194,400 mt until an updated Ecological Reference Points Stock Assessment is completed.

Thank you for taking my comments into consideration.

Sincerely,
Bill Rogers
109 fort walker lane
bluffton, SC 29909

James Boyle

From: Ronald Meza <ronaldmeza10@gmail.com>
Sent: Sunday, September 18, 2022 1:32 AM
To: Comments
Subject: [External] Atlantic Menhaden Draft Addendum I: WO

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Auto Replied

Dear Mr. Boyle,

Dear ASMFC Atlantic Menhaden Management Board,

Thank you for the opportunity to comment on Draft Addendum 1 to Amendment 3 to the Atlantic Menhaden Interstate Fishery Management Plan.

How Atlantic menhaden biomass is distributed and fished along the coast are important considerations for sustaining predators, including recovering populations of striped bass and bluefish, that depend on the availability of various year classes of menhaden (and other forage species) throughout their range. The menhaden fishery should be distributed throughout the species' known geographic range, not concentrated in the middle of its range, especially in and near the Chesapeake Bay, the most important menhaden nursery along the coast.

Of the options presented in the addendum, I support the following options as best meeting the management and conservation needs of this vital forage fish:

- Maintain the 0.5% fixed minimum quota for each state, with allocation based off landings data from the 2018, 2019, and 2021 timeframe. (3.1.1 Option A & 3.1.2 Option 2)
- Increase the episodic events set-aside program to 5%. (3.2.1 Option 2, Sub-Option 1)
- Include only non-directed gears in the list of permitted gear types for the Incidental Catch (IC) and Small-Scale Fisheries (SSF) provision and implement a 3,000 lb/day limit for small-scale gear types. (3.3.2 Option 3 & 3.3.3 Option 3)
- Count all IC/SSF landings against the coastwide Total Allowable Catch (TAC). (3.3.4 Option 2)

Finally, I am concerned that because the latest single-species stock assessment update does not include updated data on species that were used to generate the ecological reference points (ERPS), including overfished Atlantic herring, the coastwide TAC should be held at 194,400 mt until an updated Ecological Reference Points Stock Assessment is completed.

I also ask that the company Omega be investigated and banned from taking any menhaden in American waters. They habitually over fish and destroy our natural stocks of menhaden which destroys the food chain and ecosystem.

Thank you for taking my comments into consideration.

Sincerely,

Ronald Meza
842 Stratmill Road
Binghamton, NY 13904

James Boyle

From: Stephen Richter <wahooslayer89@comcast.net>
Sent: Saturday, September 17, 2022 8:57 PM
To: Comments
Subject: [External] Atlantic Menhaden Draft Addendum I: WO

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Auto Replied

Dear Mr. Boyle,

Dear ASMFC Atlantic Menhaden Management Board,

Thank you for the opportunity to comment on Draft Addendum 1 to Amendment 3 to the Atlantic Menhaden Interstate Fishery Management Plan.

How Atlantic menhaden biomass is distributed and fished along the coast are important considerations for sustaining predators, including recovering populations of striped bass and bluefish, that depend on the availability of various year classes of menhaden (and other forage species) throughout their range. The menhaden fishery should be distributed throughout the species' known geographic range, not concentrated in the middle of its range, especially in and near the Chesapeake Bay, the most important menhaden nursery along the coast.

Of the options presented in the addendum, I support the following options as best meeting the management and conservation needs of this vital forage fish:

- Maintain the 0.5% fixed minimum quota for each state, with allocation based off landings data from the 2018, 2019, and 2021 timeframe. (3.1.1 Option A & 3.1.2 Option 2)
- Increase the episodic events set-aside program to 5%. (3.2.1 Option 2, Sub-Option 1)
- Include only non-directed gears in the list of permitted gear types for the Incidental Catch (IC) and Small-Scale Fisheries (SSF) provision and implement a 3,000 lb/day limit for small-scale gear types. (3.3.2 Option 3 & 3.3.3 Option 3)
- Count all IC/SSF landings against the coastwide Total Allowable Catch (TAC). (3.3.4 Option 2)

Finally, I am concerned that because the latest single-species stock assessment update does not include updated data on species that were used to generate the ecological reference points (ERPS), including overfished Atlantic herring, the coastwide TAC should be held at 194,400 mt until an updated Ecological Reference Points Stock Assessment is completed.

Thank you for taking my comments into consideration.

Sincerely,
Stephen Richter
577 Atsion Road
Shamong, NJ 08088

James Boyle

From: Ron Silver <rhinopias@comcast.net>
Sent: Saturday, September 17, 2022 9:20 AM
To: Comments
Subject: [External] Atlantic Menhaden Draft Addendum I: WO

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Auto Replied

Dear Mr. Boyle,

Dear ASMFC Atlantic Menhaden Management Board,

Thank you for the opportunity to comment on Draft Addendum 1 to Amendment 3 to the Atlantic Menhaden Interstate Fishery Management Plan.

How Atlantic menhaden biomass is distributed and fished along the coast are important considerations for sustaining predators, including recovering populations of striped bass and bluefish, that depend on the availability of various year classes of menhaden (and other forage species) throughout their range. The menhaden fishery should be distributed throughout the species' known geographic range, not concentrated in the middle of its range, especially in and near the Chesapeake Bay, the most important menhaden nursery along the coast.

Of the options presented in the addendum, I support the following options as best meeting the management and conservation needs of this vital forage fish:

- Maintain the 0.5% fixed minimum quota for each state, with allocation based off landings data from the 2018, 2019, and 2021 timeframe. (3.1.1 Option A & 3.1.2 Option 2)
- Increase the episodic events set-aside program to 5%. (3.2.1 Option 2, Sub-Option 1)
- Include only non-directed gears in the list of permitted gear types for the Incidental Catch (IC) and Small-Scale Fisheries (SSF) provision and implement a 3,000 lb/day limit for small-scale gear types. (3.3.2 Option 3 & 3.3.3 Option 3)
- Count all IC/SSF landings against the coastwide Total Allowable Catch (TAC). (3.3.4 Option 2)

Finally, I am concerned that because the latest single-species stock assessment update does not include updated data on species that were used to generate the ecological reference points (ERPS), including overfished Atlantic herring, the coastwide TAC should be held at 194,400 mt until an updated Ecological Reference Points Stock Assessment is completed.

Thank you for taking my comments into consideration.

Sincerely,
Ron Silver
1829 Sea Oats Dr
Atlantic Beach, FL 32233

James Boyle

From: Margaret Silver <cattleya@comcast.net>
Sent: Saturday, September 17, 2022 9:20 AM
To: Comments
Subject: [External] Atlantic Menhaden Draft Addendum I: WO

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Auto Replied

Dear Mr. Boyle,

Dear ASMFC Atlantic Menhaden Management Board,

Thank you for the opportunity to comment on Draft Addendum 1 to Amendment 3 to the Atlantic Menhaden Interstate Fishery Management Plan.

How Atlantic menhaden biomass is distributed and fished along the coast are important considerations for sustaining predators, including recovering populations of striped bass and bluefish, that depend on the availability of various year classes of menhaden (and other forage species) throughout their range. The menhaden fishery should be distributed throughout the species' known geographic range, not concentrated in the middle of its range, especially in and near the Chesapeake Bay, the most important menhaden nursery along the coast.

Of the options presented in the addendum, I support the following options as best meeting the management and conservation needs of this vital forage fish:

- Maintain the 0.5% fixed minimum quota for each state, with allocation based off landings data from the 2018, 2019, and 2021 timeframe. (3.1.1 Option A & 3.1.2 Option 2)
- Increase the episodic events set-aside program to 5%. (3.2.1 Option 2, Sub-Option 1)
- Include only non-directed gears in the list of permitted gear types for the Incidental Catch (IC) and Small-Scale Fisheries (SSF) provision and implement a 3,000 lb/day limit for small-scale gear types. (3.3.2 Option 3 & 3.3.3 Option 3)
- Count all IC/SSF landings against the coastwide Total Allowable Catch (TAC). (3.3.4 Option 2)

Finally, I am concerned that because the latest single-species stock assessment update does not include updated data on species that were used to generate the ecological reference points (ERPS), including overfished Atlantic herring, the coastwide TAC should be held at 194,400 mt until an updated Ecological Reference Points Stock Assessment is completed.

Thank you for taking my comments into consideration.

Sincerely,
Margaret Silver
1829 Sea Oats Dr
Atlantic Beach, FL 32233

James Boyle

From: Ken Warchal <kmwarchal@aol.com>
Sent: Saturday, September 17, 2022 8:52 AM
To: Comments
Subject: [External] Atlantic Menhaden Draft Addendum I: WO

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Auto Replied

Dear Mr. Boyle,

Dear ASMFC Atlantic Menhaden Management Board,

Thank you for the opportunity to comment on Draft Addendum 1 to Amendment 3 to the Atlantic Menhaden Interstate Fishery Management Plan.

How Atlantic menhaden biomass is distributed and fished along the coast are important considerations for sustaining predators, including recovering populations of striped bass and bluefish, that depend on the availability of various year classes of menhaden (and other forage species) throughout their range. The menhaden fishery should be distributed throughout the species' known geographic range, not concentrated in the middle of its range, especially in and near the Chesapeake Bay, the most important menhaden nursery along the coast.

Of the options presented in the addendum, I support the following options as best meeting the management and conservation needs of this vital forage fish:

- Maintain the 0.5% fixed minimum quota for each state, with allocation based off landings data from the 2018, 2019, and 2021 timeframe. (3.1.1 Option A & 3.1.2 Option 2)
- Increase the episodic events set-aside program to 5%. (3.2.1 Option 2, Sub-Option 1)
- Include only non-directed gears in the list of permitted gear types for the Incidental Catch (IC) and Small-Scale Fisheries (SSF) provision and implement a 3,000 lb/day limit for small-scale gear types. (3.3.2 Option 3 & 3.3.3 Option 3)
- Count all IC/SSF landings against the coastwide Total Allowable Catch (TAC). (3.3.4 Option 2)

Finally, I am concerned that because the latest single-species stock assessment update does not include updated data on species that were used to generate the ecological reference points (ERPS), including overfished Atlantic herring, the coastwide TAC should be held at 194,400 mt until an updated Ecological Reference Points Stock Assessment is completed.

Thank you for taking my comments into consideration.

Sincerely,
Ken Warchal
17 Bay Point Harbour
POINT PLEASANT Boro, NJ 08742

James Boyle

From: kevin marshall <k-marshall@comcast.net>
Sent: Saturday, September 17, 2022 6:55 AM
To: Comments
Subject: [External] Atlantic Menhaden Draft Addendum I: WO

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Auto Replied

Dear Mr. Boyle,

Dear ASMFC Atlantic Menhaden Management Board,

Thank you for the opportunity to comment on Draft Addendum 1 to Amendment 3 to the Atlantic Menhaden Interstate Fishery Management Plan.

How Atlantic menhaden biomass is distributed and fished along the coast are important considerations for sustaining predators, including recovering populations of striped bass and bluefish, that depend on the availability of various year classes of menhaden (and other forage species) throughout their range. The menhaden fishery should be distributed throughout the species' known geographic range, not concentrated in the middle of its range, especially in and near the Chesapeake Bay, the most important menhaden nursery along the coast.

Of the options presented in the addendum, I support the following options as best meeting the management and conservation needs of this vital forage fish:

- Maintain the 0.5% fixed minimum quota for each state, with allocation based off landings data from the 2018, 2019, and 2021 timeframe. (3.1.1 Option A & 3.1.2 Option 2)
- Increase the episodic events set-aside program to 5%. (3.2.1 Option 2, Sub-Option 1)
- Include only non-directed gears in the list of permitted gear types for the Incidental Catch (IC) and Small-Scale Fisheries (SSF) provision and implement a 3,000 lb/day limit for small-scale gear types. (3.3.2 Option 3 & 3.3.3 Option 3)
- Count all IC/SSF landings against the coastwide Total Allowable Catch (TAC). (3.3.4 Option 2)

Finally, I am concerned that because the latest single-species stock assessment update does not include updated data on species that were used to generate the ecological reference points (ERPS), including overfished Atlantic herring, the coastwide TAC should be held at 194,400 mt until an updated Ecological Reference Points Stock Assessment is completed.

Thank you for taking my comments into consideration.

Sincerely,
kevin marshall
282 Old Oaken Bucket Road
Scituate, MA 02066

James Boyle

From: Robert Ballance <oghbob@yahoo.com>
Sent: Friday, September 16, 2022 6:47 PM
To: Comments
Subject: [External] Atlantic Menhaden Draft Addendum I: WO

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Auto Replied

Dear Mr. Boyle,

Dear ASMFC Atlantic Menhaden Management Board,

Thank you for the opportunity to comment on Draft Addendum 1 to Amendment 3 to the Atlantic Menhaden Interstate Fishery Management Plan.

As an avid Striped Bass fisherman, I'm concerned with the total biomass of bait fish for the stripers and Blue fish. I note that the alternative to the Menhaden as the major prey of the stripers and Blue fish is the Atlantic Herring which is at only 21% of desired biomass.. Any increase of the Menhaden harvest will keep pressure on the Atlantic Herring. This will also increase the recovery time for the stripers and Blue fish. Please do not increase the Menhaden harvest.

Of the options presented in the addendum, I support the following options as best meeting the management and conservation needs of this vital forage fish:

- Maintain the 0.5% fixed minimum quota for each state, with allocation based off landings data from the 2018, 2019, and 2021 timeframe. (3.1.1 Option A & 3.1.2 Option 2)
- Increase the episodic events set-aside program to 5%. (3.2.1 Option 2, Sub-Option 1)
- Include only non-directed gears in the list of permitted gear types for the Incidental Catch (IC) and Small-Scale Fisheries (SSF) provision and implement a 3,000 lb/day limit for small-scale gear types. (3.3.2 Option 3 & 3.3.3 Option 3)
- Count all IC/SSF landings against the coastwide Total Allowable Catch (TAC). (3.3.4 Option 2)

Finally, I am concerned that because the latest single-species stock assessment update does not include updated data on species that were used to generate the ecological reference points (ERPS), including overfished Atlantic herring, the coastwide TAC should be held at 194,400 mt until an updated Ecological Reference Points Stock Assessment is completed.

Thank you for taking my comments into consideration.

Sincerely,
Robert Ballance
179 W Lake Shore Drive
Rockaway, NJ 07866

James Boyle

From: Robert Pollard <rbpollard46@comcast.net>
Sent: Friday, September 16, 2022 5:44 PM
To: Comments
Subject: [External] Atlantic Menhaden Draft Addendum I: WO

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Auto Replied

Dear Mr. Boyle,

Dear ASMFC Atlantic Menhaden Management Board,

Thank you for the opportunity to comment on Draft Addendum 1 to Amendment 3 to the Atlantic Menhaden Interstate Fishery Management Plan.

How Atlantic menhaden biomass is distributed and fished along the coast are important considerations for sustaining predators, including recovering populations of striped bass and bluefish, that depend on the availability of various year classes of menhaden (and other forage species) throughout their range. The menhaden fishery should be distributed throughout the species' known geographic range, not concentrated in the middle of its range, especially in and near the Chesapeake Bay, the most important menhaden nursery along the coast.

Of the options presented in the addendum, I support the following options as best meeting the management and conservation needs of this vital forage fish:

- Maintain the 0.5% fixed minimum quota for each state, with allocation based off landings data from the 2018, 2019, and 2021 timeframe. (3.1.1 Option A & 3.1.2 Option 2)
- Increase the episodic events set-aside program to 5%. (3.2.1 Option 2, Sub-Option 1)
- Include only non-directed gears in the list of permitted gear types for the Incidental Catch (IC) and Small-Scale Fisheries (SSF) provision and implement a 3,000 lb/day limit for small-scale gear types. (3.3.2 Option 3 & 3.3.3 Option 3)
- Count all IC/SSF landings against the coastwide Total Allowable Catch (TAC). (3.3.4 Option 2)

Finally, I am concerned that because the latest single-species stock assessment update does not include updated data on species that were used to generate the ecological reference points (ERPS), including overfished Atlantic herring, the coastwide TAC should be held at 194,400 mt until an updated Ecological Reference Points Stock Assessment is completed.

Thank you for taking my comments into consideration.

Sincerely,
Robert Pollard
212 Colony Lake Drive
Richmond, VA 23238

James Boyle

From: Linda Gromen <lgromen@aol.com>
Sent: Friday, September 16, 2022 4:35 PM
To: Comments
Subject: [External] Atlantic Menhaden Draft Addendum I: WO

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Auto Replied

Dear Mr. Boyle,

Dear ASMFC Atlantic Menhaden Management Board,

Thank you for the opportunity to comment on Draft Addendum 1 to Amendment 3 to the Atlantic Menhaden Interstate Fishery Management Plan.

How Atlantic menhaden biomass is distributed and fished along the coast are important considerations for sustaining predators, including recovering populations of striped bass and bluefish, that depend on the availability of various year classes of menhaden (and other forage species) throughout their range. The menhaden fishery should be distributed throughout the species' known geographic range, not concentrated in the middle of its range, especially in and near the Chesapeake Bay, the most important menhaden nursery along the coast.

Of the options presented in the addendum, I support the following options as best meeting the management and conservation needs of this vital forage fish:

- Maintain the 0.5% fixed minimum quota for each state, with allocation based off landings data from the 2018, 2019, and 2021 timeframe. (3.1.1 Option A & 3.1.2 Option 2)
- Increase the episodic events set-aside program to 5%. (3.2.1 Option 2, Sub-Option 1)
- Include only non-directed gears in the list of permitted gear types for the Incidental Catch (IC) and Small-Scale Fisheries (SSF) provision and implement a 3,000 lb/day limit for small-scale gear types. (3.3.2 Option 3 & 3.3.3 Option 3)
- Count all IC/SSF landings against the coastwide Total Allowable Catch (TAC). (3.3.4 Option 2)

Finally, I am concerned that because the latest single-species stock assessment update does not include updated data on species that were used to generate the ecological reference points (ERPS), including overfished Atlantic herring, the coastwide TAC should be held at 194,400 mt until an updated Ecological Reference Points Stock Assessment is completed.

Thank you for taking my comments into consideration.

Sincerely,
Linda Gromen
509 E State Rd
Cleves, OH 45002

James Boyle

From: Bernard Kepshire <bmkjr@yahoo.com>
Sent: Friday, September 16, 2022 4:07 PM
To: Comments
Subject: [External] Atlantic Menhaden Draft Addendum I: WO

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Auto Replied

Dear Mr. Boyle,

Dear ASMFC Atlantic Menhaden Management Board,

Thank you for the opportunity to comment on Draft Addendum 1 to Amendment 3 to the Atlantic Menhaden Interstate Fishery Management Plan.

How Atlantic menhaden biomass is distributed and fished along the coast are important considerations for sustaining predators, including recovering populations of striped bass and bluefish, that depend on the availability of various year classes of menhaden (and other forage species) throughout their range. The menhaden fishery should be distributed throughout the species' known geographic range, not concentrated in the middle of its range, especially in and near the Chesapeake Bay, the most important menhaden nursery along the coast.

Of the options presented in the addendum, I support the following options as best meeting the management and conservation needs of this vital forage fish:

- Maintain the 0.5% fixed minimum quota for each state, with allocation based off landings data from the 2018, 2019, and 2021 timeframe. (3.1.1 Option A & 3.1.2 Option 2)
- Increase the episodic events set-aside program to 5%. (3.2.1 Option 2, Sub-Option 1)
- Include only non-directed gears in the list of permitted gear types for the Incidental Catch (IC) and Small-Scale Fisheries (SSF) provision and implement a 3,000 lb/day limit for small-scale gear types. (3.3.2 Option 3 & 3.3.3 Option 3)
- Count all IC/SSF landings against the coastwide Total Allowable Catch (TAC). (3.3.4 Option 2)

Finally, I am concerned that because the latest single-species stock assessment update does not include updated data on species that were used to generate the ecological reference points (ERPS), including overfished Atlantic herring, the coastwide TAC should be held at 194,400 mt until an updated Ecological Reference Points Stock Assessment is completed.

Thank you for taking my comments into consideration.

Sincerely,
Bernard Kepshire
1545 NW Maple Avenue
Corvallis, OR 97330

James Boyle

From: Norman Baker <ntbakerphd@gmail.com>
Sent: Friday, September 16, 2022 4:05 PM
To: Comments
Subject: [External] Atlantic Menhaden Draft Addendum I: WO

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Auto Replied

Dear Mr. Boyle,

Dear ASMFC Atlantic Menhaden Management Board,

Thank you for the opportunity to comment on Draft Addendum 1 to Amendment 3 to the Atlantic Menhaden Interstate Fishery Management Plan.

How Atlantic menhaden biomass is distributed and fished along the coast are important considerations for sustaining predators, including recovering populations of striped bass and bluefish, that depend on the availability of various year classes of menhaden (and other forage species) throughout their range. The menhaden fishery should be distributed throughout the species' known geographic range, not concentrated in the middle of its range, especially in and near the Chesapeake Bay, the most important menhaden nursery along the coast.

Of the options presented in the addendum, I support the following options as best meeting the management and conservation needs of this vital forage fish:

- Maintain the 0.5% fixed minimum quota for each state, with allocation based off landings data from the 2018, 2019, and 2021 timeframe. (3.1.1 Option A & 3.1.2 Option 2)
- Increase the episodic events set-aside program to 5%. (3.2.1 Option 2, Sub-Option 1)
- Include only non-directed gears in the list of permitted gear types for the Incidental Catch (IC) and Small-Scale Fisheries (SSF) provision and implement a 3,000 lb/day limit for small-scale gear types. (3.3.2 Option 3 & 3.3.3 Option 3)
- Count all IC/SSF landings against the coastwide Total Allowable Catch (TAC). (3.3.4 Option 2)

Finally, I am concerned that because the latest single-species stock assessment update does not include updated data on species that were used to generate the ecological reference points (ERPS), including overfished Atlantic herring, the coastwide TAC should be held at 194,400 mt until an updated Ecological Reference Points Stock Assessment is completed.

Thank you for taking my comments into consideration.

Sincerely,
Norman Baker
3789 Lost Mountain Road
Sequim, WA 98382

James Boyle

From: Rob Kramer <rkramer@wildoceans.org>
Sent: Wednesday, September 14, 2022 8:45 AM
To: Comments
Subject: [External] Atlantic Menhaden Draft Addendum I: WO

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Auto Replied

Dear Mr. Boyle,

Dear ASMFC Atlantic Menhaden Management Board,

Thank you for the opportunity to comment on Draft Addendum 1 to Amendment 3 to the Atlantic Menhaden Interstate Fishery Management Plan.

How Atlantic menhaden biomass is distributed and fished along the coast are important considerations for sustaining predators, including recovering populations of striped bass and bluefish, that depend on the availability of various year classes of menhaden (and other forage species) throughout their range. The menhaden fishery should be distributed throughout the species' known geographic range, not concentrated in the middle of its range, especially in and near the Chesapeake Bay, the most important menhaden nursery along the coast.

Of the options presented in the addendum, I support the following options as best meeting the management and conservation needs of this vital forage fish:

- Maintain the 0.5% fixed minimum quota for each state, with allocation based off landings data from the 2018, 2019, and 2021 timeframe. (3.1.1 Option A & 3.1.2 Option 2)
- Increase the episodic events set-aside program to 5%. (3.2.1 Option 2, Sub-Option 1)
- Include only non-directed gears in the list of permitted gear types for the Incidental Catch (IC) and Small-Scale Fisheries (SSF) provision and implement a 3,000 lb/day limit for small-scale gear types. (3.3.2 Option 3 & 3.3.3 Option 3)
- Count all IC/SSF landings against the coastwide Total Allowable Catch (TAC). (3.3.4 Option 2)

Finally, I am concerned that because the latest single-species stock assessment update does not include updated data on species that were used to generate the ecological reference points (ERPS), including overfished Atlantic herring, the coastwide TAC should be held at 194,400 mt until an updated Ecological Reference Points Stock Assessment is completed.

Thank you for taking my comments into consideration.

Sincerely,
Rob Kramer
PO Box 272122
Tampa, FL 33688

James Boyle

From: Mike Cota <educationfree@yahoo.com>
Sent: Friday, September 30, 2022 8:58 PM
To: Comments
Subject: [External] Atlantic menhaden draft addendum 1

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Auto Replied

Email to comments@asmfc.org

Subject line: hi my name is Mike Cota and I'm from Harpswell Maine. I'm a lobsterman on the coast of Maine. I use fresh caught menhaden to bait my own traps. Maine has been under a bait shortage for many years now, we have been fortunate to have a great menhaden resource right here at our doorstep but unfortunately have been extremely limited on how we can utilize this resource because of our very small quota. It pains me to see Maine fishermen being forced to bait their traps with non native species along with non oceanic species such as pig, because its the only thing available. Meanwhile we fishermen drive past schools of menhaden in our harbors unable to harvest them. With our current situation we are forced to buy out of state bait that is extremely expensive.

I would like to point out that when menhaden are harvested for bait, they are put back into the ocean and once again absorbed by the sea. Lobsters are not the only creature who benefits from our bait, as it breaks down tiny particles drift out of our traps and are eaten by small fish and many more species. I believe it is outrageous for Virginia "OMEGA PROTIEEN" to hold OVER 78% OF THE ENTIRE EAST COAST QUOTA. I do not believe reduction fishing does anything to help the ecosystem and its cycle of life, and more quota should be set aside for bait purposes only. How is it allowed in America that one company controls 78% of the entire east coast resource? This is ridiculous.

3.1. Quota Allocation

3.1.1- I ask you select Option B, quota's should be based on fish availability and need.

3.1.2- I ask you select Option 4A. I believe a moving average based on the most current years data is the best way to address menhaden availability as well as need. I do not believe using data that's 10 to 12 years old will address the needs of today's fishery. This current year Maine's menhaden fishery, including small scale fishery closed August 28th, that's approximately 2 months before the fish make their seasonal migration out of our waters. Since the closure Maine has once again been importing out of state bait.

3.2 Episodic Set Aside Program

I ask you select Option 2. Increasing the episodic set aside quota will help states like mine that have a great need as well as great resource locally. It will also reduce burden of timely Quota transfers.

3.3 Incidental/ Small Scale Fishery

3.3.1- Timing, I ask you select Option 1 status quo, we rely on the small scale fishery immediately to continue a supply of fresh local menhaden.

3.3.2- Gear Type, I ask you select Option 1 status quo, small purse seines are an important tool to insure only a specific amount of fish are harvested. I'm shocked there is even a conversation about eliminating purse seines and forcing us to use Gillnets, as gill nets kill everything they catch.

3.3.3- Trip Limits I ask you select Option 1 status quo. Any reduction in trip limits would put more pressure on our already evident bait shortage in Maine. It would also cut menhaden harvesters profit down to a point where it would not be feasible to fish.

3.3.4- I ask you select Option 1 status quo, IC/SSF should not be counted towards state allocation or coastwise TAC, we are talking about such a small percentage of harvest done by small independent fishermen.

Sent from my iPhone

James Boyle

From: Kati Clemons <clemfamsix@gmail.com>
Sent: Friday, September 30, 2022 8:38 PM
To: Comments
Subject: [External] Atlantic Menhaden Draft addendum 1

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Auto Replied

Hello,

My name is Kati Clemons and I am from Harpswell, Maine. I am an elver fisherman and the wife of a lobsterman/menhaden harvester. I am the mother of four young daughters, who are being raised in a fishing town and who's hearts and souls belong to the sea. This community and lifestyle is all my children have known, literally since they were in utero.

I cannot even begin to summarize the pain and hardships that the recent inflation of fuel, supplies, labor and bait have created for all local (and statewide) fishermen and women. Maine has been under a bait shortage for many years now. Maine has been fortunate enough to have a great menhaden resource right here at our doorstep; however unfortunately have been limited to how we can utilize this resource because of the very small quota.

It breaks my heart to witness my husband and all Maine fishermen being forced to bait their traps with non native species along with non oceanic species such as pig, because its the only thing available. Meanwhile, the fishermen drive past schools of menhaden in our harbors and are unable to harvest them.

Please allow Maine to increase their menhaden quota. Please allow the honest men and women to do their jobs and do them efficiently. Please allow this legacy, that has been passed down for generations, to continue.

3.1. Quota Allocation

3.1.1- I ask you select Option B, quota's should be based on fish availability and need.

3.1.2- I ask you select Option 4A. I believe a moving average based on the most current years data is the best way to address menhaden availability as well as need. I do not believe using data thats 10 to 12 years old will address the needs of todays fishery. This current year Maines menhaden fishery, including small scale fishery closed August 28th, that's approximately 2 months before the fish make their seasonal migration out of our waters. Since the closure Maine has once again been importing out of state bait.

3.2 Episodic Set Aside Program

I ask you select Option 2. Increasing the episodic set aside quota will help states like mine that have a great need as well as great resource locally. It will also reduce burden of timely Quota transfers.

3.3 Incidental/ Small Scale Fishery

3.3.1- Timing, I ask you select Option 1 status quo, we rely on the small scale fishery immedietly to continue a supply of fresh local menhaden.

3.3.2- Gear Type, I ask you select Option 1 status quo, small purse seines are a important tool to insure only a specific amount of fish are harvested. Im shocked there is even a conversation about eliminating purse seines and forcing us to use Gillnets, as gill nets kill everything they catch.

3.3.3- Trip Limits I ask you select Option 1 status quo. Any reduction in trip limits would put more pressure on our already evident bait shortage in Maine. It would also cut menhaden harvesters profit down to a point where it would not be feasible to fish.

3.3.4- I ask you select Option 1 status quo, IC/SSF should not be counted towards state allocation or coastwise TAC, we are talking about such a small percentage of harvest done by small independent fishermen.

Sincerely,
Kati Elaine Clemons
207.522.6629

James Boyle

From: Riley Parlin <rileyparlin@icloud.com>
Sent: Friday, September 30, 2022 7:52 PM
To: Comments
Subject: [External] Atlantic Menhaden Draft Addendum 1

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Green Category, Auto Replied

Email to comments@asmfc.org

Subject line: Atlantic Menhaden Draft addendum 1

Hello my name is Riley Parlin and I am a lobsterman and a menhaden harvester.

3.1. Quota Allocation

3.1.1 - I ask you select Option B, quota's should be based on fish availability and need.

3.1.2- I ask you select Option 4A. I believe a moving average based on the most current years data is the best way to address menhaden availability as well as need. I do not believe using data that's 10 to 12 years old will address the needs of today's fishery that is just ridiculous in my eyes. This current year Maine's menhaden fishery, including small scale fishery closed August 28th, that's approximately 2 months before the fish make their seasonal migration out of our waters. Since the closure Maine has once again been importing out of state bait.

3.2 Episodic Set Aside Program

I ask you select Option 2. Increasing the episodic set aside quota will help states like mine that have a great need as well as great resource locally. It will also reduce burden of timely Quota transfers.

3.3 Incidental/ Small Scale Fishery

3.3.1- Timing, I ask you select Option 1 status quo, we rely on the small scale fishery immediately to continue a supply of fresh local menhaden for us and for other working wharfs around where I am from.

3.3.2- Gear Type, I ask you select Option 1 status quo, small purse seines are an important tool to insure only a specific amount of fish are harvested. I'm shocked there is even a conversation about eliminating purse seines and forcing us to use Gillnets, as gill nets kill everything they catch and purse seines you can let fish go without killing them like a gill net does.

3.3.3- Trip Limits I ask you select Option 1 status quo. Any reduction in trip limits would put more pressure on our already evident bait shortage in Maine. It would also cut menhaden harvesters profit down to a point where it would not be feasible to fish.

3.3.4- I ask you select Option 1 status quo, IC/SSF should not be counted towards state allocation or coastwise TAC, we are talking about such a small percentage of harvest done by small independent fishermen.

Sent from my iPhone

James Boyle

From: fvdeduction@gmail.com
Sent: Friday, September 30, 2022 7:06 PM
To: Comments
Subject: [External] Menhaden

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Auto Replied

Email to comments@asmfc.org

Subject line: Atlantic Menhaden Draft addendum 1

Hello my name is Sean Clemons and I'm from Harpswell Maine. I'm a lobsterman as well as a menhaden harvester. I use fresh caught menhaden to bait my own traps as well as sell fresh menhaden to many local fishing wharfs. Maine has been under a bait shortage for many years now, we have been fortunate to have a great menhaden resource right here at our doorstep but unfortunately have been extremely limited on how we can utilize this resource because of our very small quota. It pains me to see Maine fishermen being forced to bait their traps with non native species along with non oceanic species such as pig, because its the only thing available. Meanwhile we fishermen drive past schools of menhaden in our harbors unable to harvest them. With our current situation we are forced to buy out of state bait that is extremely expensive.

I would like to point out that when menhaden are harvested for bait, they are put back into the ocean and once again absorbed by the sea. Lobsters are not the only creature who benefits from our bait, as it breaks down tiny particles drift out of our traps and are eaten by small fish etc... I believe it is outrageous for Virginia "OMEGA PROTIEN" to hold OVER 78% OF THE ENTIRE EAST COAST QUOTA. I do not believe reduction fishing does anything to help the ecosystem and its cycle of life, and more quota should be set aside for bait purposes only. How is it allowed in America that one company controls 78% of the entire east coast resource?

3.1. Quota Allocation

3.1.1 - I ask you select Option B, quota's should be based on fish availability and need.

3.1.2- I ask you select Option 4A. I believe a moving average based on the most current years data is the best way to address menhaden availability as well as need. I do not believe using data that's 10 to 12 years old will address the needs of today's fishery. This current year Maine's menhaden fishery, including small scale fishery closed August 28th, that's approximately 2 months before the fish make their seasonal migration out of our waters. Since the closure Maine has once again been importing out of state bait.

3.2 Episodic Set Aside Program

I ask you select Option 2. Increasing the episodic set aside quota will help states like mine that have a great need as well as great resource locally. It will also reduce burden of timely Quota transfers.

3.3 Incidental/ Small Scale Fishery

3.3.1- Timing, I ask you select Option 1 status quo, we rely on the small scale fishery immediately to continue a supply of fresh local menhaden.

3.3.2- Gear Type, I ask you select Option 1 status quo, small purse seines are an important tool to insure only a specific amount of fish are harvested. I'm shocked there is even a conversation about eliminating purse seines and forcing us to use Gillnets, as gill nets kill everything they catch.

3.3.3- Trip Limits I ask you select Option 1 status quo. Any reduction in trip limits would put more pressure on our already evident bait shortage in Maine. It would also cut menhaden harvesters profit down to a point where it would not be feasible to fish.

3.3.4- I ask you select Option 1 status quo, IC/SSF should not be counted towards state allocation or coastwise TAC, we are talking about such a small percentage of harvest done by small independent fishermen.

Sent from my iPhone

James Boyle

From: Andrew Millar <andrew.millar22@gmail.com>
Sent: Friday, September 30, 2022 5:52 PM
To: Comments
Subject: [External] Atlantic menhaden draft 1 addendum comments

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Auto Replied

3.1. Quota Allocation

3.1.1 - I ask you select Option B, quota's should be based on fish availability and need.

3.1.2- I ask you select Option 4A. I believe a moving average based on the most current years data is the best way to address menhaden availability as well as need. I do not believe using data that's 10 to 12 years old will address the needs of today's fishery. This current year Maine's menhaden fishery, including small scale fishery closed August 28th, that's approximately 2 months before the fish make their seasonal migration out of our waters. Since the closure Maine has once again been importing out of state bait.

3.2 Episodic Set Aside Program

I ask you select Option 2. Increasing the episodic set aside quota will help states like mine that have a great need as well as great resource locally. It will also reduce burden of timely Quota transfers.

3.3 Incidental/ Small Scale Fishery

3.3.1- Timing, I ask you select Option 1 status quo, we rely on the small scale fishery immediately to continue a supply of fresh local menhaden.

3.3.2- Gear Type, I ask you select Option 1 status quo, small purse seines are an important tool to insure only a specific amount of fish are harvested. I'm shocked there is even a conversation about eliminating purse seines and forcing us to use Gillnets, as gill nets kill everything they catch.

3.3.3- Trip Limits I ask you select Option 1 status quo. Any reduction in trip limits would put more pressure on our already evident bait shortage in Maine. It would also cut menhaden harvesters profit down to a point where it would not be feasible to fish.

3.3.4- I ask you select Option 1 status quo, IC/SSF should not be counted towards state allocation or coastwise TAC, we are talking about such a small percentage of harvest done by small independent fishermen.

--

Andrew Millar

Engineer for Boston Towing ('18-Present)

Owner/Founder Heritage Marine Services ('20 - Present)

Engineer for Hornbeck Offshore ('16 - '18)

Engineer for Edison Chouest Offshore ('12-'15)

1st Asst. Engineer Unlimited US Coast Guard License

Chief OSV (no limitations) US Coast Guard License

Owner/Founder of Honey Hole Trap Co. ('14 - Present)

Shoreside Engineer New England Fish Co.

Maine Maritime Academy BS - Marine Engineering Technology

James Boyle

From: cameronthorp19 <cameronthorp19@gmail.com>
Sent: Friday, September 30, 2022 4:13 PM
To: Comments
Subject: [External] Atlantic Menhaden Draft addendum

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Auto Replied

Atlantic Menhaden Draft addendum 1

Hey, my name is Cameron Thorp and I live in Brunswick, Maine.

I'm a commercial tuna fisherman and I also crew for a lobsterman/menhaden harvester.

We use fresh caught menhaden to bait our traps as well as supply fresh menhaden to many local fishing warfs.

It's obvious that Maine has been under a bait shortage for many years now.

We have been fortunate to have a great menhaden resource right here at our doorstep but unfortunately have been extremely limited on how we can utilize this resource because of the very small quota.

It's insane that Maine fishermen are being forced to bait their traps with non native species along with nonmarine species such as pig, as it's the only thing available, meanwhile there's schools of menhaden everywhere in the bay and our harbors.

With the current situation lobsterman are forced to source bait from out of state that is extremely expensive, it makes no sense....

I believe it is outrageous for Virginia " OMEGA PROTIEN"to hold OVER 78% OF THE ENTIRE EAST COAST QUOTA. How is it allowed in America that a multi billion dollar corporation controls 78% of the entire east coast resource, while the small guys suffer?

I do not believe reduction fishing does anything to help the ecosystem and its cycle of life, and more quota should be set aside for bait purposes only.

3.1. Quota Allocation

3.1.1 -I ask you select Option B, quota's should be based on fish availability and need.

3.1.2- I ask you select Option 4A.

I believe a moving average based on the most current years data is the best way to address menhaden availability as well as need.

Using data that's 10 to 12 years old will not address the needs of todays fishery.

This current year Maines menhaden fishery, including small scale fishery closed August 28th, that's approximately 2 months before the fish make their seasonal migration out of our waters. Since the closure Maine has once again been importing out of state bait.

3.2 Episodic Set Aside Program

I ask you select Option 2.

Increasing the episodic set aside quota will help states like mine that have a great need as well as great resource locally. It will also reduce burden of timely Quota transfers.

3.3 Incidental/ Small Scale Fishery

3.3.1- Timing.

I ask you select Option 1 status quo.

We rely on the small scale fishery immediately to continue a supply of fresh local menhaden.

3.3.2- Gear Type, I ask you select Option 1 status quo.

Small purse seines are a important tool to insure only a specific amount of fish are harvested.

I'm shocked there is even a conversation about eliminating purse seines, forcing us to use Gillnets, as gillnets kill everything that goes near them..

3.3.3- Trip Limits I ask you select Option 1 status quo.

Any reduction in trip limits would put more pressure on our already evident bait shortage in Maine.

It would also cut menhaden harvesters profit down to a point where it would not be feasible to fish.

3.3.4- I ask you select Option 1 status quo.

IC/SSF should not be counted towards state allocation or coastwise TAC, we are talking about such a small percentage of harvest done by small independent fishermen.

James Boyle

From: Barbara Quinn <barbaraquinn66@gmail.com>
Sent: Friday, September 30, 2022 4:01 PM
To: Comments
Subject: [External] Atlantic Menhaden Draft addendum 1

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Auto Replied

Hello my name is Thomas Clemons and I'm from Harpswell, Maine. I'm a lobsterman, I have been lobstering for the past 45 years. I use fresh caught menhaden to bait my traps. Maine has been under a bait shortage for many years now, we have been fortunate to have a great menhaden resource right here at our doorstep but unfortunately have been extremely limited on how we can utilize this resource because of the state of Maine's very small quota. It pains me to see Maine fishermen being forced to bait their traps with non native species along with non oceanic species such as pig, because it's the only thing available. Meanwhile we fishermen drive past schools of menhaden in our harbors that are unable to be harvested. With our current situation we are forced to buy out of state bait that is extremely expensive. When menhaden are harvested for bait, they are put back into the ocean and once again absorbed by the sea. Lobsters are not the only creatures who benefit from our bait, as tiny particles drift out of our traps and are eaten by small fish etc... I believe it is outrageous for Virginia " OMEGA PROTIEN"to hold OVER 78% OF THE ENTIRE EAST COAST QUOTA. I do not believe reduction fishing does anything to help the ecosystem and its cycle of life, and more quotas should be set aside for bait purposes only. How is it allowed in America that one company controls 78% of the entire east coast resource? 3.1. Quota Allocation 3.1.1 -I ask you to select Option B, quotas should be based on fish availability and need. 3.1.2- I ask you to select Option 4A. I believe a moving average based on the most current years data is the best way to address menhaden availability as well as need. I do not believe using data that's 10 to 12 years old will address the needs of today's fishery. This current year Maines menhaden fishery, including small scale fishery closed August 28th, that's approximately 2 months before the fish make their seasonal migration out of our waters. Since the closure Maine has once again been importing out of state bait. 3.2 Episodic Set Aside Program I ask you to select Option 2. Increasing the episodic set aside quota will help states like mine that have a great need as well as great resources locally. It will also reduce the burden of timely Quota transfers. 3.3 Incidental/ Small Scale Fishery 3.3.1- Timing, I ask you select Option 1 status quo, we rely on the small scale fishery immediately to continue a supply of fresh local menhaden. 3.3.2- Gear Type, I ask you select Option 1 status quo, small purse seines are a important tool to insure only a specific amount of fish are harvested. I'm shocked there is even a conversation about eliminating purse seines and forcing us to use Gillnets, as gill nets kill everything they catch. 3.3.3- Trip Limits I ask you to select Option 1 status quo. Any reduction in trip limits would put more pressure on our already evident bait shortage in Maine. It would also cut menhaden harvesters profit down to a point where it would not be feasible to fish. 3.3.4- I ask you to select Option 1 status quo, IC/SSF should not be counted towards state allocation or coastwise TAC, we are talking about such a small percentage of harvest done by small independent fishermen.

Sincerely,

Thomas Clemons
Harpswell, Maine

James Boyle

From: Hunter Merryman <huntermerryman@icloud.com>
Sent: Thursday, September 29, 2022 9:50 PM
To: Comments
Subject: [External] Atlantic Menhaden Draft addendum 1

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Auto Replied

Hello my name is Hunter merryman and I'm from Harpswell Maine. I'm a lobstermen as well as a menhaden harvester. I use fresh caught menhaden to bait my own traps as well as sell fresh menhaden to many local fishing warfs. Maine has been under a bait shortage for many years now, we have been fortunate to have a great menhaden resource right here at our doorstep but unfortunately have been extremely limited on how we can utilize this resource because of our very small quota. It pains me to see Maine fishermen being forced to bait their traps with non native species along with non oceanic species such as pig, because its the only thing available. Meanwhile we fishermen drive past schools of menhaden in our harbors unable to harvest them. With our current situation we are forced to buy out of state bait that is extremely expensive.

I would like to point out that when menhaden are harvested for bait, they are put back into the ocean and once again absorbed by the sea. Lobsters are not the only creature who benefits from our bait, as it breaks down tiny particles drift out of our traps and are eaten by small fish etc... I believe it is outrageous for Virginia " OMEGA PROTIEN"to hold OVER 78% OF THE ENTIRE EAST COAST QUOTA. I do not believe reduction fishing does anything to help the ecosystem and its cycle of life, and more quota should be set aside for bait purposes only. How is it allowed in America that one company controls 78% of the entire east coast resource?

3.1. Quota Allocation

3.1.1 - I ask you select Option B, quota's should be based on fish availability and need.

3.1.2- I ask you select Option 4A. I believe a moving average based on the most current years data is the best way to address menhaden availability as well as need. I do not believe using data thats 10 to 12 years old will address the needs of todays fishery. This current year Maines menhaden fishery, including small scale fishery closed August 28th, that's approximately 2 months before the fish make their seasonal migration out of our waters. Since the closure Maine has once again been importing out of state bait.

3.2 Episodic Set Aside Program

I ask you select Option 2. Increasing the episodic set aside quota will help states like mine that have a great need as well as great resource locally. It will also reduce burden of timely Quota transfers.

3.3 Incidental/ Small Scale Fishery

3.3.1- Timing, I ask you select Option 1 status quo, we rely on the small scale fishery immedietly to continue a supply of fresh local menhaden.

3.3.2- Gear Type, I ask you select Option 1 status quo, small purse seines are a important tool to insure only a specific amount of fish are harvested. Im shocked there is even a conversation about eliminating purse seines and forcing us to use Gillnets, as gill nets kill everything they catch.

3.3.3- Trip Limits I ask you select Option 1 status quo. Any reduction in trip limits would put more pressure on our already evident bait shortage in Maine. It would also cut menhaden harvesters profit down to a point where it would not be feasible to fish.

3.3.4- I ask you select Option 1 status quo, IC/SSF should not be counted towards state allocation or coastwise TAC, we are talking about such a small percentage of harvest done by small independent fishermen.

James Boyle

From: Sara Merryman <merryman_5@yahoo.com>
Sent: Thursday, September 29, 2022 9:36 PM
To: Comments
Subject: [External] Atlantic Menhaden Draft addendum 1

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Auto Replied

Email to comments@asmfc.org

Subject line: Atlantic Menhaden Draft addendum 1

Hello my name is Jim Merryman and I'm from Harpswell Maine. I'm a lobsterman as well as a menhaden harvester. I use fresh caught menhaden to bait my own traps as well as sell fresh menhaden to many local fishing warfs. Maine has been under a bait shortage for many years now, we have been fortunate to have a great menhaden resource right here at our doorstep but unfortunately have been extremely limited on how we can utilize this resource because of our very small quota. It pains me to see Maine fishermen being forced to bait their traps with non native species along with non oceanic species such as pig, because its the only thing available. Meanwhile we fishermen drive past schools of menhaden in our harbors unable to harvest them. With our current situation we are forced to buy out of state bait that is extremely expensive.

I would like to point out that when menhaden are harvested for bait, they are put back into the ocean and once again absorbed by the sea. Lobsters are not the only creature who benefits from our bait, as it breaks down tiny particles drift out of our traps and are eaten by small fish etc... I believe it is outrageous for Virginia "OMEGA PROTIEEN" to hold OVER 78% OF THE ENTIRE EAST COAST QUOTA. I do not believe reduction fishing does anything to help the ecosystem and its cycle of life, and more quota should be set aside for bait purposes only. How is it allowed in America that one company controls 78% of the entire east coast resource?

3.1. Quota Allocation

3.1.1 - I ask you select Option B, quota's should be based on fish availability and need.

3.1.2- I ask you select Option 4A. I believe a moving average based on the most current years data is the best way to address menhaden availability as well as need. I do not believe using data that's 10 to 12 years old will address the needs of today's fishery. This current year Maine's menhaden fishery, including small scale fishery closed August 28th, that's approximately 2 months before the fish make their seasonal migration out of our waters. Since the closure Maine has once again been importing out of state bait.

3.2 Episodic Set Aside Program

I ask you select Option 2. Increasing the episodic set aside quota will help states like mine that have a great need as well as great resource locally. It will also reduce burden of timely Quota transfers.

3.3 Incidental/ Small Scale Fishery

3.3.1- Timing, I ask you select Option 1 status quo, we rely on the small scale fishery immediately to continue a supply of fresh local menhaden.

3.3.2- Gear Type, I ask you select Option 1 status quo, small purse seines are an important tool to insure only a specific amount of fish are harvested. I'm shocked there is even a conversation about eliminating purse seines and forcing us to use Gillnets, as gill nets kill everything they catch.

3.3.3- Trip Limits I ask you select Option 1 status quo. Any reduction in trip limits would put more pressure on our already evident bait shortage in Maine. It would also cut menhaden harvesters profit down to a point where it would not be feasible to fish.

3.3.4- I ask you select Option 1 status quo, IC/SSF should not be counted towards state allocation or coastwise TAC, we are talking about such a small percentage of harvest done by small independent fishermen.

[Sent from Yahoo Mail on Android](#)

James Boyle

From: andrew johnson <andyjohnson7488@gmail.com>
Sent: Thursday, September 29, 2022 7:14 PM
To: Comments
Subject: [External] Atlantic MenhadenDraft Addendum 1

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Green Category, Auto Replied

Hello my name is Andy Johnson and I'm from Harpswell Maine. I'm a lobsterman and I use fresh caught menhaden to bait my traps. Maine has been under a bait shortage for many years now, we have been fortunate to have a great menhaden resource right here at our doorstep but unfortunately have been extremely limited on how we can utilize this resource because of our very small quota. It pains me to see Maine fishermen being forced to bait their traps with non native species along with non oceanic species such as pig, because its the only thing available. Meanwhile we fishermen drive past schools of menhaden in our harbors unable to harvest them. With our current situation we are forced to buy out of state bait that is extremely expensive.

I would like to point out that when menhaden are harvested for bait, they are put back into the ocean and once again absorbed by the sea. Lobsters are not the only creature who benefits from our bait, as it breaks down tiny particles drift out of our traps and are eaten by small fish etc... I believe it is outrageous for Virginia " OMEGA PROTIEEN"to hold OVER 78% OF THE ENTIRE EAST COAST QUOTA. I do not believe reduction fishing does anything to help the ecosystem and its cycle of life, and more quota should be set aside for bait purposes only. How is it allowed in America that one company controls 78% of the entire east coast resource?

3.1. Quota Allocation

3.1.1- I ask you select Option B, quota's should be based on fish availability and need.

3.1.2- I ask you select Option 4A. I believe a moving average based on the most current years data is the best way to address menhaden availability as well as need. I do not believe using data that's 10 to 12 years old will address the needs of today's fishery. This current year Maine's menhaden fishery, including small scale fishery closed August 28th, that's approximately 2 months before the fish make their seasonal migration out of our waters. Since the closure Maine has once again been importing out of state bait.

3.2 Episodic Set Aside Program

I ask you select Option 2. Increasing the episodic set aside quota will help states like mine that have a great need as well as great resource locally. It will also reduce burden of timely Quota transfers.

3.3 Incidental/ Small Scale Fishery

3.3.1- Timing, I ask you select Option 1 status quo, we rely on the small scale fishery immediately to continue a supply of fresh local menhaden.

3.3.2- Gear Type, I ask you select Option 1 status quo, small purse seines are an important tool to insure only a specific amount of fish are harvested. I'm shocked there is even a conversation about eliminating purse seines and forcing us to use Gillnets, as gill nets kill everything they catch.

3.3.3- Trip Limits I ask you select Option 1 status quo. Any reduction in trip limits would put more pressure on our already evident bait shortage in Maine. It would also cut menhaden harvesters profit down to a point where it would not be feasible to fish.

3.3.4- I ask you select Option 1 status quo, IC/SSF should not be counted towards state allocation or coastwise TAC, we are talking about such a small percentage of harvest done by small independent fishermen.
I hope you will seriously consider
the right thing to do for Maine lobsterman.

Andrew Johnson
License # 7488

Sent from my iPhone

James Boyle

From: Matthew Clemons <matthew.james.clemons@gmail.com>
Sent: Thursday, September 29, 2022 8:14 PM
To: Comments
Subject: [External] Atlantic Menhaden Draft addendum 1

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Auto Replied

----- Forwarded message -----

From: **Matthew Clemons** <matthew.james.clemons@gmail.com>
Date: Thursday, September 29, 2022
Subject: Atlantic Menhaden
To: Matthew Clemons <matthew.james.clemons@gmail.com>

Email to comments@asmfc.org

Subject line: Atlantic Menhaden Draft addendum 1

Hello, my name is Matt Clemons and I'm from Harpswell Maine. I'm a lobsterman as well as a menhaden harvester. I use fresh caught menhaden to bait my own traps as well as sell fresh menhaden to many local fishing wharfs. Maine has been under a bait shortage for many years now; however recently we have been fortunate to have a great menhaden resource right here at our doorstep. Unfortunately, we have been extremely limited on how we can utilize this resource because of our very small quota. It pains me to see Maine fishermen being forced to bait their traps with non native species along with non oceanic species such as pig, because it is the only thing available. Meanwhile, we fishermen drive past schools of menhaden in our harbors and are unable to harvest them. With our current situation we are forced to buy out of state bait that is extremely expensive.

When menhaden are harvested for bait, they are put back into the ocean and once again absorbed by the sea. Lobsters are not the only creature who benefits from our bait, as it breaks down tiny particles and drifts out of our traps and they are eaten by small fish etc... I believe it is absolutely outrageous for Virginia "OMEGA PROTIEN" to hold OVER 78% OF THE ENTIRE EAST COAST QUOTA. I do not believe a reduction in fishing does anything to help the ecosystem and its cycle of life. More quota should be set aside for bait purposes only. How is it allowed in America that one company controls 78% of the entire east coast resource?

3.1. Quota Allocation

3.1.1 -I ask you select Option B, quota's should be based on fish availability and need.

3.1.2- I ask you select Option 4A. I believe a moving average based on the most current years data is the best way to address menhaden availability as well as need. I do not believe using data that is 10 to 12 years old will address the needs of todays fishery. This current year Maines menhaden fishery, including small scale fishery, closed August 28th That's approximately 2 months before the fish make their seasonal migration out of our waters. Since the closure, Maine has once again been importing out of state bait.

3.2 Episodic Set Aside Program

I ask you select Option 2. Increasing the episodic set aside quota will help states like mine that have a great need as well as great resource locally. It will also reduce burden of timely Quota transfers.

3.3 Incidental/ Small Scale Fishery

3.3.1- Timing, I ask you select Option 1 status quo, we rely on the small scale fishery immedietly to continue a supply of fresh local menhaden.

3.3.2- Gear Type, I ask you select Option 1 status quo, small purse seines are a important tool to insure only a specific amount of fish are harvested. Im shocked there is even a conversation about eliminating purse seines and forcing us to use gill nets, as gill nets kill everything they catch.

3.3.3- Trip Limits I ask you select Option 1 status quo. Any reduction in trip limits would put more pressure on our already evident bait shortage in Maine. It would also cut menhaden harvesters profit down to a point where it would not be feasible to fish.

3.3.4- I ask you select Option 1 status quo, IC/SSF should not be counted towards state allocation or coastwise TAC, we are talking about such a small percentage of harvest done by small independent fishermen.

James Boyle

From: David Moody <davemoody46@gmail.com>
Sent: Thursday, September 29, 2022 5:46 PM
To: Comments
Subject: [External] Atlantic Menhaden Draft addendum 1

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Auto Replied

Email to comments@asmfc.org

Subject line: Atlantic Menhaden Draft addendum 1

Hello my name is David Moody. I'm a lobster fisherman from Harpswell Maine. I use fresh caught menhaden to bait my lobster traps. Maine has been under a bait shortage for many years now, we have been fortunate to have a great menhaden resource right here at our doorstep but unfortunately have been extremely limited on how we can utilize this resource because of our very small quota. It pains me to see Maine fishermen being forced to bait their traps with non native species along with non oceanic species such as pig, because its the only thing available. Meanwhile we fishermen drive past schools of menhaden in our harbors unable to harvest them. With our current situation we are forced to buy out of state bait that is extremely expensive.

I would like to point out that when menhaden are harvested for bait, they are put back into the ocean and once again absorbed by the sea. Lobsters are not the only creature who benefits from our bait, as it breaks down tiny particles drift out of our traps and are eaten by small fish etc... I believe it is outrageous for Virginia " OMEGA PROTIEEN"to hold OVER 78% OF THE ENTIRE EAST COAST QUOTA. I do not believe reduction fishing does anything to help the ecosystem and its cycle of life, and more quota should be set aside for bait purposes only. How is it allowed in America that one company controls 78% of the entire east coast resource?

3.1. Quota Allocation

3.1.1 -I ask you select Option B, quota's should be based on fish availability and need.

3.1.2- I ask you select Option 4A. I believe a moving average based on the most current years data is the best way to address menhaden availability as well as need. I do not believe using data thats 10 to 12 years old will address the needs of todays fishery. This current year Maines menhaden fishery, including small scale fishery closed August 28th, that's approximately 2 months before the fish make their seasonal migration out of our waters. Since the closure Maine has once again been importing out of state bait.

3.2 Episodic Set Aside Program

I ask you select Option 2. Increasing the episodic set aside quota will help states like mine that have a great need as well as great resource locally. It will also reduce burden of timely Quota transfers.

3.3 Incidental/ Small Scale Fishery

3.3.1- Timing, I ask you select Option 1 status quo, we rely on the small scale fishery immedietly to continue a supply of fresh local menhaden.

3.3.2- Gear Type, I ask you select Option 1 status quo, small purse seines are a important tool to insure only a specific amount of fish are harvested. Im shocked there is even a conversation about eliminating purse seines and forcing us to use Gillnets, as gill nets kill everything they catch.

3.3.3- Trip Limits I ask you select Option 1 status quo. Any reduction in trip limits would put more pressure on our already evident bait shortage in Maine. It would also cut menhaden harvesters profit down to a point where it would not be feasible to fish.

3.3.4- I ask you select Option 1 status quo, IC/SSF should not be counted towards state allocation or coastwise TAC, we are talking about such a small percentage of harvest done by small independent fishermen.

James Boyle

From: Mike Ferrigno <llbait@yahoo.com>
Sent: Monday, September 26, 2022 7:29 AM
To: Comments
Subject: [External] Menhaden Draft Addendum 1

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Auto Replied

Mike Ferrigno, Owner of L&L Wholesale Bait

I support:

Commercial Allocation
Best for us; option 3•1•2, option 2, using 2018,2019,2021 data

We would also accept;
Option 3•1•1, option B, 3 tier
Or
Option 3•1•2, option 3A (weighted), Sub Option 1

Incidental Catch
3•3•2
Option 2, no purse seines under by catch

3•3•3
Status quo 6,000lb per day

M&M Fisheries Inc. Dba
L&L Wholesale Bait
P.O. Box 556
Islip, NY 11751
(1)-631-224-9675

James Boyle

From: Michele Ferrigno <shellyferr@gmail.com>
Sent: Monday, September 26, 2022 7:30 AM
To: Comments
Subject: [External] Menhaden Draft Addendum 1

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Auto Replied

Michele Ferrigno, President & Owner of L&L Wholesale Bait

I support:

Commercial Allocation
Best for us; option 3•1•2, option 2, using 2018,2019,2021 data

We would also accept;
Option 3•1•1, option B, 3 tier
Or
Option 3•1•2, option 3A (weighted), Sub Option 1

Incidental Catch
3•3•2
Option 2, no purse seines under by catch

3•3•3
Status quo 6,000lb per day

James Boyle

From: Nikolas Fountis <nikofountis@gmail.com>
Sent: Monday, September 19, 2022 4:26 PM
To: Comments
Subject: [External] Menhaden Draft Addendum 1

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Auto Replied

I support:

Commercial Allocation
Best for us; option 3•1•2, option 2, using 2018,2019,2021 data

We would also accept;
Option 3•1•1, option B, 3 tier
Or
Option 3•1•2, option 3A (weighted), Sub Option 1

Incidental Catch
3•3•2
Option 2, no purse seines under by catch

3•3•3
Status quo 6,000lb per day

James Boyle

From: Abbey Ferrigno <abbeyferrigno3@gmail.com>
Sent: Monday, September 19, 2022 4:22 PM
To: Comments
Subject: [External] Menhaden Draft Addendum 1

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Auto Replied

ABBEY FERRIGNO; L&L Wholesale Bait, Bay Shore NY

I support:

Commercial Allocation
Best for us; option 3•1•2, option 2, using 2018,2019,2021 data

We would also accept;
Option 3•1•1, option B, 3 tier
Or
Option 3•1•2, option 3A (weighted), Sub Option 1

Incidental Catch
3•3•2
Option 2, no purse seines under by catch

3•3•3
Status quo 6,000lb per day

From: [Aaron Graves](#)
To: [Comments](#)
Subject: [External]
Date: Thursday, September 29, 2022 5:42:06 PM

Email to comments@asmfc.org

3.1. Quota Allocation

3.1.1 -I ask you select Option B, quota's should be based on fish availability and need.

3.1.2- I ask you select Option 4A. I believe a moving average based on the most current years data is the best way to address menhaden availability as well as need. I do not believe using data thats 10 to 12 years old will address

the needs of todays fishery. This current year Maines menhaden fishery, including small scale fishery closed August 28th, that's approximately 2 months before the fish make their seasonal migration out of our waters. Since the closure Maine has once again been importing out of state bait.

3.2 Episodic Set Aside Program

I ask you select Option 2. Increasing the episodic set aside quota will help states like mine that have a great need as well as great resource locally. It will also reduce burden of timely Quota transfers.

3.3 Incidental/ Small Scale Fishery

3.3.1- Timing, I ask you select Option 1 status quo, we rely on the small scale fishery immedietly to continue a supply of fresh local menhaden.

3.3.2- Gear Type, I ask you select Option 1 status quo, small purse seines are a important tool to insure only a specific amount of fish are harvested. Im shocked there is even a conversation about eliminating purse seines and forcing us to use Gillnets, as gill nets kill everything they catch.

3.3.3- Trip Limits I ask you select Option 1 status quo. Any reduction in trip limits would put more pressure on our already evident bait shortage in Maine. It would also cut menhaden harvesters profit down to a point where it would not be feasible to fish.

3.3.4- I ask you select Option 1 status quo, IC/SSF should not be counted towards state allocation or coastwise TAC, we are talking about such a small percentage of harvest done by small independent fishermen.

From: [Adam Ulrickson](#)
To: [Comments](#)
Subject: [External] Pogies
Date: Monday, August 29, 2022 8:31:33 PM

The lobster industry is being pressed hard enough from both ends of the spectrum. Pogies are my staple for lobster bait. The cost to date 260.\$ a barrel. If the pogies aren't available the only option we have is frozen bait and that's more expensive than fresh. We need another source of bait to stay alive. If we had 5percent of the quota we wouldn't be having this problem I don't think 5 percent is to much to ask

Sent from my iPhone

From: [Andrew Clemons](#)
To: [Comments](#)
Subject: [External] Atlantic menhaden draft Addednum 1
Date: Friday, September 30, 2022 10:08:42 PM

I am a lobsterman and pogie fisherman from Maine. I believe the quota system is flawed and needs to change, Maine needs a lot more quota to be fair.

I fish in all pogie allocations with a purse seine and rely on the small scale fishery to supply myself and other lobstermen with fresh bait. Purse seining should never be eliminated from the small scale fishery as it is the most efficient way to catch only our daily limit.

From: [Andy Thomas](#)
To: [Comments](#)
Subject: [External] Atlantic Menhaden draft addendum 1
Date: Thursday, September 29, 2022 9:54:05 PM

Hi James Boyle

I am writing about the draft in regards to small scale fisheries. My apologies if this is the wrong place to share my concerns.

I am located in Hull Massachusetts just south of Boston. I am a 4th generation lobsterman. I have small scale permit to catch 6000 pounds with a purse seine. I noticed the draft options include eliminating purse seines or lowering the limit to 4500 or 3000 pounds.

The other nets besides purse seine are not really effective. Gill nets for example are not effective or easy. Waste a lot of time for not many fish.

I don't think it's right to limit the small guys from scraping out a living by catching bait for family and friends. If there is a problem with quotas or fish population, the small scale fishery of Massachusetts is probably the last place I would look to make cuts.

Makes up tiny fraction of fish caught.

Lobstering has become very difficult with fuel costs, bait costs, and so much more.

Can't speak for the other states but I don't think the Massachusetts small scale fishery is having much of an impact on the Menhaden stocks.

Thank you for your time.

Andrew Thomas
Hull Massachusetts

Sent from my iPhone

Sent from my iPhone

From: [Brandon Doucette](#)
To: [Comments](#)
Subject: [External] Atlantic Menhaden Draft Addendum
Date: Thursday, September 29, 2022 6:42:35 PM

Submitting comment on behalf of my father Philip Doucette from Kittery, Maine.

He has been a full-time lobsterman since 1975. He uses a small 60 fathom long by 6 fathom deep purse seine to catch menhaden for lobster bait on his 36 foot boat. All menhaden caught are used by himself or his sons for bait, none are sold. Anything caught over our daily limit is immediately released alive and unharmed, this includes any bycatch inadvertently caught. This cannot be done with some other gear types such as gill nets. We use a brailer net to dip the fish and allows us to count the amount of fish as we take them out of the water. New England, particularly Maine needs more quota, we are seeing more fish migrating from the south every year. The fish we catch are larger, more mature fish than the ones caught down south. This means the fish caught up here account for fewer individual fish taken out of the water. Fewer individual fish caught must be good for the resource.

These are the options we support:

-3.1.1 option B, because this reduces minimum for states not utilizing the resource. Allows for rest to be distributed to states that need them before going to in-season transfers.

-3.1.2 option 4B, because this allows for most current time-frame to set quotas and not a select few years. The fish are clearly migrating more north and the current fishery and landings reflect that. Historical years should not be used to calculate TAC as a number of factors could have caused a state to not participate in the fishery (such as Maine's primary use of herring for lobster bait prior to the herring stock collapse).

-3.2.1 option 2 and sub-option 2, this allows the most flexibility, should reduce quota transfers to states that have had to recently rely on them to keep fishery open.

-3.3.1 option 1, this allows individual states to manage how their TAC is utilized.

-3.3.2 option 1, Maine must be allowed to continue using purse seines. It is the only efficient way we can reliably catch our daily limits.

-3.3.3 option 1, 6000 pounds allows us to catch an entire week's worth of lobster bait in 1 day. This allows us to go lobstering the rest of the week. Option 2 (4500 pounds) would be acceptable but we may have to go 2 days per week. Maine DMR didn't let us fish consecutive days in the small scale fishery (only could go on set days), would have been convenient to select days we wanted to fish. Option 2 or 3 would be difficult to rig up the boat for menhaden multiple times per week, as it takes us about 3 hours just to get boat ready for seining, and another 3 hours to take the seine gear off so we can go back to lobstering.

3.3.4 Oppose both options. Both allow for potential removal of specific gear types in IC/SSF. Removal of purse seine gear in Maine would nearly eliminate this fishery for us. We have tens of thousands of dollars invested in purse seine gear. 2022 was the first year we were able to use it due to Covid-19 supply issues.

Thank you for your consideration,
Brandon Doucette

From: [Charles Bennett](#)
To: [Comments](#)
Subject: [External] Atlantic menhaden draft addendum
Date: Thursday, September 29, 2022 7:31:12 PM

To whom it may concern:

My name is Charles Bennett from Sorrento, Maine. I'm a commercial lobsterman and menhaden fisherman. Please let it be known that I'm in favor of the following parts of the Atlantic menhaden draft addendum:

In regards to 3.1.1 I'm in favor of option B the three tiered fixed minimum approach.

3.1.2 I'm in favor of option 2 using the timeframe of 2018,2019,2021 to base allocating qouta.

3.3.2 I'm in favor of option 1 which would leave the permitted gear types in the incidental fishery the same as it is. Removing purse seines would negatively impact my business as well as the rest of Maines menhaden fishery and lobster industry which so heavily relies on menhaden for bait. It would force fishermen to switch to gill nets which will hurt the resource as it kills everything that enters the net even if it will put the fishermen over his daily qouta thus removing more menhaden then is necessary or allowed.

3.3.3 I'm in favor of option 1 leaving the daily trip limit at 6000 pounds per vessel during the incidental fishery.

Thank you for your consideration,
Charles Bennett

From: [Charles Gebhardt](#)
To: [Comments](#)
Subject: [External]
Date: Friday, September 23, 2022 7:33:13 AM

Hello I'm a commercial fisherman from Maine. I am in favor of keeping the personal use license for bait. I support increasing Maine's commercial menhaden quota. Fisherman should continue to be allowed to use purse seines to harvest menhaden as many have already invested in them. It makes know difference if you harvest x amount with a gill net verses a purse seine.

Sent from my U318AA

From: [Charlie Smith](#)
To: [Comments](#)
Subject: [External] Comment on the piggy fishery from Charles Smith life long lobster fisherman
Date: Thursday, September 22, 2022 11:37:08 AM

I live in Downeast Maine and we just started seeing the mannhadian in my area in last couple years and we're able to catch them this year it was awesome one of the reasons I was able to keep lobstering on the low prices .as a family with kids that fish we all worked together for our bait ended up getting 9nto it enough to sell some . Maine certainly needs more quoter we are the market and the high price of bait is strangling our fisherman amongst other issues .as far as purse saines I can't imagine there's a better way to catch them we dip our limit and let the rest go in hurt very environmentally friendly as for gillnets not so much they kill everything there's no way to manage taking just your limit . Also if you was to lose it or or a piece get ripped up it would keep on killing .as a Maine lobster fisherman I'm asking you guys to give us more Wouter and allow fisherman to keep the purse saines we already have because it's the best way to catch em for us and the resource . Sincerely a 4th generation lobster fisherman and mannhadian fishermen Charles Smith .

[Sent from Yahoo Mail on Android](#)

From: [Chris George](#)
To: [Comments](#)
Subject: [External] proposed changes to menhaden fishery
Date: Monday, August 29, 2022 2:36:38 PM

Hello ASMFC,

Please accept my input on proposed changes to the Atlantic Menhaden fishery.

Do not increase the catch limits. The fishery needs to back down in order to leave menhaden as forage. Reduction fishery is a consolidated business not benefitting the small scale fisher which is top heavy for fishing society, and needs trust busting basically. In fact, in the IC/SSF practices leave the small scale fishery the scraps AFTER the large scale commercial catch quota. This is upside down. Also menhaden oil is not worth having at the cost of the fish. As a lab product there are other fats to experiment on, and the same with protein sources etc. Menhaden is not a sustainable fishery by nature.

As a recreational fisher from Massachusetts I think the rising catch percentages here versus Virginia and the higher states are not a good sign. MA has too too much invested in the environment for recreational purposes to be a catch leader for forage fish. Doesn't make sense: everyone sees the seals and how they are make the shoreside life a little nicer (probably 99% of Mass. residents work on land and aren't affected by seals). Recreationally fishing culture is huge and the bass need the food. Whalewatching is huge and the whales need the forage. etc. I will admit some of my thinking is influenced by the book the Most Important Fish in the Sea. However, as a commercial aquaculturist I can say that an herbivorous fish (where menhaden is the only one I know of) serves the same ecological function of filtering and nitrogen removal touted by proponents of putting more oysters in the water. It only makes sense to ease pressure on this fish stock as it affects N removal, a huge ecological problem tied in with housing issues and septic containment on Cape Cod! Increasing the fishery really is a bad idea.

Sincerely,

Chris George
(508) 310-3021
Yarmouth Port, MA

From: [Cody A Gillis Jr](#)
To: [Comments](#)
Subject: [External] Atlantic Menhaden Draft Addendum I
Date: Wednesday, September 28, 2022 7:27:17 PM

Good evening,

I'm a maine menhaden seiner and am submitting comments for the draft addendum.

I believe it is time for Maine to be awarded more quota. 5% would be a good start, and there should be No talk of removal of directed gear (purse seines) for the small scale fishery. If you allow us to catch 6000lbs a day for small scale, what difference does it make how we get it? With a purse seine we take our allotted daily limit and the rest are set free unharmed. A gillnet has an almost 100% mortality rate and if you catch over the limit those fish are released from the net dead.

I know these comments are probably a waste of time as omega protein and Lunt seafood have probably already been lobbying to retain their blatantly ridiculous amount of quota, but it's my two cents and it's time for a more equitable fishery for ALL ATLANTIC STATES.

Sent from my iPhone

From: [Dale Prentice](#)
To: [Comments](#)
Subject: [External]
Date: Wednesday, September 21, 2022 1:18:32 PM

In reference to the 3 Menhaden issues.

As back in the 80's and early 90's Maine

received permits for joint ventures of 40,000 Mt

@ yr. for 6 years plus some Boats landed around 12 million lbs in both Black's Harbor New Brunswick and Matagan Nova Scotia during those yrs.

I would certainly Hope that ASMFC would approve the maximum of 4.8% of theTAC for the State of Maine as well as the maximum of 5% set Aside for the Episodic Quota.

It seems to me that if this was the case Maine could fish most of the Season on Quota and maybe not even have to resort to the Small Scale Fishery

The Small Scale Fishery should br left at status

quo just as a back up with no large amount of fishing under this option

thanks for your consideration of
these comments

Dale Prentice

From: [dan morris](#)
To: [Comments](#)
Subject: [External] Menhaden Rule Proposed Changes
Date: Tuesday, August 30, 2022 9:07:52 AM

As a Maine lobster fisherman, I have seen some dramatic changes in the availability of bait in the last few years. Our go-to bait for many years has been herring, but that fishery has been cut back so much that we have had to use more menhaden than ever before. Menhaden have historically come to Maine waters for a long time, but were never fully exploited. Now, we are seeing Menhaden in large numbers all along our coast, and the need for them as lobster bait has increased exponentially. With our warming waters, it is certainly possible that we here in Maine, will see even more fish in the coming years. The lobster fishing business in Maine is one of this state's major economic drivers, and without a steady, affordable supply of bait our economy will suffer as will the way of life that generations of small fishing village people have known. It is imperative that ASMFC allocates as much Menhaden quota as possible to Maine to support the lobster fishing industry. Each fisherman is his/her own small business and the long-term health of these businesses depends upon you actions. Thank you for allowing me to comment.

From: b4noon@tidewater.net
To: [Comments](#)
Subject: [External] Atlantic Manhaden Draft Addendum 1
Date: Thursday, September 29, 2022 7:43:33 PM

Greetings,

First, The in person meeting felt positive and beneficial but it was structured wrong. You should record every minute of the meeting. Most of the constructive criticism happens in the first half hour.

Second, Do not outlaw purse seines. They are the best way to capture fish alive and let go unharmed, every time. If you have a bi catch or wrong species at all you simply release them unharmed.

Third, Gill nets kill everything that swims into them. They have a 25% mortality rate of unretrievable fish. And another 10% that is barely alive swimming away extremely damaged. And gill nets are labor intensive.

Fourth, Labor is very hard to come by. We should be able to fish a weekly quota any day we choose.

Fifth, The quota should be split 8% per state.

Thank you for fighting for more quota, Maine Lobstermen need bait.

David Noonan 207-446-8002

From: [David Strout](#)
To: [Comments](#)
Subject: [External]
Date: Wednesday, September 28, 2022 4:59:32 AM

I was at the meeting , The problem is in the leadership of Maine allowing a unfair corrupt management from Virginia who get a unfair amount or quota dictate the fate of Maine fisherman. I being one who will not be eligible to fish in 2023 over it. Because of the corrupt loss of my license I believe Maine can be trusted to take its own fair amount of the quota and endorse leaders who stand up for Maine. Our problem here is in leadership ,due to be replaced,. our journey has just begun. investigate foreign companies who will be the selling point as we recruit allies . I will spend the rest of my life organizing to destroy everything you created as you have destroyed what I have created with years of my blood sweat and tears... I don't recognize you sorry

David Toby O'Connell

4 Blueberry Lane
Rockport, MA 01966
978-836-9760
davidtobyconnell@yahoo.com

Atlantic States Marine Fisheries Commission
Re: Draft Addendum I to Amendment 3 of the
Atlantic Menhaden Interstate Fishery
Management Plan for Public Comment

September 21, 2022

Dear Atlantic States Marine Fisheries Commission-

I appreciate the opportunity to comment on the addendum options. I am writing this letter in response to my attendance to the September 14, 2022, meeting held in Gloucester. I am a single boat owner/operator in Rockport, Massachusetts. I am also a commercial lobsterman. I am a third-generation fisherman and my brother goes fishing as well. I am an active member of the Pigeon Cove Fisherman's Cooperative. I have been lobstering since I was very young and with the rising cost of bait to go lobstering, added an endorsement to my license to go menhaden purse seining. I catch these fish at the current limit of 6,000 pounds per day to use for bait in my 800 traps. I would go seining 2 days a week on my days off from lobstering. This year I didn't catch enough for my bait needs for the season, despite filling my cooler. With a shortened season, it would be even more difficult to offset my bait needs. To give you an idea, menhaden was selling for \$265/barrel this summer. A barrel is about 350 pounds. That comes out to \$0.78 per pound for these fish. They are very expensive to purchase, and I was trying to offset my expenses, as I use the equivalent of \$1,060/day of menhaden in my 400 lobster traps that are hauled each lobstering day.

I was very disappointed to hear that the council is considering the elimination of the 6,000 pounds per day fishery. The comments made by larger bait selling operations were totally erroneous in regard to the small-scale fishery boats. We catch a fraction of the quota in a sustainable, and reportable manner. In my case, it is for personal consumption and not for profit.

In terms of which option presented at the meeting and in the addendum, I have the following thoughts and concerns:

I disagree with Option 2 on page 13 of this report. "2018, 2019 & 2021 The quota allocation timeframe is based on the most recent average landings from 2018, 2019, and 2021. This timeframe reflects the most recent landings history and is more likely to align with current

stock distribution but does not reflect previous stock distribution or fishery performance." This should be considered most heavily based on the market and needs of the fishery. The report omits "historical fishery performance" but this fishery and its purpose have had a strong social and economic shift in the last few years that desperately needs to be prioritized to support the lobster and fishing industry. The crisis for lobster bait has steadily increased over the past few years due to the herring shortages along with the rising cost of importing frozen bait from Canada, Europe and Asia. Without the ability to use menhaden in lobster traps, people are increasingly using animal hide (pig/beef) for bait. To give the council an idea of the presence of it as bait, it's used by approximately 75% of the fishing lobster boats this season to try and offset bait expenses and its ease of availability. The economic impact of taking the 6,000 pounds per day limit away will further exacerbate the lobster bait shortage/crisis.

From the report, page 22/23, Section 3.3.1 Timing of the IC/SSF Provision, I support Option 1. No change/Status Quo. It is critical the 6,000 lb daily catch allowance be maintained to support small scale fisheries, day boats, etc. who play an important role in supporting additional small businesses such as bait for lobstering and those like myself who are trying to catch my own bait. A proposed 3,000 lb limit would make it impossible against fuel/crew expenses to make the day trips worthwhile. It would make it financially impossible to leave the dock. It would have a substantial impact on the bait supply, as this is often a locally driven demand/market as a secondary fishery. It will put unnecessary economic hardship on small businesses like mine.

Page 23 of the report, Section 3.3.2 Option 1 removal of specific gear types- I support that no removal of gear types is implemented. Without the small-scale seining boats like myself participating in the menhaden fishery, this will create a higher bait price for the lobster fisherman left in the market. This type of harvesting is a small portion of the allowable quota and done in a manageable, reportable, and responsible manner. The economic impact to the fishing industry with the small-scale seining boats taken out would be catastrophic. The bait expense could not be able to be covered and there would an inability to go lobstering for my business without lobster bait.

I also disagree with the use of gillnets. I would never suggest this as there is a 100% mortality rate with the use of gillnets. The best part of small purse seines is that all the fish released are alive and well and there is no negative bycatch associated with this equipment type.

Page 24; 3.3.3 Trip Limit for Directed Small- Scale Fisheries of IC/SSF Provision. I support Option 1, no change to the trip limit. As I explained earlier in my comments, 6,000 pounds is a small amount for the amount of menhaden used by my single lobster boat/operation. I use the equivalent of four barrels per day (allowable 17 barrels per day of catch for perspective on how many barrels are used out of 6,000 pounds per day) and I go lobstering four days per week. That comes out to 16 barrels per week. With only going menhaden seining one-two days per week, I catch the amount I use roughly in one week and trying to fill my cooler for September

and October. It's not a large amount that is wasted or in excess. Without the ability to catch my own lobster bait, the economic impact on my business and those like mine would be crippling.

Thank-you for the opportunity to comment from an owner/operator purse seining menhaden boat. Thank-you for your time and consideration.

Warm Regards,

David Toby O'Connell

From: [Denise Hylton](#)
To: [Comments](#)
Subject: [External] Atlantic. Menhadin draft addendum 1
Date: Thursday, September 29, 2022 2:26:31 PM

Hello,

i am a Maine resident and we have a summer camp in Milbridge. Twenty years ago there were pogie schools in Narraguagus bay. One or two small boats netted them for lobster bait. This year we counted five large trawler type boats in Narraguagus bay netting pogies. On a sunday in August a minke whale came through the bay after pogies. I am for limiting the pogie catch. We have fished out the cod and herring. Now the pogies are in danger of being fished out too. Why? to feed the lobster industry. It takes years of feeding our native fish to a lobster for it to make one meal. We need a sustainable future fishing program. Let's start now. i vote to stop or limit the taking of native fish for bait.

Thank you,

Denise Hylton

P.o. box 206

Washington Maine

04574

From: [Doug.Laura McLennan](#)
To: [Comments](#)
Subject: [External] Atlantic Menhaden Draft Addendum I
Date: Sunday, September 25, 2022 5:44:38 AM

I am writing this letter in support of our small boat fishery in Maine targeting Atlantic Menhaden. This fishery has been growing for the last few years and has become a very important part of coastal communities. Not only has it provided much needed income in this tough economy, but it also provided a new bait source for the lobster industry. The bait resource is local and fresh, and doesn't require expensive trucking cost, keeping the price lower for fishermen. As with any fishery, management is a vital part of ensuring we are able to continue to harvest. It seems that fisheries management has turned into over regulation, managing the fisherman out of business. We as fishermen here in Maine have very few fisheries left that haven't been regulated down so much that we are left with no means to make a profit. We as fishermen need enough quota to make it profitable to fish for whatever species we are allowed by the government. In Maine we have a very difficult situation with Pogies. We have three events in which we can harvest. Our entire market is the lobster industry. We need to be able to supply them with a steady supply of bait throughout the season, and coincide with when the fish are in our state waters. The current 3 quota system we have now doesn't do that. The episodic event gives us quota in June, when the lobsters are shedding, and trap activity is low. This quota works for bait companies that have the resources to store bait, but raises the cost of bait, because salt and storage by refrigeration are required. If we could rework the quota to a single system where we have the summer months to harvest, it would ensure that we have access in the late summer, early fall months. My second concern is that we may be banned from using purse seines. All of the coast that is under management for ASMFC uses mainly seines for harvest. The small seines we use are the cleanest form of harvest. We have other species of fish that are abundant, but protected by law to not harvest. The seine allows for those fish to be released without harm. We are the equal on a daily catch limit. Using a seine allows for the extra fish caught to be released alive. The idea of using gill nets should never be considered. Gill nets are the absolute worst method of fishing. The gill net kills all that is caught, and also catches unwanted species. If your intent on regulation is conservation, gill nets should be removed from this idea. This idea is coming from other states that want Maine to not harvest. We have a council that gives the southern states power over us smaller northern states.

This year our state tried to suppress the amount of effort in our emerging fishery. I wonder if this wasn't done on purpose to mess up the opportunity of a new fishery. The State of Maine has a prior history of making a total disaster of limiting effort. No attention was needed in effort, but when people are threatened with removal of access, they are going to meet the requirements for a license. The state went from around 300 participants, to around 900 by requiring a 25,000 pound history. This was the last open resource that a person could purchase a license for. By requiring a 25,000 pound requirement to keep your license, the state forced a huge influx of pressure on the activity level. The state has done this in every other fishery they have mismanaged. It causes a rush to maintain the right to access a means of income. They have removed the meaning of being a fisherman, to rely on only the lobster. We used to be able to jump to other fisheries, but no more. Management was not meant to eliminate access, but to ensure economic prosperity. We have lost this vision of fishery management. The rules that emerge become so complicated that it is hard for the average man to comprehend the terminology, and the intent. I believe next season will see less activity because of the fulfillment of requirement of the state regulation.

It would be nice if the method to manage fisheries would include input from the harvester. Times are tough enough now to survive in this business. The people making the laws have no idea what it takes to keep a business in any fishing industry viable. How can someone invest in their future when at any time the fishery could be closed, or worse, have so many regulations added that you just can't make ends meet? We have invested a considerable amount of money in the gear required to catch pogies. This is an investment for a small business that may seem small to a large corporation, but is huge to a small family. I have seen this time and time again. It's like a test to see how much one can endure.

The menhaden resource has been moving north for the last couple years. The southern states do not like us catching our own fish I understand. We should have the same access as the southern states. We use small nets, and have small boats. We also have regulations that limit the threat of over harvest. Maine catches a small amount of resource compared to Virginia. Our roughly 12 million pounds hardly compares to 300 million pounds. Many families are dependent on quota, and access to fish in Maine. This resource has taken some pressure off the lobster fishery. It has provided bait, and also removed some effort from lobster fishing.

In closing, I would like that an open mind is considered when choosing the path for our future. Our state is on the verge of a coastal collapse if the lobster industry is shut down with federal regulations pertaining to the Northern Right

Whale. Our state is abundant with fish, but no access is available. If the federal government was willing to release some permits for ground fish we would ensure a future for our families. I would like to see a small boat permitting process develop to utilize emerging resources. The small boats aren't what put us where we are with management, but our fisheries were pressured with the decisions in the federal regulations with ground fish, herring, and scallops. The government was influenced by corporations with lobbyist, and the family owned and operated vessels have all but disappeared. The lobster fishery is what bailed out the displaced fishermen. We need access to ensure our future. The resources are there. Thank You for your time. Doug McLennan ,Spruce Head , Maine

September 30, 2022

Duncan Haass

Maine Lobsterman

Commercial Menhaden License Number #27314

(207) 479 - 6377

To The Atlantic States Marine Fisheries Commission,

My name is Duncan Haass and I am a second-generation lobsterman. I am passionate about the lobstering industry and fully support the other aquaculture that takes place in Maine waters. With the recent cutbacks on the herring quota and the increase in price for any frozen bait, Atlantic Menhaden, often referred to as Pogies in our local fishing community, have been a blessing to Maine fisheries and aquaculture. I support an increase of Maine state Atlantic Menhaden quota, as well as continuing the use of purse seines in the small scale fishery.

Our Maine lobster industry is one of a kind. We indirectly provide nourishment for juvenile lobsters, put measures in place to protect female lobsters, and have legal size requirements - all proof that lobstermen acknowledge the importance of sustainable harvest. To support and maintain this sustainable harvest of lobster, fishermen need bait. Experience has proven that the fresher the bait, the more likely a fisherman is to have a good catch. A good catch results in more income, which goes back into the local Maine economy, by supporting deckhands and the various other local companies that commercial fishermen rely on to keep their businesses running. I employ two deckhands year-round who depend on me to provide for them and in turn, support their own families. Having a commercial Menhaden license has allowed me to expand my business and explore other aquaculture opportunities that Maine waters have to provide.

The Maine Menhaden industry is sustainable because it is a gentle fishery and it is honoring the life cycle of the fish. Through my experience, I have seen that using a gillnet to catch fish harms the fish more than using a purse seine. Purse seining allows for a quicker, more efficient harvest. This style of fishing helps commercial fishermen adhere to a catch and release policy that does not harm the fish that exceed their quota and are released back into the ocean.

September 30, 2022

The state of Maine uses about nine percent of the Total Allowable Catch (TAC) for bait. We catch about 4.5 percent ourselves through state allocation and small scale fisheries. The rest of the bait that we use has to be transported into the state. This results in more trucks on the road as well as congesting the roads with extra traffic. I recognize and appreciate the regulations that have been put in place by the Atlantic States Marine Fisheries Commission. However, I believe that we should increase the Menhaden quota so we can continue to support our local community while also working to reduce the carbon footprint associated with commercial fishing.

According to the NOAA Fisheries website, “Menhaden support an important commercial fishery. They constitute the largest landings, by volume, along the Atlantic Coast of the United States. Menhaden are harvested for use as fertilizers, animal feed, and bait for fisheries including blue crab and lobster.” I support an increase of quota and continuing the use of purse seines because it supports the local Maine economy, it allows commercial fishermen to continue practicing sustainable harvest methods, and it reduces the carbon footprint that is tied to commercial fisheries.

Thank you for your time and consideration,
Duncan Haass

Works Cited:

Fisheries, NOAA. “Atlantic Menhaden.” *NOAA*, 30 Sept. 2022,
<https://www.fisheries.noaa.gov/species/atlantic-menhaden>.

From: [Emily Haslett](#)
To: [Comments](#)
Subject: [External] Atlantic Menhaden Draft Addendum I
Date: Thursday, September 29, 2022 11:12:55 AM

To the Atlantic Marine Fisheries Commission,

I am writing to you as a seasonal resident of Milbridge, Maine, and as an oyster farmer. I would like the Commission to impose stricter catch limits on Menhaden in the Gulf of Maine. I have watched the increase in fishing boats catching Menhaden and the subsequent decline of coastal birdlife and marine mammal life with the decreased presence of Menhaden.

I have spent significant time in Narraguagus Bay in downeast Maine. Over the past twenty years, I have witnessed the disappearance of starfish (sea stars), mussel beds, soft shell clams, sea urchins and sea cucumbers to name a few. Osprey used to visit the cove often at low tide, catching fish easily and flying off. The cove was alive with flounder and other small fish. Osprey now come, hover for extensive periods of time and leave with nothing. Lobster boats that used to be followed by huge flocks of noisy seagulls, now have no birds following them at all. I know you too have witnessed the demise of the coastal ecosystem due to increasing temperatures, acidification and overfishing.

As you know, the decline of sea life feels dire on so many levels and there is no doubt that human activity has played a huge role. In the past three to four years, there has been a shocking and delightful turn as the Menhaden or "pogies" have arrived in increasing numbers. Bird life has increased, and we have witnessed wild evolution before our eyes. Seagulls are catching Menhaden too large to consume. They peck at them until a heron comes to steal it, or a crow comes to help out. Osprey now graze the bubbling Menhaden filled waters and catch a fish in a novel way, hovering rather than diving. It has been painful to watch a heron desperately attempt to catch one with its long legs dangling just above the water. Seals abound in ways we've never seen before. And amazingly this August, in Narraguagus Bay, a Minke whale was seen devouring "pogies." It was a beautiful sight.

That said, I was extremely concerned when Menhaden commercial fishing boats, five at a time, spent all day Monday, Wednesday and Friday, prowling the waters with their nets in August. Their catch was enormous, and life in the Bay diminished significantly. No longer were there playful seals or flocks of cormorants catching fish. It was painful to watch, especially remembering how overfished the cod and herring have been.

My concern led me to reach out to our DMR wardens who assured me that Maine's Department of Marine Resources is working on this, which is why I am writing to you today. I want to voice my vote for increasing restrictions on Menhaden catch in the Gulf of Maine. While I respect the need to support livelihoods for bait fisher families, I also want to cast a vote for the ecosystem-- for foraging fin fish, coastal birds and marine mammals. I do believe our oysters are regenerating the surrounding waters and attracting Menhaden. It is then awful to watch the sizable schools be captured in one net haul.

We have a chance to do this right, to strike a balance to an ecosystem that is dying on so many levels. The Menhaden are a gift to the foraging fin fish, coastal birds, and marine mammals. May we please find a way to share so that we don't fish them out completely once again, preventing any regeneration of ocean life, so critical on so many levels?

I am happy to give testimony if that would be helpful.

With thanks for your consideration and wise decision making. We don't have many chances left.

Gratefully,
Emily Haslett
Milbridge, Maine
(781) 308-3888

From: [Foster Bartovics](#)
To: [Comments](#)
Subject: [External] Atlantic Menhaden Draft Addendum 1
Date: Thursday, September 29, 2022 10:00:28 PM

My name is Foster Bartovics, I am a commercial menhaden harvester from North Haven, Maine. I use my catch primarily for bait in the lobster fishery.

under state allocation:

I support step one option B and step 2 option 4B

under EESA:

I support the status quo

under the IC/SSF provision:

I strongly support the status quo option for permitted gear types. The majority of small vessels engaged in commercial menhaden fishing in Penobscot bay are rigged as purse seiners. Purse seining is the most effective and sustainable method for catching menhaden on a small commercial scale. Not only is this method efficient and practical for catching fish, but it also allows us to safely release any fish over the daily limit. Although I would rather have a status quo for trip limits under IC/SSF, I would strongly support a decrease in daily limits over removing the purse seine from the allowable gear types.

Thank You

40 foot F/V Jamma Jac, Inc.
Fishing port Frenchman's Bay, Maine
September 28, 2022

Dear ASMFC,

This letter is in support of:

3.1.1 Option B Allocation.

3.1.2 Option 2. Allowing Maine to increase its quota.

The F/V Jamma Jac has purse seined for the past 3 years. There is such an abundance of large menhaden here. The menhaden are larger here than the menhaden in southern New England. Due to the size of the fish, we harvest less fish in comparison to southern New England States.

F/V Jamma Jac goes scalloping and purse seining. Fishing for menhaden makes up 65 percent of the boat's income. The lobster fisherman heavily rely on affordable, fresh, locally caught menhaden. Affordable bait is a key commodity for Maine's lobster industry. The herring quota has been cut, so the F/V Jamma Jac depends on purse seining menhaden.

This fishing vessel supports 3.2.1 option 2.

It is important to the fishing vessel Jamma Jac to fish with a purse seine. Purse seines are a proven sustainable fishing gear that allow fishermen to catch and release fish and other marine species unharmed. Using a purse seine is less wear and tear on the crew and on the boat.

We ask for support on 3.3.2 option 1. Status quo.

Thank you,

F/V Jamma Jac, Inc.

Sorrento, Maine

From: [Galen Plummer](#)
To: [Comments](#)
Subject: [External] atlantic menhaden addendum1
Date: Wednesday, September 21, 2022 5:15:33 AM

this is an important issue for 2 fisheries, the menhaden fishery but also the lobster fishery as it helps in keeping operation costs down for many fishermen. understandably with 12 million pounds caught under the small scale fishery in 21 would cause alarm but i feel if the state quota and the eposodic fishery in Maine would make it so we rely less on the small scale fishery. i also feel that keeping the status quo as far as gear requirements is a must. gill netters will never keep up with the demand and are indiscriminate.

thank you
Galen Plummer, fisherman out of Corea Harbor

From: [Henry Whetham](#)
To: [Comments](#)
Subject: [External] Menhaden comment
Date: Wednesday, September 28, 2022 12:31:45 PM

To whom it may concern,

I was lucky enough to get involved in the menhaden fishery 5 years ago soon after they returned to casco bay in Maine. The first year w/ a gill net and I've since moved on to a purse seine. There is no question a purse seine is a more efficient and clean way to fish. You can set the net around a school of fish, take what's needed and release anything additional unharmed. The idea of eliminating the purse seine from the small scale fishery seems ridiculous to me as it is the cleanest fishery I've ever seen and I am very strongly opposed to any move to restrict the use of a seine.

My other concern relates to the resource itself. As a lobsterman I see bait that comes from up and down the eastern seaboard and the pogies that are delivered to us from Virginia through New Jersey are often far to small! It seems obvious to me that if your fishing on the young, immature schools that don't have the opportunity to reproduce, it's just a matter of time before the stock is negatively affected.

When lobstering we bait a trap with 3 or 4 of our local pogies but it takes between 10 and 14 fish to get the same mass from the pogies that are trucked up here from VA & NJ. I truly don't understand how so much concern can be made of quotas and the TAC without paying any attention to the size of the fish that are being caught. Between VA and NJ I believe they have 89%of the quota. The state of maine currently has .52%. So if they have 180 times the quota we have and their avg fish weighs 1/3 of what ours does, that means they're catching 540 fish to our 1. Those 540 fish never had the opportunity to reproduce while our local fish have several times. This is not responsible resource management and I fear unless steps are taken to change this practice of fishing on zeros, our future is bleak.

Thank you for your consideration.

Henry Whetham
Chebeague Island , Maine

From: [hugh bowen](#)
To: [Comments](#)
Subject: [External] Public hearing-Atlantic menhaden addendum
Date: Wednesday, August 31, 2022 7:05:40 PM

My public comment – the state and federal governments are destroying our fisheries by over regulation, we are in and have been in a stranglehold. Fisherman need the ability to catch what they can when they can. We are about two generations away from being out of your hair. To get to the point, to even think about banning seining fishing for menhaden during the ME state small-scale fishery and only allowing Gillnets, is about as silly as me taking a hammer and intentionally hitting my thumb. Thank you for my precious time, Hugh Bowen.

Sent from my iPhone

Atlantic Menhaden Draft Addendum 1

To Whom This Concerns:

I am commenting on Draft Addendum 1. As a commercial fisherman Captain for 47 years I have both lobstered and Pogie fished for most of my life. The major issue I see is that the quota system is greatly flawed. The allocation time frame of 2009-2011 were the years the fish had migrated north in very small quantities and because of this, Maine had a low record catch at that time. I believe a change is necessary. It doesn't seem fair to eliminate landing made in 2020. Yes, Covid was a factor, but it was global and affected everyone in the Menhaden fishery. Maine and New Jersey had more fish landed, due to more fish migration and should not be penalized in the percentage of landings, 2020 should be included, this is totally unfair.

Based on allocation tables provided:

3.1 Quota Allocation

3.1.1 Option B should be chosen, quotas need to be based on the availability and need of the fish.

3.1.2 Select Option 4A. Setting this with current data is essential.

3.2 Episodic Set Aside Program

Option 2, increasing the episodic set aside quota should keep quotas up to date.

3.3 Incidental/Small Scale Fishery

3.3.1 Timing Option 1 Status Quo

3.3.2 Gear Type Option 1 status Quo only. Any vote for Option 2 will directly target Maine and not allow fish to be caught when the fish are needed in quantities. This will directly upset the lobster industry and further drive up the cost of lobster bait. Purse Seines are the most user-friendly, cost effective, safest and fish friendly method of catching menhaden. Catch and keep quota and release live extras.

3.3.3. Trip Limits Sub Option 1 Status Quo- This allows a cost effective product to be sold. Any other option will not be as cost effective, i.e. wasted time and money.

3.3.4 Option 1 Status Quo

Please contact me if you have any questions.

James Clemons
Harpwell, ME 04079
207-504-7896
popclemons@icloud.com

Atlantic States Marine Fisheries Commission DRAFT ADDENDUM I TO AMENDMENT 3 OF THE ATLANTIC MENHADEN INTERSTATE FISHERY MANAGEMENT PLAN FOR PUBLIC COMMENT

Move to initiate an addendum to consider changes to commercial allocation, the episodic events set aside, and the small-scale/incidental catch provision. The purpose of this action is to address the issues outlined in the Atlantic Menhaden work group memo and the PDT should use the strategies provided in the work group memo as a starting point

Definition of *episodic*

1 : made up of separate especially loosely connected episodes

2 : having the form of an episode

3 : of or limited in duration or significance to a particular episode : temporary may be able to establish whether the sea-floor spreading is continuous or episodic

The Addendum proposes options to adjust states' commercial allocation to better align with availability; adjust the percentage of the episodic event set aside (EESA) program; and reduce incidental catch and small-scale fisheries (IC/SSF) landings from recent levels.

2.1 Statement of the Problem

Since the implementation of Amendment 3 (2017), dynamics in the commercial menhaden fishery have changed, most notably the rise of landings in the Gulf of Maine and an increase in quota transfers to the New England region; an increase in landings under the IC/SSF provision; and an annual reliance by some states on the EESA program. To sufficiently

address the issues posed by these changes, the addendum addresses three separate but related components of the management program: 1) commercial allocation, 2) the IC/SSF provision, and 3) EESA program

Clearly Atlantic States Marine Fisheries Commission HAS A MANAGEMENT PROBLEM NOT A RESOURCE OF MENHADEN.

Atlantic States Marine Fisheries Commission has not discussed resource enhancement!

Three species exist from Florida to Maine, Science indicates hybrids create large population increase yet Atlantic States Marine Fisheries Commission DOES NOT discuss ocean ranching, stock enhancement.

Atlantic States Marine Fisheries Commission HAS NOT ASKED A MAJOR AQUACULTURE COMPANY IF AQUACULTURE / ENHANCE / OCEAN RANCHING COULD BE ACCOMPLISHED **NO DISCUSSION OR INVESTIGATION!**

Atlantic States Marine Fisheries Commission is a paper organization with no research to United States Fish and Wildlife. WHERE IS SCIENCE ON MENHADEN? Papers state Menhaden go to sea off Hatteras yet no research exist as to where and when the fish return.

SPAWNING THEN RELEASING MENHADEN EGGS BY THE TRILLIONS SHOULD / COULD INCREASE POPULATION!.

DRAFT ADDENDUM 1 TO AMENDMENT 3 DOES NOT ADDRESS CAUSES FOR MENHADEN POPULATION INCREASES OR DECREASES! ***EPISODIC EVENT WHY?***

Begin in Florida St John River {menhaden reduction plant closed.

Beaufort NC Menhaden reduction plant closed. **CAMP LEJEUNE WATER QUALITY ISSUE?**

WHERE IS EPA, NC DEPARTMENT OF ENVIROMENT why man made chemicals affecting reproduction. Does Addendum 1 address chemicals? NO !

Atlantic States Marine Fisheries Commission science has NOT INVESTIGATED THE POPULATION OF MENHADEN COAST WIDE.

NO DISCUSSION FOR WATER QUALITY RESULTING IN POPULATION FLUCTUATION .

EPISODIC EVENT! WHY

Atlantic States Marine Fisheries Commission should cancel Atlantic States

Marine Fisheries Commission

DRAFT ADDENDUM I TO AMENDMENT 3 OF THE

ATLANTIC MENHADEN INTERSTATE FISHERY

MANAGEMENT PLAN FOR PUBLIC COMMENT

THIS IS ALLOCATION NOT FISHERY MANAGEMENT; **WHERE IS ANY SCIENCE?**

James Fletcher
123 Apple RD
Manns Harbor NC 27953
9/30/2022

My name is James West. I am the owner/operator of the 42' F/V First Impression II. I fish out of Sorrento, Maine. A small port in Frenchman's Bay.

I support 3.1.1 Option B

I support 3.1.2 Option 2 and/or Option 4-4A

I support 3.2.1 Option 2 Sub Option 2

I support 3.3.2 Option 1

I **DO NOT** SUPPORT 3.3.2 OPTION 3

I lobster, scallop, purse seine menhaden and herring. Menhaden fishing makes up 55% of the boats' income. I employ three other men seining. I supply fresh Menhaden to myself and to, lobster buyers that supply bait to their fishermen. I also supply fresh bait to at least 45-50 local fisherman. It would be absolutely devastating to my crew along with our community to lose this way of fishing.

According to the paperwork I have seen, Maine at most could get 4.82 % of the quota. This is a small percentage. I realize historical landings play a role, but times are changing. Menhaden is abundant affordable fresh bait that Maine fisherman need. We have fish from June through October.

Our Department of Maine Resources along with commercial fisherman here want to protect Maine waters and marine species. The best way to harvest Menhaden and protect all of our other species is by using a purse seine. I use an 80 fathom X 8 fathom purse seine. I know the law allows up to 150 fathoms x 8 fathoms. I'm sure fishermen would compromise to use a smaller purse seine rather than not be able to use a purse seine.

Fishing with a purse seine allows us to catch and release. This allows many marine species to survive and thrive in our waters.

Maine lobster fishermen cannot understand how one state/company are allowed most of the quota. The one company is now owned by a Canadian company. While one state thrives, Maine is begging for a little piece of the pie.

Thank you and please ASMFC help us.

James West

Sorrento, Maine

From: [Jason Colby](#)
To: [Comments](#)
Subject: [External] Menhaden comments
Date: Wednesday, September 21, 2022 8:30:43 PM

Hello, My name is Jason Colby, I am a lobsterman, scallop dragger, and I also fish for Menhaden. I am commenting on a recent meeting I attended. There are 3 things that were mentioned during this meeting.

1. Raising Maine's Episodic quota from 1% to 5%, which I am in favor of.
2. Small-scale gear: I am in favor of the Status Quo because I believe that it best fits Maine small-scale fishery, I personally use a purse seine and I think it is the best way to go because in the small-scale I can get my daily quota and release the remaining fish alive. At the same time I don't have any issue with anyone that wants to use other methods to catch their quota.
3. Incidental catch and small scale daily quota. This quota is currently set at 6000 pounds 3 days per week. I am in favor of the Status quo on this as well, our stocks have been getting better each year and I don't think there is a need to cut the daily limit.

Thank you for your time and for allowing comments.

Sent from my iPhone

From: swansislandcharters@gmail.com
To: [Comments](#)
Subject: [External] Support for various options of Menhaden draft addendum 1
Date: Thursday, September 22, 2022 2:02:26 PM

Good afternoon ASMFC boardmembers,

I am writing to express support for 3.1.2 option 4 and sub-option 4b which would allow Maine with a growing menhaden distribution to increase its quota. Any quota increase allocated to Maine would result in less total fish caught than other states. I am basing this on the size of fish harvested here vs. those in southern New England states. Maine's menhaden are larger which would result in less fish harvested to achieve the same poundage caught elsewhere... I am amazed at how small some of the menhaden are that are available from southern states as bait. I am a lobsterman and my industry relies heavily on the ability to harvest/purchase locally caught menhaden.

I also support 3.2.1 option 2 which increases Maine's quota. We need a minimum of 20 million pounds, but 40 million pounds would be much more fair considering the size of our fish and the abundance.

Lastly I am asking for your support for the most sustainable gear type (purse seine)...3.3.2 option 1.

It amazes me that any fair minded government body would consider gillnets over a proven sustainable fishing gear type like the purse seine. The ability to release fish unharmed should be the number one priority of any regulatory body as opposed to gillnetting which will result in more dead fish, more waste, and more plastic pollution.

Thank you for your consideration,

Capt. Jason Joyce
Maine Lobsterman
Swan's Island Selectman
207-479-6490

HARBOR BAIT, INC

69 Atlantic Avenue
Boothbay Harbor Fish Pier
Boothbay Harbor, ME 04538

P.O. Box 385
Boothbay, ME 05437
(207) 633-2214
harborbait@outlook.com

September 29, 2022

Atlantic States Marine Fisheries Commission
James Boyle, FMP Coordinator

Re: Draft Addendum I to Amendment 3 of the Atlantic Menhaden Interstate Fishery Management Plan

Our family owns and operates a lobster bait company in Boothbay Harbor, Maine, as well as a federally-permitted herring seiner. We purchase menhaden (pogies) directly over the dock from local fishermen and also from New Jersey, Rhode Island, and Massachusetts. As you are well aware and as is stated in the "Draft Addendum", the herring quota was drastically reduced, and this has led to a reliance mainly on menhaden to help fill the bait gap. Consequently, our business is directly affected by any changes made to the menhaden fishery.

It seems that there is a lot of focus on removing certain gear types from the IC/SSF fishery, namely purse seines. There would be no need to limit gear types and catch amounts if the quota is distributed properly. Don't eliminate purse seine just because it is a clean and efficient, and sometimes the only way to catch menhaden.

Maine fishermen have had to rely on the small scale fishery (along with the EESA) because the quota is just too small. Why should the Maine fishery be penalized because they don't have anywhere near an adequate quota to provide for its bait needs? Landings show that Maine needs a *minimum* allocation of 20 million pounds (each of the last four years landings totaled well over 20 million). With a bigger piece of the pie, Maine would not have to rely on the IC/SSF and thus the current permitted gear types would not be an issue. Also, I would suggest that anchored/stake gillnets and drift gill nets are being used as directed gears.

Although menhaden was plentiful in Maine waters all summer and into the fall, the fishery was closed and remains closed. We and other bait dealers have had to purchase pogies from NJ. This allows other states to artificially manipulate the price of bait in Maine. As the Draft Addendum states, "the TAC is not being fully used coastwise, while some states do not have enough quota to maintain current fisheries". This statement precisely describes the dilemma the Maine fishery finds itself in. The same two states – VA and NJ have controlled the majority of the TAC for many years and they are not the only states that have huge investments in the fishery. It is time to even the playing field.

I support the following:

1. All states should catch **their total quota** (not a single sector such as VA and NJ) before implementing IC/SSF. Until the allocation among the states have been revised, it is not prudent to the change either the trip limit or the gear type in the IC/SSF. The IC/SSF **should** count toward the TAC.
2. The three-tier minimum allocation, Step 1, Option B and the three year moving average allocation (Step 2, Option 4A). There must be more flexibility to manage the rise and fall of landings among the states.
3. Overage Paybacks – If compliance reports can be completed on or before January 15, then Option 1. Status quo. I am not sure why they are not due until August 1. Most catch is reported daily. If the compliance date of August 1 must remain, then Option 2
4. EESA – Option 2, Sub-option 2. This gives the Board the most flexibility even accounting for the tiered minimum approach.

Sincerely,
Jeanne Fuller

From: [Jeb Worcester](#)
To: [Comments](#)
Subject: [External] Menhaden addendum
Date: Thursday, September 22, 2022 4:41:54 PM

My name is jeb Worcester, I have a menhaden license in maine. I'm having trouble getting a copy of the addendum. But a friend of mine went to one of the meetings and gave me a summary. I strongly oppose the idea of getting rid of purse seine. And I think maine should get a little more quota. It definitely seems as though more fish are up here then in years past. So it seems to make sense that the quota should move with the fish. And another reason for alot more fish being landed this year is partly due to a massive increase in boats fishing for them. The lobster price was low this year so alot of lobsterman went after pogies instead of hauling traps. The year before was different because the lobster price was very high. So those boats tended their traps instead of going after pogies. If the lobster price is better next year I'm guessing there won't be as much effort from lobsterman to catch pogies. Getting rid of purse seine is a horrible idea. The result is going to be dead pogies everywhere which nobody wants. Nobody wants to deal with Gil nets so no one will go. And with more pogies seemingly coming every year, they will smother themselves and die. I like the first quota at 68 barrels per week, then, like this year, just have the small scale fishery after that. I would like to see an option for possibly having a weekly quota of 51 instead of 3 days of 17. But I understand that might be challenging for trying to keep everyone honest. So the small scale fishery works. Thank you for reading my comments.
Jeb worcester.

Also, I work for a lobster buying company on matinicus island maine. The pogies we have been buying that are being caught to the south are very small. I think that's another reason why we should get more quota. We catch bigger ones that have gone through their life span. Catching all those small ones I think can't be good for the stock as a whole cause they probably can still spawn a few more times.

James Boyle
Senior Fishery Management Plan Coordinator
Atlantic States Marine Fisheries Commission
1050 North Highland St., Suite 200 A-N
Arlington, VA 22201

RE: Atlantic Menhaden Draft Addendum I

Dear Mr. Boyle:

My name is Jennifer Orchard and I am writing to you today in hopes that I may help facilitate your decision-making efforts regarding the current assessment of the North Atlantic Menhaden fish species.

For the past five years I have been a resident on the islands of Deer Isle, and also Stonington, Maine. Additionally my husband has lived on this island for close to 20 years. We both have commercial licenses for shellfish harvesting here in this state. I have received several years of college undergraduate education in multiple areas of discipline that include: paralegal studies, law enforcement, forensic science, and cyber security. I am also a mother of four, and also a grandmother. From the age of childhood, I have been openly passionate and most captivated by the creatures found in nature. I'm especially fond of aquatic life and various fish species that inhabit the oceanic environment.

On the afternoon of August 9th, 2022, my husband and I were heading to launch our new boat skiff at *Grey's Cove*; also known as Reach Beach, which is in Deer Isle, Maine which is also maintained by the Island Heritage Trust Association. Immediately, after arriving that afternoon with the provision of high tide, we observed the horrendous smell of dead fish. After exiting our vehicle off the soft shoulder of the pavement, we quickly realized the source was coming from six blue 100-pound lobster crates sitting on the high end towards the-left side of the beach, that were approximately 10-15 feet in distance from the general access point to the shore adjacent to the public thoroughway known as Reach Road, in Deer Isle.

The following morning on August 10th, as my husband and I were returning to the same beach location, I received a text message from a summer resident homeowner living nearby to the beach who informed me she had discovered "several plastic crates of dead fish dumped out on the beach that were stinking horribly all along the shore."

Approximately an hour later this same individual who contacted me that morning regarding the smell, stated she just witnessed "a guy in a black truck, dumping the dead fish out of the crates onto the beach." She later indicated in another message to me that her husband had taken pictures of the dead fish on the beach and that she would like to notify the town but, was afraid of "stirring a hornets nest."

Incidentally, her husband, Lou did not share her apprehension about reporting the dead fish findings to the town officials and when we arrived at the beach, he (Lou) was there waiting. Lou was visibly upset about these findings and his assertion was that he had

personally contacted James Fisher, the current manager for the town of Deer Isle. Moments later, Mr. Fisher arrived at the beach, asking my husband if he knew the person(s) responsible for the leaving dead fish to rot. We directed his attention to the guy who owns the black truck, because he's also the owner of a small boat anchored at Reach Beach that had nets and other equipment aboard commonly used for pogie fishing.

Despite the eye witness accounts, well documented photographs, and receiving backlash from neighboring residents of the beach, Mr. Fisher decided that without "further proof" there was nothing he could do.

Initially, when we had discovered the lobster crates containing dead fish strewn upon the shoreline, we were unaware of them being chocked-full with bunker "pogie" fish until the next following day when we arrived and witnessed the actual fish scattered about on the beach. I currently have in my possession, a dozen or more photos (courtesy of Lou) that were forwarded to me before returning home to his winter residence. I have attached a few of the images for reference. These graphic images illustrate devastation brought to the Menhaden fish population, by a single incident here in the North Atlantic. These fish lost their lives maliciously- without just cause or or concern to differentiate the species age, weight, gender, size or full scope of the habitat/ oceanic landscape impacted due to these kinds of ecological devastations. Given the fact the "plastic crates", were in fact lobster totes that can individually retain 100 pounds each we could assume the damages exceed over 1000 pounds of fish, which further hinders this species ability to generously repopulate in the future.

Without further supporting evidence from the town officials here that might suggest that appropriate measures have been taken to prevent these kinds of incidents from ever occurring again in the future, The town manager has lost tremendous rapport amongst the neighborhood island residents closest to the beach who held a reasonable expectation that Mr. Fisher would have taken a pro-active approach.

Based on the town officials response, 'I'm left to wonder if the entire event went completely undocumented to the state DMR, Marine Patrol, NOAA and other forms of administrative stake holding authorities. I urge you to take a closer inspection of the latest recorded landings for Menhaden fish here in Maine whereas I am every bit as confident to suggest that the numbers are not even close to accurate, due to mishandling like this incident, poachings and poorly represented landings data.

In 2018, when I first moved to this area before my husband and I were wed, we spent countless days during the summer on the ocean for fun of an afternoon joyride. One thing I remember most about that time, and for a few summers afterwards, was hearing and see the phenomena of pogie fish, jumping out of the water each day. In June of last year we lost our home and made an enormous transition in our lives to live aboard our 30-foot Chris Craft Catalina. For this specific reason, we are keenly observant our surroundings and the many things that commonly occur here on the open ocean.

Living on a boat is a front row seat in the stadium to a real time exhibit that most people will never see inside of their lifetime, let alone could ever imagine. This year was the first season since I became a resident here on this island that the Menhaden fish have been

unequivocally silent—not so much as a single splash. The summer of 2022, has become the summer without pogies.

The Department of Marine Resources, and the area marine patrol officers need every available support that may be granted to their disposal, to help save the North Atlantic pogie fish from further species degradation.

Respectfully,

Jennifer E. Orchard

Ajsanibel2015@gmail.com

Tel: 207-659-4228



From: [JEREMY THOMPSON](#)
To: [Comments](#)
Subject: [External] Atlantic Menhaden Draft Addendum I
Date: Thursday, September 29, 2022 9:20:49 PM

We in maine need a 6000lbs a day purse seine fishery to maintain our lobster fleet I would like to see an increase in our quota to reflect the numbers we have landed in 2019-2022

Jeremy Thompson
Stonington

From: [Doyle, Jim](#)
To: [Comments](#)
Subject: [External] Atlantic ocean menhaden
Date: Monday, August 8, 2022 9:50:08 AM

Individually, the most important gamefish food on the entire Atlantic seaboard, Menhaden should be protected at all cost with the highest restrictive harvest.

You can't have food without Bees!

You can't have life without Oxygen and Water!

You can't have billions of revenue supporting 1000's of businesses per state without Gamefish. Let's name a few: Gasoline and everything sold at the station, tackle and equipment from local shop and marina to on-line to big box stores, accommodations like hotel, motel, VBRO, Cars. Boat and motors, food, drink, and everything else that goes along with a fishing outing from Airfare to rental cars. I've spent money on all of them every year for the past 25.

You can't have Gamefish without Menhaden. It really is that simple.

I spend \$1000's every year on the pursuit of Gamefish. You only have to do the math to calculate the ROI by state to allow this resource of baitfish to thrive.

US technology to harvest and \$ demand because of that harvest has outpaced Menhaden reproduction over the past 75 years (a 10 year moratorium is not out of the question – and with this part of the discussion I believe the discussions around resource responsibility would have a much better flavor) and restriction to use the resource responsibly has floundered (no pun intended). Lake Powell and Mead for examples of blind failure to resource responsibly. Herring has had a resource moratorium recently and is slowly rebounding out of vital necessity.

The current condition of this resource is already in a state that we have been remiss in allowing. Let's learn from our mistakes and do the right thing for our sports, our communities, and the eastern seaboard.

PRIVILEGED AND CONFIDENTIAL COMMUNICATION

This message is privileged and confidential under state and federal law.

It is intended for the exclusive use of the named recipient. If the reader of this message is not the named or intended recipient, or the employee or agent responsible for delivering the message to its intended recipient, you are hereby notified that any use, copying, disclosure or dissemination of this message is strictly prohibited.

If you are not the named or intended recipient and have received this communication in error, please notify us immediately by replying to the sender of this e-mail or at the address and phone number listed below, and take all steps necessary to delete this communication.

Exactech, Inc.
2320 NW 66th Ct.
Gainesville, FL. 32653
352-377-1140
An Equal Opportunity Employer

From: [Joe Gieger](#)
To: [Comments](#)
Subject: [External] Menhaden
Date: Sunday, September 18, 2022 1:16:13 PM

Please please continue to protect this so very important fish. As a resident of NJ I can't begin to tell you how much an impact this tiny fish has on all Whales are back , osprey's are risings and the health of the ecosystems are benefitting.

Please count me in for support

Joe gieger

Harvey cedars Nj

6462860750

Sent from my iPhone

From: [John Tripp](#)
To: [Comments](#)
Subject: [External] Atlantic Menhaden Draft Addendum I
Date: Wednesday, September 28, 2022 10:33:09 PM

Hello, My name is John Tripp I am a Maine based commercial fisherman, who has recently invested into the healthily growing menhaden fishery in our area. This fishery has come as a blessing in a time when high price imported bait and increases in fuel prices have been a huge hit to profitability in the Maine lobster fishery. I support conservation measures for an equitable fishery for states that are able to participate in the fishery. I hope that these regulations aren't an attempt to cut out Maine or Massachusetts fishermen from harvesting this resource. The following review of what has been presented is only based on the hope that the ASMFC recognizes and supports equitable fisheries amongst all states in a way that supports healthy conservation measures. The Maine fishermen are harvesting a fully grown fish that has had the ability to grow and reproduce a number of times before it has been harvested. We as a majority owner operators look to keep harvesting a sustainable resource. We don't want kill every fish that comes our way, we want to harvest menhaden in a way that doesn't over stress fish the stock, we want the resource to reproduce and continue to maintain its status as a healthy resource. We use the bait fresh, 25% of my daily landings were utilized by myself as fresh bait from the Atlantic Ocean to bait lobster pots as opposed to bait imported from the Pacific Ocean.

3.1.1 option A gives everyone 0.5% in which I believe they can forfeit into the EESA if they don't intend to utilize. Option B is 3% less deducted from the TAC, but gives states with active fisheries a 0.5% start. Assuming option B divides the 3% back into the TAC and gives more to be reallocated into the EESA if it's able to go for 1%-5%. I would support option B if it does on face reallocate the landings back into the EESA otherwise I support option A.

3.1.2 I support option 4 it reflects how the fish are actually distributed as time and provides a tool for states allocation to grow as fishery distribution shifts. I support sub option 4b as it gives states with growing menhaden distribution the ability to increase their quotas as the stock distribution shifts.

3.2.1 Option 2 on EESA to go to up to 5% also aids states ability to participate in stock distribution shifts, if the EESA is increased to 5% a state with less quota but more fish has the ability to harvest EESA fish and potentially increase the future quota under 3.1.2 option 4b, I would support this.

3.3.1 I support option 3 as it reserves the IC/SSF quota for a state that has exhausted its quotas for menhaden in all its fisheries instead of just a sector or gear type.

3.3.2 Strongly support option 1. Purse seines offer fishermen the ability to be conservation minded in allowing bycatch to be released, regulated and controlled. Eliminating purse seines is essentially an attempt to wipe out almost 100% of fisheries in the IC/SSF quota.

3.3.4 Option 1. While I do agree the IC/SSF should be accountable for its catch against the TAC it is clear that this amendment is being altered to do so and also limit and or regulate us out of the IC/SSF. The moving parts and sub options in option 2 hinder my support for accountability in the IC/SSF.

Thanks, John Tripp

From: [Julie Miller](#)
To: [Comments](#)
Subject: [External] Atlantic Menhaden Draft Addendum 1
Date: Saturday, September 17, 2022 6:56:23 PM

Dear Mr. Boyle,

My name is Ira Miller, I am a fisherman from Tenants Harbor, Maine. I have taken part in Maine's commercial menhaden fishery for a number of years now, it has become a very important fishery for me as I supply myself and other fishermen at my Co-op with fresh menhaden for use as lobster bait. This fishery has become an integral part for not only every fisherman at our Co-op, but also for almost every lobster fisherman within the State of Maine. This is especially true given the collapse of the Atlantic herring fishery which greatly reduced the supply of bait for our industry. So while there is a possible financial gain for those who catch the fish, the real gain for our State is that fact that it supports many other businesses which in turn create thousands of other jobs in our State that depend on the lobster fishermen being able to fish, which of course depends on a steady supply of bait. Another benefit of being able to conduct this fishery in and around our Maine coastline is the fact that from an environmental standpoint the footprint created to harvest that bait locally is much less as the trucking and freezing capacity to get the bait from elsewhere out of state is greatly diminished which is a win in a world where a carbon footprint is always a concern. The fact cold storage is reduced as some amount of this bait is used fresh so it actually will not even require the energy to freeze or cool it a more responsible use of our resources. Another upshot is that the fresh bait will generally fish better than the stored bait which helps fishermen to retain more of their income for the same amount of effort. I have another couple of major concerns that I would like to comment on before I address the document. The first one would be the fact that any thoughts of not allowing the use of purse seines in any of the three segments (State Quota, EESA, IC/SSF) of this fishery be dismissed! From my years of experience I believe purse seining to be one of the cleanest gear types that currently participate in this fishery given the fact that you can easily regulate your catch allowing any overage of trapped fish to be released unharmed. Not to mention the fact that with the restrictions regarding the length and depth of our nets and also the makeup of our rocky coast leave a lot of habitat for the fish to shelter in where they are unaccessible to harvest. Next I would like to suggest that any States that regularly do not land their allocation but won't release their allocation to others on a somewhat consistent basis should only be able to do that for just so long (maybe 2-3 years) before they are at least forced to release their quota into the EESA program for distribution if required as the allocation they have received is meant for harvest. My last comment before I address the document would be that the fishermen in Maine are catching the older larger fish which have had the chance to spawn numerous times, in contrast to the menhaden that are being trucked in from the mid Atlantic at times. It seems to me that any good fisheries management practice should be taking in to account the stocks size and age distribution and how and where the harvests that take place are affecting that distribution. The fish I've seen trucked in at times are at least 3-4 times smaller than what we are harvesting in our State. Wouldn't it be a win for everyone if those juvenile fish were allowed to grow and reproduce multiple times before leaving the fisheries? I challenge this board to look into this aspect of the fishery and find a way to take that into account when managing this fishery!

On to the Draft Document, the following list is my response to all of the proposed actions contained in this document.

3.1.1 Allocation for addressing the minimum allocation,

I prefer Option A. Status Quo as I believe every State deserves an equal starting basis.

3.1.2 Timeframes to base allocating the remaining TAC,

I prefer Option 2. 2018, 2019 & 2021 I believe this is the way allocation should be split up as it responds to the most recent distribution of the stock. It is also stated in this document that there is more than one hundred years of evidence that there have been periods of abundance of menhaden in the Gulf of Maine that may last from one to twenty years and then disappear again for one to twenty years. I believe that this evidence supports the fact that Option 2 is the proper way to handle allocating the menhaden fisheries.

Option 4. Moving Average

I think I prefer option 4A. No Alterations to the Option.

Overage Paybacks.

I like Option 2. Second year after overage. It sounds as this option would be potentially less disruptive to the fishery while allowing an accurate payback of overages.

I'm a little confused by the document at this point, but I think Table 7 A4A. Represents the scenario's I have chosen

above if I'm correct.

3.2.1 Increase the Set-Aside

I favor Option 2. Increase up to 5%

3.3.1 Timing of IC/SSF provision

I choose Option 1 No Change (Status quo)

3.3.2 Permitted Gear Types of the IC/SSF Provision

I support Option 1. No changes to permitted gear types (Status quo)

3.3.3 Trip Limit for Directed Small-Scale Fisheries of IC/SSF Provision

I choose Option 1. No change to trip limit (Status quo)

3.3.4 Catch Accounting of IC/SSF Provision

I choose Option 1. IC/SSF landings do not count against a state allocation nor the annual TAC

I thank you for your time to review and take into account my feelings regarding this document.

Sincerely,

Ira M. Miller

F/V Mallary Sky

From: [Justin Boyce](#)
To: [Comments](#)
Subject: [External] Atlantic manhaden draft addendum 1
Date: Wednesday, September 28, 2022 9:16:30 AM

I am a maine fishermen who wants to comment on the future of our manhaden fishery. Hopefully the state of Maine can receive more quota for the future and continue to use our purse seines and supply our lobster industry with locally sourced bait. Maine is being hit with many challenges with whale restrictions to the lobsters bait shortage and major price inflation as well as diesel prices being at all time highs. The one positive thing we had working for us was an abundance of manhaden but with out quota we were not able to catch a sufficient amount to supply our industry with bait and have had to rely on frozen out of state bait that cost about 30 to 40 percent more per pound and much of it is also juvenile product which I can't see as good for the industry or us. Please just allow us to at least 6000k pounds per day 2 days a week and use purse seines to catch them. Thank you

From: [Kevin Glover](#)
To: [Comments](#)
Subject: [External] Atlantic Menhaden Draft Addendum I
Date: Friday, September 30, 2022 7:50:03 PM

My name is Kevin Glover. I am lobstermen out of Owl's Head Maine. I have also been fishing for Menhaden for the past 4 years as well. I started fishing for Menhaden so I could cut back on the cost of bait that I use for lobstering. As many of you know, the cost of bait for lobstermen has been on the rise for the past years, and is still going up. The Menhaden fishery in Maine is very important to Maine's lobster fishery because it not only provides fresh bait but also a little bit cheaper bait. If we can catch the bait in Maine and save on trucking costs it helps us save in many ways. I really feel that without Menhaden the past few years Maine's lobster fishery would have suffered. I really hope that we can make sure Maine and other New England states have a fair shot at the Menhaden Quota. We have seen a rise in the amount of fish in the New England states and It would be nice if we would be able to have a quota to go with it. I feel that Maines quota should be more than what it is. I feel that the landings over the past 4 years in New England have proved that the Menhaden stock is moving north, which shows that we could support a larger quota. I really hope that a lot of thought is put into this and all states are well represented. I would like to see the most recent years be used in the stock assessment. I also feel that Purse Seines should be allowed. I have no idea why a gill net would be a better way of catching fish than a seine. A couple of reasons would be you can release fish out of a purse seine unharmed, also a purse seine does not need any lines to the ocean floor. With all the upcoming regulations in the lobster and fixed net fisheries why would you want to put more ropes in the water. That would not make any sense.

Thank you,
Kevin Glover

From: [Kevin Grindle](#)
To: [Comments](#)
Subject: [External] Atlantic Menhaden Draft Addendum
Date: Friday, September 30, 2022 7:12:34 PM

To Whom it May Concern,

Kevin Grindle from Little Deer Isle, Maine here. I have been harvesting pogies for the past 4 years and it is my only source of income in the summer months. The influx of pogies has been a good resource for the area. It is tough to watch them on a daily basis and not be allowed to fish them. Even tougher to purchase a boat and equipment only to be shut down shortly into the season and be left with no means to pay for the venture. I have read and tried to understand your system for quota allotment but it seems a bit convoluted to me. This fishery appears to have been mismanaged on many levels and in need of stabilization. With that being said i very much would like to see an increase in quota for the state of Maine and or whatever adjustments that need to be made so that this resource can be harvested and utilized in an orderly fashion. I would also like to see that a seine continue to be an accepted method for harvesting. I would also ask that the regulations be made well in advance of the season so that we can plan and purchase our equipment accordingly. Thank You.

Kevin Grindle
Little Deer Isle, Maine

From: [Kristofer Koerber](#)
To: [Comments](#)
Subject: [External] Atlantic Menhaden Draft addendum 1
Date: Friday, September 30, 2022 4:40:19 AM

My name is Kris Koerber and I'm a lobsterman out of Harpswell, Maine. I use fresh caught local menhaden to bait my traps. Maine has been pressed with a bait shortage for many years now but we have been fortunate to have a great menhaden resource right here at our doorstep. Unfortunately have been extremely limited on how we can utilize this resource because of our very small quota. It is frustrating that lobstermen use non native species along with non oceanic species such as pig because it is the better, financially available, option. Under our current situation, because we are not able to harvest our local menhaden, we are forced to buy out of state bait that is extremely expensive.

When menhaden is harvested for bait, they are put back into the ocean and once again absorbed by the local environment. Lobsters are not the only creature who benefits from the bait; as it breaks down, tiny particles drift out of our traps and are eaten by small fish etc... "OMEGA PROTIEN" to hold OVER 78% OF THE ENTIRE EAST COAST QUOTA is an outrage. I do not believe reduction fishing does anything to help the ecosystem and its cycle of life, and more quota should be set aside for bait purposes only.

3.1. Quota Allocation

3.1.1 -I ask you select Option B, quota's should be based on fish availability and need.

3.1.2- I ask you select Option 4A. I believe a moving average based on the most current years data is the best way to address menhaden availability as well as need. I do not believe using data that's 10 to 12 years old will address the needs of today's fishery. This current year Maine's menhaden fishery, including small scale fishing.

Thank you

Kris Koerber
Zone F representative

From: [Lucinda Nieuwkerk](#)
To: [Comments](#)
Subject: [External] Atlantic Menhaden Draft Addendum I
Date: Friday, September 30, 2022 10:10:45 PM

I lobster and fish for a living. I am an owner/operator.
I catch menhaden. The majority of what I catch I use as bait in my lobster traps .

3.1.1 minimum allocation

I think Option B is a better choice than Option A.

Maine has had more quota transfers than any other State from 2013 to 2021.

This shows that there is big enough biomass of Menhaden in Maine, and enough fishermen willing to rig their boats to catch them. Our tiny allocation was not enough to allow us to keep fishing for menhaden for more than a handful of days, so we needed the quota transfers to extend our season.

From 2016 to 2021 Maine ranked 3rd, coast wide, for the highest percentage of the catch of Menhaden, even though our Amendment 3 allocation was .5%, while Virginia had 78% of the allocation and New Jersey had 10.87% of the allocation.

Considering that Maine is the Northeastern most state, that is quite a feat. Every other state got their chance to catch the menhaden before they came to us.

3.1.2 Time Frame used for allocation

I support changing the time frame to Option 2, using 2018, 2019, and 2021,

I don't think just because people harvested fish in 2009-2011 that they should continue to 'own' that amount of fish infinitely into the future. I think Menhaden is a public resource and all fishermen in all states should have an equal chance to catch them.

I also think that if states further south get to harvest a huge allocation then it disrupts the supply chain for the northern states. It is reasonable to assume that Maine sees a very tiny fraction of the Menhaden biomass because of Virginia's 78% allocation and New Jersey's 10.87% of the allocation.

3.2.1 Episodic Event Set-Aside

I support Option 2: to increase the coast wide TAC of fish up to 5% .

I support sub option 1, the EESA is set as a static amount of 1-5%

If it weren't the EESA our menhaden season would last 2 weeks because we reach our coast wide allocation that quickly.

3.3.1 Timing of IC/SSF

I support option 3 because the State of Maine has such a small coastwide allocation that it is caught within 2-5 fishing days.

3.3.2 Permitted Gear types of the IC/SSF

I support Option 1 Status Quo no changes in the gear type.

I believe the purse seine is the best way to catch Menhaden. It allows me to only take the amount of fish that I am allowed to keep that day, and I can let all the other menhaden go, and they all live.

Gillnets kill all the fish that caught in it. There is no way to control the amount fish that happens to swim into a gillnet. If I am only allowed 6,000 lbs of menhaden a day, and 10,000 lbs of menhaden swim into my gillnet, I would have killed 4,000 lbs of menhaden that I couldn't keep.

3.3.3 Trip limits

I support option 1 status quo

I think 6,000 pounds is a decent amount of Menhaden to catch in 1 day. It allows me to catch Menhaden a few days a week, and I can lobster a few days a week and use up the bait.

Reinier Nieuwkerk
Kennebunk Maine

From: [Gina Bennett](#)
To: [Comments](#)
Subject: [External] Menhaden Management
Date: Friday, September 30, 2022 8:43:18 AM

I am a commercial fisherman from Sorrento, a small town in Downeast Maine. This has been a very difficult year for the lobster fishery. Low prices due to reduced demand and very high operating costs. The only bright spot has been the abundance of menhaden in our area and the ability to catch them for lobster bait. I support option 1 to base allocating the remaining TAC. This would give Maine more quota and reduce the need for relying on getting quota from other states. I support option 1 no change to permitted gear types. Seines are the most efficient type of gear. If you catch more than your allowable amount we can release the fish alive. Gill nets kill all the fish and are much more labor intensive. I also support leaving the trip limits the same. I use a small 40 fathom seine to catch my own bait for lobster fishing and it has been very important to keeping my business profitable and what we catch does not amount to anything when compared to the total quota.

Thank you,
Mark Bennett
Sorrento, Maine

Draft Addendum 1, 1
Public comment of Atlantic Menhaden fishery

9-29-22

Mark Cheney, Lobster fisherman from John's River
Pemaquid, Maine. I fish for Pogie and depend
Greatly on the Pogie fishery for my source of
Lobster Bait for my self + 2 other lobstermen that sell their
Lobsters at my wharf. I use a 7fath. x 45 fath. purse sein
we can catch and store away in a cooler our bait supply
for 4-5 months of the season.

- 3.1.1 option 3: 3 tiered fixed approach I support.
- 3.1.2 option 4: moving average I support.
- 3.2.1 option 2: increase landings up to 5% I support.
- 3.3.1 option 1: no change to quota allocation I support.
- 3.3.2 option 1: no change to permitted gear types I support.
- 3.3.2 option 2: I do not support in any way. I believe
gillnets are a big bycatch problem, tons of stripe Bass out here where
we fish. Using my purse sein I only caught 1 stripe Bass this
summer and released alive.
- 3.3.3 option 1: no change to trip limit @ 6000 lbs. I support
because less than 6000 lbs. make it hard to stock up on bait, The pogies are most
plentiful in June + July my boat can hold 6000 lbs. every trip counts.
- 3.3.4 option 1: status quo. I support

From: [Mark Jr. Moody](#)
To: [Comments](#)
Subject: [External] Atlantic Menhaden Draft Addendum 1
Date: Friday, September 30, 2022 9:12:02 AM

Hello ASMFC,

Menhaden are a main bait source that we rely on here in Maine for our lobster fishery. We are hoping for more quota as we have history in the past but not much from when the quotas were re assessed in recent years.

We are strongly in favor to keep the use of purse seines in the Incidental catch and small scale fishery. Option # 2 would work the best for our working coast here in Maine.

Thank you, Mark Moody Jr
[Sent from Yahoo Mail for iPhone](#)

From: [Matthew Clemons](#)
To: [Comments](#)
Subject: [External] Draft addendum 1
Date: Thursday, September 29, 2022 8:15:30 PM

Atlantic Menhaden

M



Matthew Clemons

to me

1 hour ago

Details

Email to comments@asmfc.org

Subject line: Atlantic Menhaden Draft addendum 1

Hello, my name is Matt Clemons and I'm from Harpswell Maine. I'm a lobsterman as well as a menhaden harvester. I use fresh caught menhaden to bait my own traps as well as sell fresh menhaden to many local fishing wharfs. Maine has been under a bait shortage for many years now; however recently we have been fortunate to have a great menhaden resource right here at our doorstep. Unfortunately, we have been extremely limited on how we can utilize this resource because of our very small quota. It pains me to see Maine fishermen being forced to bait their traps with non native species along with non oceanic species such as pig, because it is the only thing available. Meanwhile, we fishermen drive past schools of menhaden in our harbors and are unable to harvest them. With our current situation we are forced to buy out of state bait that is extremely expensive.

When menhaden are harvested for bait, they are put back into the ocean and once again absorbed by the sea. Lobsters are not the only creature who benefits from our bait, as it breaks down tiny particles and drifts out of our traps and they are eaten by small fish etc... I believe it is absolutely outrageous for Virginia "OMEGA PROTIE" to hold OVER 78% OF THE ENTIRE EAST COAST QUOTA. I do not believe a reduction in fishing does anything to help the ecosystem and its cycle of life. More quota should be set aside for bait purposes only. How is it allowed in America that one company controls 78% of the entire east coast resource?

3.1. Quota Allocation

3.1.1 - I ask you select Option B, quota's should be based on fish availability and need.

3.1.2- I ask you select Option 4A. I believe a moving average based on the most current years data is the best way to address menhaden availability as well as need. I do not believe using data that is 10 to 12 years old will address the needs of today's fishery. This current year Maine's menhaden fishery, including small scale fishery, closed August 28th That's approximately 2 months before the fish make their seasonal migration out of our waters. Since the closure, Maine has once again been importing out of state bait.

3.2 Episodic Set Aside Program

I ask you select Option 2. Increasing the episodic set aside quota will help states like mine that have a great need as well as great resource locally. It will also reduce burden of timely Quota transfers.

3.3 Incidental/ Small Scale Fishery

3.3.1- Timing, I ask you select Option 1 status quo, we rely on the small scale fishery immediately to continue a supply of fresh local menhaden.

3.3.2- Gear Type, I ask you select Option 1 status quo, small purse seines are an important tool to insure only a specific amount of fish are harvested. I'm shocked

there is even a conversation about eliminating purse seines and forcing us to use gill nets, as gill nets kill everything they catch.

3.3.3- Trip Limits I ask you select Option 1 status quo. Any reduction in trip limits would put more pressure on our already evident bait shortage in Maine. It would also cut menhaden harvesters profit down to a point where it would not be feasible to fish.

3.3.4- I ask you select Option 1 status quo, IC/SSF should not be counted towards state allocation or coastwise TAC, we are talking about such a small percentage of harvest done by small independent fishermen.

From: [Michael Dawson](#)
To: [Comments](#)
Subject: [External] Atlantic menhaden draft addendum 1
Date: Friday, September 30, 2022 7:23:16 AM

Hello I am Michael Dawson from NEW Harbor Maine I fished for menhaden in the 80s and early 90s on large scale operations here along the whole Maine coast. I currently fish for menhaden as bait on my 42 boat using a small purse seine and the small scale fishery is crucial to my business to supply bait for my coop and for myself as I lobster also. If we lose the ability to use a purse seine later in the season when fresh menhaden is crucial to lobster industry it will be another huge blow to my business, which is currently fighting to survive with these new whale rules coming at us. I hope you consider this when you take up the small scale fishery in the new addendum, these boats working in this fishery are small lobster boats trying to catch their own bait and for the other fisherman who fish for co-ops and docks. Lots of them are just hand hauled seines made up of a couple fisherman teamed up to catch 17 barrels to use themselves. This is very important to this industry. Thank you Michael Dawson
F-V Lisabeth Ann New Harbor Maine

From: [Michael Polisson](#)
To: [Comments](#)
Cc: nichola.meserve@mass.gov
Subject: [External] pogies quota comments
Date: Friday, September 30, 2022 4:11:07 PM

It appears that the state of maine is running amuck issueing permits for the unregulated 6000# per day fishery.....at the hearing is was stated that they had issued over 900 permits for this category of the fishery of which over 300 were active this year.

The figures presented show they were allowed to WAY OVERFISH their allotted quota by a huge amount overall through this loophole.....this type of unregulated fishing has to STOP before it affects all states fishing for pogies..

I have heard from friends in maine that a lot of the permit holders are selling a large amount of pogies over the rail and still landing the 17 drums to the dock.....this tells me that no one really knows what maine has landed for pogies this year.

I realize why this is happening with the skyrocketing price of bait and scarcity of it..... This needs to be addressed quickly before it seriously affects the biomass of pogies and the fishery itself.

Michael Polisson, Commercial Fisheries Consultants
18 G Millbrook Park
Rockport, MA 01966
978-479-0972

From: [Nicholas Heal](#)
To: [Comments](#)
Subject: [External] Menhaden
Date: Friday, September 30, 2022 4:48:32 PM

Good afternoon

As a commercial fishermen for menhaden I don't understand why the possibility of removing purse seines from the small scale fisherie is even a option! The purpose of us as stewards of the sea is to protect the animals we harvest. Using a purse seine we are able to only take what we need, then release the rest alive. There is very little to no bi catch with a purse seine. A gill net does not and will not discriminate on what it catches. If we were to catch over the limit we would be forced to discarded it dead. That seems like a waste of a resource if you ask me.

Thank you

From: [Nicole Parkes](#)
To: [Comments](#)
Subject: [External] (subject line: Atlantic Menhaden Draft Addendum I)
Date: Wednesday, September 28, 2022 1:09:38 PM

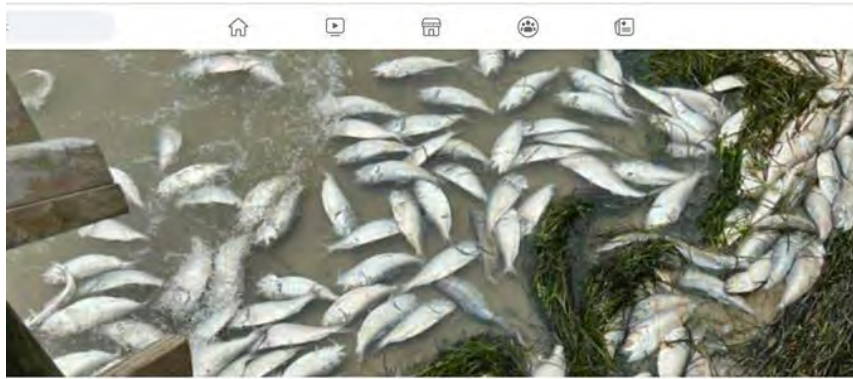
Hello

Many thanks for keeping me up to date with the followings.

kind regards

nicole parkes
(Overseas subscriber)

From: Phil Zalesak
To: Carolyn N Belcher; Cheri Patterson; Chris Batsavage; Conor McManus; Sen. Craig A. Miner; Craig D Pugh; Dan Mckiernan; Del. Dana Stein; Sen. David H. Watters; Sen. Dave Miramant; David Sikorski; DAVID BORDEN; Dennis Abbott; Doug Haymans; Emerson Hasbrouck; Eric Reid; Erika Burgess; GARY JENNINGS; Bryan Plumlee; James Boyle; CAPT. JAMIE GREEN; Rep. JAY MCCREIGHT; Jerry Mannen Jr.; JESSICA MCCAWLEY; James Gilmore; Joe Cimino; JOHN CLARK; John Maniscalco; Josh Newhard; Justin Davis; KATHY RAWLS; KRISTOPHER M KUHN; LOREN W. LUSTIG; LYNN FEGLEY; MALCOLM RHODES; MARTIN GARY; MAX APPELMAN; Megan Ware; Meghan Lapp; Mel Bell; Rep. Melissa Zlobron; NICHOLA MESERVE; Patrick Keilher; Patrick Geer; Peter J. Clarke; Raymond Kane; Renee Zobel; RITCHIE WHITE; Maj. Robert Kersey; ROBERT LAFRANCE; Senator Ronnie W. Cromer; Roy Miller; Russell Dize; Sarah Ferrara; Rep. Sarah K. Peake; Spud Woodward; Stephen Train; Sen. Susan Sosnowski; Monty Mason; Thad Altman; TIM SCHAEFFER; TOM FOTE; Rep. TREY RHODES; WARREN ELLIOTT; WILLIAM HYATT; Rep. William J Carson
Cc: PHILIP ZALESK
Subject: [External] MONITOR THE DAILY DESTRUCTION OF THE CHESAPEAKE BAY ATLANTIC MENHADEN FISHERY BY OMEGA PROTEIN
Date: Monday, September 19, 2022 7:08:47 AM



Menhaden - Little Fish, Big Deal!

Private group · 598 members



Joined + Invite

Atlantic Menhaden Management Board Members,

First, you can now monitor the daily destruction of the Chesapeake Bay Atlantic menhaden fishery by Omega Protein, a Canadian owned company. This site also documents Omega Protein's destruction of bycatch like red drum.

Go to Facebook site: Menhaden - Little Fish, Big Deal!

Here's a typical post to this site: <https://www.facebook.com/groups/765772041406313>

Second, please review and implement your goals and objectives as stated on page ii of: http://www.asmfc.org/uploads/file//5a4c02e1AtlanticMenhadenAmendment3_Nov2017.pdf

Finally, shut down Omega Protein's industrial reduction fishery in Virginia waters. Limit their harvest to outside the 3 nautical mile Exclusive Economic Zone for the benefit of US fishermen and the marine environment.

Take care and be safe,

Phil Zalesak

President

Southern Maryland Recreational Fishing Organization

www.smrfo.org

<https://www.facebook.com/groups/598428253621775/>

From: [Philip Powell](#)
To: [Comments](#)
Subject: [External] Atlantic Menhaden Draft Addendum I
Date: Friday, September 30, 2022 8:13:37 PM

I am writing to comment on the Atlantic Menhaden Draft Addendum, specifically section 3.3.3. I believe that the directed small scale fisheries limits should stay as they currently are at 6000 pounds. We've already had a de facto cutback on our 6000 pound limit through the mandatory container requirements, and any more reductions in the limit would begin to make this fishery no longer financially viable. The socioeconomic impact of altering the small scale fishery would have a guaranteed negative result on both us as well as our direct beneficiaries. The fish caught under the small scale fisheries go directly towards serving the owner/operator(s) that caught them, as well as local fisherman utilizing the bait resource. Cutting us back a few thousand may not seem like much to those who catch much more every day, but for our small harbors and operations it makes a big difference. It can be the difference between seeing my fellow peers tying up because they can't get bait for the day, or going out and preserving our constantly combatted way of life. At a time of increased bait, fuel, and wage costs, as well as the regulatory changes against lobstermen, this is not what should happen. As explained in section 2.3.0, the 2017 study funded by the ASMFC found that menhaden are price inelastic; meaning that changes in our allowable catch "are not fully compensated by higher prices" (pg 11). Part of the stated objective for section 3.1 is maintaining the current directed fisheries, however reducing the small scale limits would do the complete opposite. You will see the small boat fleet tying up because it will not be worth it to go. Yet another de facto rule to push us out of participation. I do not understand changing our limits other than to show preference to large stakeholders. As a state fishery the decisions made in this addendum should keep its state fisherman at its forethought.

Philip Anthony Powell Jr.
F/V Gannet

From: [Reagan Warren](#)
To: [Comments](#)
Subject: [External] Menhaden
Date: Thursday, September 1, 2022 12:54:37 PM

To try and end seining for menhaden is ridiculous. It is harder and more time consuming to gillnet them. I have the small scale license when the menhaden were around I only got a few. You have to worry about seals getting into it. There is no way that you can catch as many with a gillnet as you can seining

Sent from my iPhone

From: [Roy Whalen](#)
To: [Comments](#)
Subject: [External]
Date: Tuesday, September 20, 2022 11:46:58 AM

Menhaden licensing. Was hoping there could be a change so kids that were in high school or college during the 2019 2020 and 2021 seasons that didn't have a commercial license to have a chance to get one. This was only way for these kids to make some money in spring and early summer before lobsters start. Especially since they are limited on lobsters tags it's a huge help for them for extra income to pay their payments. Thank you! Roy Whalen 207 266 3554

From: [Seth Walker](#)
To: [Comments](#)
Subject: [External] Atlantic menhaden draft addendum 1
Date: Friday, September 30, 2022 4:50:02 PM

Hello my name is Seth walker and I lobster/ scallop fish out of harpswell Maine. I think it's ridiculous that we steam over a pile of menhaden and our pogie fisherman aren't allowed to fish on them because we don't have enough quota. But omega protein holds over 78% of the entire east coast quota. So we have to truck pogies in from other states which are a lot smaller than our menhaden and cost at least \$60 more a drum. That adds at least \$180 to my bait bill and the fish are awful they are small and not in as good of quality as our local fish. I ask you increase our state quota. 3.1 quota allocation 3.1.1 I ask you select option B quota's should be based on fish availability and need 3.1.2 I ask you select option 4a. 3.2 episodic set aside program I ask you select option 2 3.3 incidental / small scale fishery 3.3.1 timing I ask you select option 1 status quo we rely on the small scale fishery immediately to continue a supply of fresh local menhaden 3.3.2 gear type I ask you select option 1 status quo small purse seiners are an important tool to insure only a specific amount of fish are harvested 3.3.3 trip limits I ask you select option 1 status quo any reduction in trip limits would put more pressure on our already evident bait shortage in Maine 3.3.4 I ask you select option 1 status quo Ic / ssf should not be counted towards state allocation or coast wise tac

From: [Shane Carter](#)
To: [Comments](#)
Subject: [External] Atlantic menhaden draft addendum I
Date: Saturday, September 24, 2022 8:39:22 AM

To whom it may concern,

I am a Maine commercial fisherman. We in the gulf of Maine have seen in recent years a substantial uptick in menhaden in our waters. Whether these fish remain in the gulf for years to come is impossible to say. I am for always for using the most up to date data and science to determine a fishery. Things are continually changing in our ecosystem and relying on old or historical data seems irrelevant at this point. We should also strive to protect the stock as best we can. Purse seining the fish has the environmental advantage of allowing live fish to be let go in the case of a quota overage. This is the only alternative that makes any common sense.

Thank you,

Shane carter
FV Emily Catherine
Bar harbor, Maine
Sent from my iPad

From: [Shawn Rich](#)
To: [Comments](#)
Subject: [External]
Date: Tuesday, September 13, 2022 12:39:29 PM

To Whom it may concern,

My name is Shawn Rich and I've been in the commercial fishing industry my whole life! 5 generations of fisherman in our family.

When the Menhaden showed up in Casco bay in numbers not seen in years I decided the catch them for bait. In 2016 I bought a license and a couple small gill nets and started figuring out how to catch them efficiently. We got it down and was catching enough to cut down our bait costs! I told my crew "This is to good , the state is gunna frig it all up." Sure enough the next year the rules started to change. And they have changed and been restricted every year since. Now that we've made huge investments to capitalize on the abundance of fish, rule may change again.....Gillnets are a fine inexpressive way to catch a handful of fish, but its not efficient and its indiscriminate in the sense everything you catch dies. There is no catch and release like with a purse sein. With a purse sein we brail out what we need and release the rest! If you make guys go to gillnetting it will be a disaster! What we have right now can work. Give us more quota. Make the whole season small scale from start to finish. Thank you!

Shawn Rich

From: [Sherman Hutchins](#)
To: [Comments](#)
Subject: [External] Seine
Date: Sunday, September 25, 2022 4:35:08 PM

I'm in favor of keeping the seine in the small scale fishery. And I also want to see a bigger quota. But I'm also in favor of changing how the allocation of Pogies are caught. I would like to start from day one of the fishery at 6000 pounds three days a week. If we got the quote close to 5% I don't think we would be into the small scale fishery till the end of September first of October. It would benefit many more fisherman and would also benefit for lobster bait.
Sent from my iPhone

From: [Steve Kirkpatrick](#)
To: [Comments](#)
Subject: [External] menhaden
Date: Wednesday, September 28, 2022 5:57:27 PM

Simply put, Maine needs to have more quota.

From: [JAYNE CLOUTIER](#)
To: [Comments](#)
Subject: [External] Menhaden Fishery
Date: Friday, September 30, 2022 10:31:56 PM

Hello,

My name is Tom Cloutier.

I've been a lobster fisherman for the last 30 plus years. As times grow more and more unreasonable as far as inflation, fuel, bait and help. Lobster price continues to decline, Unusual with the thought of every other product rising in cost. A cheaper source of bait is needed, our quota for menhaden is just a fraction of Virginia, for what reason? The price of frozen boxed menhaden from other states is ridiculously high. I have seen menhaden here from June to October. What it comes down to is we need more quota for menhaden to supply the lobster industry.

Thank you

3.1. Quota Allocation

3.1.1 -I ask you select Option B, quota's should be based on fish availability and need.

3.1.2- I ask you select Option 4A. I believe a moving average based on the most current years data is the best way to address menhaden availability as well as need. I do not believe using data thats 10 to 12 years old will address the needs of todays fishery. This current year Maines menhaden fishery, including small scale
Email to comments@asmfc.org

Subject line: Atlantic Menhaden Draft addendum 1

From: [tom haslett](#)
To: [Comments](#)
Subject: [External] RE: Menhaden Draft Addendum
Date: Thursday, September 29, 2022 1:43:02 PM

Attn: James Boyle, Atlantic States Marine Fisheries Commission -

As a concerned resident, I am writing to comment on changes in the commercial allocation of menhaden quota. I will open with the observation that the Draft Addendum provided a lot of great information and a very challenging discussion of the various options under consideration. For the sake of brevity and simplicity, I would like to share a few thoughts:

First, as a resident of eastern Maine, the menhaden is a relative newcomer to our waters. In the last five years the fish has contributed to a resurgence of bird activity. Have you ever seen a heron try to catch fish from the air? I've seen interactions between seagulls, heron and crows that I have never seen before in utilizing this food resource. The seal population has increased and I saw a minke whale for the first time in Narraguagus Bay this summer. Put simply, the menhaden have contributed to a surge in avian and marine mammals in a very short time frame. I contextualize this as a measure of how the Gulf of Maine is evolving, and it causes me to question the empirical insights from the data you shared.

Second, the data you shared shows the explosive growth of the Maine fishery extracting menhaden. Recognizing that the decline of herring has raised the value of menhaden as a 'replacement' bait stock - I want to raise an uncomfortable truth. Over the last six decades I have seen dramatic declines in a variety of marine organisms - except the lobster and kelp. Are we going to see the same over-extraction of resources that decimated the green sea urchin, the decline of mussel flats, the paucity of starfish, etc. etc.? Or is there a way forward to establish strict limits on the menhaden catch to ensure that we don't eviscerate this species before it has a chance to establish itself?

Third, the Maine lobster fishery is a fragile story today. Under pressure from a variety of sources: baitfish in short supply, rising costs for fuel, and the existential threat of closure due to the collapse of the Atlantic Right whale populations - there are reasons to be concerned. That can not serve as justification to allow 'economic' short-termism to produce (yet again) an ecological collapse. I would suggest that an overly cautious approach be taken with regard to quota.

This leads then to my critique of the various options detailed in the Draft Addendum. Within the three categories - I could not determine which proposal would put the greatest constraint on the total allowable catch. Moreover, I don't have any knowledge of the base population within the Gulf of Maine or more broadly. What I do know is that natural systems are dynamic and if we try to organize them into our economic models, we are destined to fail. Put another way - amidst the dynamic changes taking place in the Gulf of Maine: rising water temperatures, multiple species moving in and out of these waters, and increasing pressure to extract 'the last fish' - I would ask you to slow down the extraction of menhaden as aggressively as you can.

Thank you for taking the time to consider my thoughts here. I am sorry that I was unable to disentangle the various options that you have laid out. Consider the sum of my thoughts as a vote to make that quota as small as possible within the dynamic waters of the Gulf of Maine.

Sincerely,

Tom Haslett
Partner of Pemetic Sea Farms (LLC registered in Maine)
Resident of Millbridge, Washington Co.

+1 617 943 8301

Atlantic Menhaden Addendum I Public Hearings

*Maine Hearing
September 13, 2022
72 Public Participants*

Staff: James Boyle (ASMFC), Toni Kerns (ASMFC), Megan Ware (ME Commissioner Proxy), Melissa Smith (ME DMR)

Hearing Overview

- All commenters wanted to highlight their concern with removing purse seines as a permitted gear. They were concerned that removing purse seines would cause them to switch to gillnets, which would increase bycatch mortality because fish cannot be released alive, whereas with a purse seine the fishers can release a mixed catch.
- Multiple commenters stated how ME should get the maximum that they can but there should be an avenue to acquire more to fit their needs.
- All attendees supported Option 2 (Increase EESA between 1-5%), and 1 individual reiterated their support in their comment.

Poll Results

By a show of hands vote:

- 3.1.2: All attendees except 1 supported 3.1.2 Option 2 (2018, 2019, 2021). The one exception supported 3.1.2 Option 1 (2009-2011).
- 3.2.1: All attendees supported Option 2 (Increase EESA between 1-5%)
- 3.3.2 All attendees supported 3.3.2 Option 1 (Status Quo) to maintain permitted gear types.

Public Comment Summary

Cody Gillis

- Commented that removing purse seines is ignorant.
- Concerned that between VA and NJ, almost 90% of TAC and influence is consolidated between two states.
- Argued for splitting the quota evenly between states.

Gary Hatch

- Argued that the TAC should be set by available biomass within a state, and we need to know the full biomass to understand that.
- Stated that the menhaden population goes through cycles and that Maine is currently in the flow of a new cycle, similar to past years where they could catch around 60 million pounds.
- Wants the fishery to be able to catch the fish they need while they are on the high end of the cycle before it is gone again.
- In a second comment, supported creating size limits for menhaden to prevent states from catching young menhaden that have not had the chance to reproduce.
 - Same idea supported in a comment by Ryan Miller.
- Further commented that there are two areas on which management needs to focus:

- States catching smaller fish and preventing those fish from reproducing, which affects the ME fishery farther north
- Climate change and its contributions to the instability of the fishery.

Michael Myers

- Commented that cutting the herring fishery has shifted the pressure on menhaden, and that the fishers need to be able to catch their bait in order to remain economically viable.

Nick Nieuwhark

- Commented that quota should be more equally distributed away from VA.

Thomas McLennan (and joined by others)

- Multiple comments that ME fishers should have enough quota to catch their own bait instead of needing to import it from other states and pay the transportation costs.

Dustin Cody

- Commented that the ME lobster fishery is dependent on menhaden and ME needs all of the menhaden quota they can get to continue that fishery.
- In a second comment, stated that ME, and other states, need an avenue to acquire more quota when there is a clear need. Questioned why it should be that a state like ME has to consistently use the IC/SSF provision and shut their fishery while other states have more quota and rarely use the IC/SSF provision.

Daniel Harriman

- Also noted the episodic and cyclical nature of the menhaden fishery in ME.
- Commented that the quota should be equally distributed between the states, and is concerned that in the current system, fishers are forced to choose between begging for quota and fishing illegally.
- Concerned that the regulations only benefit large corporations and not the individual fishers.

Tim Caldwell

- Concerned that the document is not written clearly for fishers and that there are not enough resources for them to find the information in simpler terms.

Doug McLennan

- Commented that ME should remove itself from ASMFC due to concerns about other states and corporations having influence on the state fisheries, and voiced his disappointment in ME's representation.

John Jordan

- Commented that ME needs to be able to increase their quota to account for the increased availability of menhaden as waters warm and the population shifts north.

Lawrence Reed

- Commented that the fishery should be regulated in a way that allows them to fish for the entire season that menhaden are in state waters.

Additional Comments

Michael Myers and Collette Oxtan

- Both attendees commented that the state regulations that dictated the three days they were allowed to fish was too restrictive.

- Both argued that a better system would be to allow each fisher only three days, but let the fisher choose which three days they fish.

David Noonan

- Commented that does not see the reasoning for the state restricting the number of days fishers can fish.

Multiple Commenters

- Four individuals commented that for the first time they are seeing menhaden appear in traps that are 30-40 fathoms deep and in the bellies of tuna, which is a testament to their abundance in the region.

Atlantic Menhaden Draft Addendum I

Atlantic States Marine Fisheries Commission

September 13, 2002

Maine

-- PLEASE PRINT CLEARLY --

<u>Name</u>	<u>Company/Organization</u>	<u>City, State</u>
Nicholas Morley	Steadfast Fisheries	Boothbay ME
Andrew Hollinan	Steadfast Fisheries	Boothbay Harbor, ME
Richard Newcomb	Jen: r- o	Peaks Island ME
Gary Hatch	Galley Hatch Fish	Owls Head - Portland
Lively SINGELL SR		MORRILL ME
JED SPEAR	ROYAL RIVER LOB,	
CAMERON MURPHY	STEPPING STONES SAFETY INC.	PORTLAND ME
Jim Clemons	Insenig Bair	Harpwell ME
John Lyburner	F/V Bona IT	Stonington, ME
Glenn Bishop	F/V FORTS OAK	Edgemoor ME
Gordon Conwell	F/V Zephyr	Spruce Head ME
Lee Moore	F/V EVERETT OAKLEE	New Harbor, ME
Michael Dawson	F/V KARETH ANN	NEW HARBOR
Del Prentice		Round Pond
David Noonan	F/V Hammer Down	Tenants Harbor ME
Mark Gelf	F/V Ocean Sky	New Harbor
Timothy Caldwell	Caldwell Seafoods	Belfast ME
Lucky S. Gyeall	Shedd Mrs B	Belfast ME
Stephen Todd	F/V Emily Elizabeth	Chabangue Fl. ME
Jeff Zied	Jacob and Oleson	Chabangue
Will Debert		Brunswick
Karl Pitcher		Friendship
Jeremy Simmons	F/V Renewal Emma	Friendship
David Strout	F/V misunderstood	SACO ME
KNOEP Nieuwenh	F/V Hannah Jo	Kennaburn ME
LAWRENCE REED	GOIN' DEEP	S. BRISTOL, ME
Greg Pratt	Ole Rufus	New Harbor, ME
Ross Alex	F/V Kathryn Ann	Rockland ME
Ryan Haskell	F/V Decadence	North Haven ME
Sean Haskell	F/V Arcades	North Haven ME
Jason Hare	F/V EXTREME MEASURES	SO. THOMASTON

Name
 Mike McLaughlin
 Dustin Cox
 Zach Miller
 Dustin Delano
 John Tracy
 Shaun McLennan
 Ashley McLennan
 Thomas McLennan
 Gabe Gilchrist
 Ryan Ferrer
 Brian RACKHRO
 Wade RACKHRO
 Ursula Nieuwkoek
 Henry Whetham
 John Jordan
 Jeff Patnam

Company/Organization
 Calypso
 Calypso

 FV Manna Jo
 FV Storm Walker
 Captain B

City, State
 Kennebunk Me
 Kennebunk ME
 Matineux
 FRIENDSHIP
 Spruce Head
 Spruce Head
 Spruce Head
 Spruce head ME

 Spruce Head

 Kennebunk
 Chebeague Island
 Yarmouth, ME
 Chebeague ME

Menhaden Public Hearing Draft Addendum I Summary

*Brewer, Maine
September 20, 2022*

Participants: (57 attendees) Earl Small, Jessay Small, Loring Small, Representative Jim Thorne, Mark Bennett, Matt Williams, Chris Sawyer, Nick Heal, Joe Trundy, Calen Plumm, Representative Sherm Hutchins, Sherman Hutchins, Jeremy Thompsin, Clay Rumeey, Jason Colby, Michael Ross, Roy Whalen, Duncan Haass, James McMillan, Patrick Presnell, Edward Damm, Chouan Strongh, Dixon Smith, Isaac Beal, D. Moraisex, Michael Myers, Tim Caldwell, Cody Druenger, Nate Snow, Tanner Handy, Matt Thompson, Cameron Crawford, Kevin Murphy, Shawn Murphy, Kyle Knowles, Matt Lester, David Ames II, Stephanie Ames, Tyler Bernis, Parker Murphy, Jamie Thurlon, Will Detert, Cole McEnroe, Shanon Dyer, Kaleb Dyer, Adam Dyer, Ian Dyer, Stewart Murphy, Michael Roeber, Adam Stanwood, Noah Munk, Kendra Caruso, Dustin Emery, Virginia Olsen, Blaine Olsen, John Lymburner, and one unreadable signature

Staff: Megan Ware (ME DMR), Amanda Ellis (ME DMR), Troy Dow (Marine Patrol), Sean Dow (Marine Patrol)

Summary

The public hearing began at 5:00PM with a presentation of the management alternatives in the Draft Addendum and questions from members of the public.

Show-of-Hands Votes

Following questions, a show-of-hands vote was taken on several options to gather overall perspectives on management alternatives in Draft Addendum I given the number of participants. The show-of-hand votes were as follows:

- **Commercial Allocation:**
 - Option 1 Status Quo (2009-2011): 2
 - Option 2 2018, 2019, and 2021 Data: 36
 - Option 3 Weighted Average: 0
 - Option 4 Moving Average: 8
- **Episodic Events Set Aside:**
 - Option1 Status Quo (1% Set Aside): 0
 - Option 2 Increase Set-Aside Up To 5%: All attendees raised hands in favor (57)
- **Incidental Catch/Small Scale Fishery Gear Types:**
 - Option 1 Status Quo: All attendees raised hands in favor (57)
 - Option 2 No Purse Seines: 0
 - Option 3 Non-Directed Gears Only: 0
- **Incidental Catch/Small-Scale Fishery Trip Limits**
 - Option 1 Status Quo (6,000 lbs Trip Limit): All attendees raised hands in favor (57)
 - Option 2 4,500 lbs Trip Limit: 0
 - Option 3 3,000 lbs Trip Limit: 0

- **Incidental Catch/Small-Scale Fishery Catch Accounting:**
 - Option 1 Status Quo: All attendees raised hands in favor (57)
 - Option 2 IC/SSF Catch Accounting: 0

Individual Comments

Following the show-of-hands votes, individuals were asked to make public comments on Draft Addendum I. The vast majority of comments spoke to the use of purse seines in the IC/SSF fishery. Common themes in the individual public comments include:

- Purse seines should be maintained as a gear type in the small-scale fishery because:
 - many fishermen in Maine rely on purse seines
 - menhaden can be released alive from a purse seine
 - there is less bycatch with a purse seine
- Switching effort to gillnets will:
 - increase fish mortality
 - create concerns with right whales
 - result in more time and fuel used to catch menhaden
- The Commission should consider the size of fish caught in the states, and if they are mature and have spawned
- Maine's quota should be increased to reflect where the fish are being seen
- Quotas should be more equitable amongst the Atlantic coast states
- Menhaden support not only their own fishery but also the lobster fishery in Maine

Summaries of the individual comments are below. Key words high been highlighted for ease of reading.

- Tim C. – The ASMFC looks like a Virginia overflow of pogies and everyone gets the rest. We don't need last year's data; we need a fishery for next year. The process needs to move faster. If the Commission only evaluates **commercial quota** every three years that puts us in a corner, so we need the most we can get. When the Board makes its decision, it should aim to keep as many people employed as long as possible. Instead of Virginia having almost 80% of the quota, you could be employing hundreds of other fishermen and crew in Maine, putting food on the table and supporting local docks. It needs to be brought to the front that there is a human element to this and it shouldn't be about corporate greed. This is an eastern seaboard quota and it should be split up along the east coast and not between two major states.
- Nick H – If a goal of this document is to protect the fishery, then taking **purse seines** out of the small-scale fishery is a poor thing to do. We can take what we need and then release the rest alive with purse seines. You can't release fish alive with a gillnet and that creates a lot more problems. I also raise that restricting the small-scale fishery to gillnets may have implications for the Atlantic Large Whale Take Reduction Plan. New restrictions due to whales may phase gillnets out as a viable option. I recommend staying with status quo.
- Duncan H. – Maine's pogies are a lot bigger than the southern states. I just got barrels from New Jersey, and they are juvenile pogies and very small [see picture attachment to public hearing summary]. Taking account of fish size is important. We don't want small, juvenile pogies caught but we want big pogies to be caught which have already gone through a maturity cycle. With small juveniles, you have to catch a lot more fish to equal a pound compared to mature fish. Maybe this is

a contributing reason why we have so many fish in Maine waters. We can release menhaden alive from **purse seines**. If we get rid of purse seines, there are a lot of folks who have invested a lot of money in hydraulics and the net. If purse seines are eliminated, no one will want to buy this gear because it can't be used. It creates a bad investment.

- Michael M. – I rely on **purse seines** a lot myself to catch bait so I can haul my lobster traps. Purse seines are the most sustainable and effective way to catch menhaden, without killing other resources and harming the fish. Gillnets entangle species and you have to kill them. And what about protected resources like sturgeon? It is absurd to have Options 2 and 3 on gear types. I am in favor of keeping purse seines. We supply mature pogies which have gone through their life cycle, instead of collecting juveniles. They say our menhaden fishery comes and goes every seven years, could this be because Virginia is harvesting juvenile fish? If they overfish menhaden in the Mid-Atlantic, we lose our fish. It is very important not to fish on juvenile menhaden. I also remember that pogies in the 1990's were plentiful and Russian ships were in Rockland Harbor. What happened to all that data? We need more **quota**. I also support keeping status quo on **catch accounting** in the small-scale fishery and status quo for **trip limits** in the small-scale fishery. A lot of us depend on the menhaden fishery, both as a resource itself and for the lobster fishery. It is keeping us going. By removing purse seines we are losing not only income but also bait for another fishery. Everyone is affected by losing purse seines in the small-scale fishery. Not only families and individuals, but it trickles through communities and resources.
- Roy W. – I am in favor of anyone who wants to work. We need to make a living while the resource is here. It has been 20 years since the pogies were here and it's a good thing they showed up given the status of herring. We should have control over our own fishery and not have 10 other states decide to vote against us. I have used gillnets multiple times and you can do it without going over the quota but you have to be smart about it. We should be able to use both **purse seines and gillnets**.
- Tyler B – I support keeping status quo for **purse seining** so we can keep fishing the way we are now. The Commission should take the size of catch into account. If southern states are catching fish that haven't gone through their life cycle that should be considered. In Maine we catch full size fish and in Virginia they are catching juvenile fish. I am for purse seining and the other ways we catch menhaden.
- Adam S. – I support Option 1, no changes to the fishery for **purse seines** and I agree with the other guys on upping our limit. Virginia has a huge fishery that is owned by a Canadian company. We need to keep our own people employed. Why are we selling out to other countries fisheries? Switching to gillnets will also create a gear conflict issue. We dip in and out among other gear [lobster traps] with purse seines. But gillnets drift along and will create conflict with trap gear. This is a big issue in Maine with the dragging of traps and messing up the gillnet.
- Nate S. – We need to adjust the **quota** based on where the fish are being seen. The fishery has changed and we need to keep up with that since we didn't have a fishery back then. We need to harvest in the most responsible way and not harvest juveniles. **Purse seines** prevent us from killing other fish. I also support keeping status quo on **catch accounting** for the small-scale fishery and **trip limits** for purse seines in the small-scale fishery.
- Dixon S. – I support Option 1 on gear type so we can keep **purse seines** for the same reasons everyone has said. With purse seines we can release what we don't need. If they make us all go to gillnets, it puts a lot more fine-plastic in the water and much greater carbon footprint from running boats longer because it takes more time to fish with gillnets. Efficiency is what we strive for and

efficiency is mentioned in the document. I will also note that the fish down south are worth more money if they get rid of our small-scale fishery in Maine.

- Matt W.- This is a community fish. It's been a bad lobstering seasons and there's a lot of uncertainty moving ahead. The menhaden we bring-in offset poor lobster years. If you take **purse seines** away from us next year, it will be even worse. Affordable bait helps us make money and it is breathing air into lobstering communities.
- Chris S. – I am in favor of Option 1 and keeping **purse seines**. It helps us with sustainability and its more protective of the fishery and we're catching mature fish. It protects this fishery just like the gauge [sets min and max size] is with lobstering. I am concerned about states with no interest or investment in the small-scale fishery voting it away for Maine. They want to hammer us because they're saying we're going over our **quota** because our catch has increased, but it's because more fish have shown up. They are trying to shut us down.
- Earl S. – On the small-scale fishery I support Option 1 status quo. I have fished with both gillnets and **purse seines**. It does take a lot more time with gillnets. And there is a lot more bycatch. With purse seines you can release menhaden alive. You can't with a gillnet and you just kill them.
- Jason C. – I support Option 1 to keep **purse seines**. If you want to use a gillnet or purse seine, you should go for it. I like the purse seine because you can let the menhaden go when you get what you need. I am in favor of upping the **quota**.
- Parker M. – Before I was alive, the Russians took every single pogie they could in Blue Hill Bay. What they didn't take washed up on the beaches and died. And now the menhaden have come back. Menhaden are the cheapest bait we have. We let more pogies go than we take. And now we are the problem? Why can't we take our own bait? We use all the menhaden we catch here in Maine and it is a sustainable fishery.
- Representative Sherm Hutchins – There is a lot of good info here. Naturally Option 1 (keep **purse seines**) is the best one. Upping our quota makes sense because we have to truck less fish into the state and that just makes sense.
- Tanner H. – I support Option 1 to keep **purse seines**. You can release what you can't keep with purse seines. Gillnets will result in more plastic in the water and more dead fish. Purse seines are a better option.
- Sherman H. – If we did get our **quota** increased but we changed the trip limit in the beginning of the season, we might not need to make it to the small-scale fishery right away, so that might take us later into the year. More quota would allow us to run longer into the year.
- Noah M. – I am a gillnetter. I heard the word 'sustainable'. I dropped out of high school, so I am a layman. To me, sustainable means longevity of a fishery but doing things presently to get there. There is no other option than a **purse seine**. A gillnet is ludicrous; it is indiscriminatory. That doesn't jive with the word 'sustainable'.



September 20, 2022

Name	Town	Affiliation (if any)
Errol Small	EASTPORT	FISHERMAN
Jessay Small	east port	Fisherman
Loring Small	EASTPORT	Fisherman
Rep Jim Thorne	Carmel	Legislature (MAR)
Mark Bennett	Sorrento	Fisherman
Matt Williams	Swans Island	Fisherman
Chris Sanger	Swan's Island	Fisherman
Nick Heal	Lincolnville	Fisherman
Joe Trundy	Deer Isle	Fishermen
Galen Plummer	Corea	Fisherman
Rep Sherman Huthy	Brewster	Legislature
Sherman H. Hutchins	Deer Isle	Fisherman
Jerent Thompson	Stonington	FISHERMAN
Clay Roney	Milbridge	Fisherman
Jason Colby	Goldboro	Fisherman
Michael Ross	Stonington	Fisherman
Ry White	South Gouldsboro	Fisherman
Ray Warren	South Gouldsboro	Bill Netter
Duncan Brass	Lamoine	Seine
JAMES McMillan	LAMOIRE	lobsterman
PATRICK Presnell	So. Gouldsboro	Patrick Prince
Edward Damm	Aancock	Fisherman
Chouan Strongan		

September 20, 2022

Name	Town	Affiliation (if any)
Isaac Beal	Beals	Fishermen
Matt Morison	Sonesport	Fishermen
Michael Myers	St. George	Al. "
Tim Caldwell	Belfast	Fisherman
Cody Runegar	Boothbay	Fisherman
Nate Snow	Bass Harbor	Fisherman
Tanner Handy	Sorrento	Fisherman
Matt Thompson	Stonington	fisherman
Cameron Cumbul	Lamoine	Fisherman
Kevin Murphy	Lamoine	Fisherman
Shawn Murphy	Lamoine	Fisherman
Kyle Knowles	Couldsboro	Fisherman
Matt Lester	Couldsboro	Fisherman
David Ames II	Matinicus	fisherman
Stephanie Ames	Matinicus	fishermen
Cyber Bemis	Matinicus	Fishermen
Parker Murphy	Bass Harbor	Fisherman
Jamie Thurton	Bass Harbor	fisherman
Will Heterf	Brunswick	fisherman
Cole McEnroe	Bass Harbor	Fisherman
Shanon Dyer	Vynal Harbor	fisherman
Galeb Dyer	Vynal Harbor	fisherman
Adam Dyer	Vynal Harbor	fisherman

September 20, 2022

Name	Town	Affiliation (if any)
Michael Rober	Warrington	Captain
Adam Starwood	Jonesport	Cap.
Noah Munk	Martinsville	Cap.
Kendra Caruso	Bellevue Press	TRJ
DUSTIN EMEY	JONESBORO	CAPTAIN
Virginia Olsen	Stonington	Local 207
Blaine Olsen	"	"
John Lymburner	Stonington	Captain

Draft Addendum I to Amendment 3 Public Hearings

*Portsmouth, New Hampshire
Hybrid Hearing
September 7, 2022
9 Participants*

Staff: James Boyle (ASMFC), Toni Kerns (ASMFC), Emilie Franke (ASMFC), Cheri Patterson (NH Commissioner), Ritchie White (NH Commissioner), Dennis Abbott (NH Commissioner Proxy)

Hearing Overview

- 2 commenters expressed support for 3.3.4 Option 2 given the high percentage of IC/SSF landings coastwide and particularly in certain states.
- 1 commenter expressed support for 3.1.1 Option A to maintain equity and allow states with little or no commercial menhaden fishery to keep quota for other purposes.
- 1 commenter expressed support for 3.1.2 Option 2 to align with the most recent availability of the resource.

Poll Results

- **3.1.1 Commercial Allocation Step 1:**
 - Option A Status Quo (0.5%): 1
 - Option B (Three-Tier): 2
- **3.1.2 Commercial Allocation Step 2**
 - Option 1 Status Quo (2009-2011): 0
 - Option 2 2018, 2019, and 2021 Data: 1
 - Option 3 Weighted Average:
 - Sub-option 1: 0
 - Sub-option 2: 0
 - Option 4 Moving Average:
 - 4A (all landings): 0
 - 4B (all landings under TAC): 2
- **3.2.1 EESA:**
 - Option 1 Status Quo (1% Set Aside): 1
 - Option 2 Increase Set-Aside Up To 5%:
 - Sub-option 1 (Static): 1
 - Sub-option 2 (dynamic): 2
- **3.3.1 IC/SSF Timing:**
 - Option 1 Status Quo: 1
 - Option 2 Sector/Fishery/Gear Type: 0
 - Option 3 Entire State Allocation: 2
- **3.3.2 IC/SSF Gear Types:**
 - Option 1 Status Quo: 1 (Supported Sub-option 2)
 - Option 2 No Purse Seines: 1
 - Option 3 Non-Directed Gears Only: 2

- **3.3.3 IC/SSF Trip Limits**
 - Option 1 Status Quo (6,000 lbs Trip Limit): 2
 - Option 2 4,500 lbs Trip Limit: 0
 - Option 3 3,000 lbs Trip Limit: 2

- **3.3.4 IC/SSF Catch Accounting:**
 - Option 1 Status Quo: 1
 - Option 2 IC/SSF Catch Accounting:
 - 2A Modify Trip Limits: 2
 - 2B Modify Gear Types: 0
 - Both 2A and 2B: 2

Public Comment Summary

Kimberly Matthews

- Wanted NH Commissioners to consider the amount of biomass that is removed from IC/SSF landings at the current trip limits and the benefits of 3.3.4 Option 2 considering the high level of IC/SSF landings in other states

Jaclyn Higgins (Representative of Theodore Roosevelt Conservation Partnership)

- Supports 3.1.1 Option A as it is considered the most equitable distribution
 - Commented that states with low landings should not be penalized and felt that the tiered minimum does not consider states that may want to keep fish in their waters for other ecological benefits
- Supports 3.1.2 Option 2 to represent the most recent availability of the resource
- Supports 3.3.4 Option 2
 - Believes IC/SSF landings should be counted against the TAC equal to directed landings due to the percentage of the overall coastwide landings that fall under this provision

New Hampshire Virtual Hearing Attendance Wednesday, September 7, 2022		
First Name	Last Name	Email
Barry	Matthews	oceanventure@aol.com
Ben	Matthews	bmatthews585@gmail.com
Cheri	Patterson	cheri.patterson@wildlife.nh.gov
Dale	Prentice	daleprentice123@gmail.com
DOUG	GROUT	degroust@comcast.net
Emilie	Franke	efranke@asmfc.org
Eric	Lorentzen	bellinghamssurfteam@yahoo.com
Heather	Corbett	heather.corbett@dep.nj.gov
Jaclyn	Higgins	jhiggins@trcp.org
Joseph	Martin	jmartin1@myfairpoint.net
Kathleen	Reardon	kathleen.reardon@maine.gov
Kimberly	Matthews	kjm5291@gmail.com
Lincoln	Tully	linc.tully@gmail.com
Melissa	Smith	Melissa.Smith@maine.gov
Nichola	Meserve	nichola.meserve@mass.gov
Peter	Himchak	peter.himchak@cookeaqua.com
Toni	Kerns	tkerns@asmfc.org

Atlantic Menhaden Addendum I Public Hearings

Massachusetts Hearing

September 14, 2022

24 Public Participants

Staff: James Boyle (ASMFC), Nichola Meserve (MA Commissioner Proxy), Dan McKiernan (MA Commissioner)

Hearing Overview

- Questions and comments largely concerned how Maine’s IC/SSF landings in recent years have resulted in the options in the document causing Maine’s allocation to potentially increase the most.
 - Commenters were concerned that the potential increases to Massachusetts’ quota in the options is significantly less than Maine because they did not utilize the IC/SSF program.
 - Additional concerns were how the price of menhaden could be driven down by increased catch in Maine.
- 2 commenters expressed their desire to use different methods to reduce Maine’s IC/SSF landings, whether through the Options in 3.3.2 and 3.3.3 or by implementing a state IC/SSF cap.
- 1 commenter for the Stellwagen Bank Charter Boat Association expressed concern for the volume of landings allowed under the IC/SSF provision, and that in sensitive areas (Boston Harbor) it negatively affects the striped bass fishery.
- General sentiment among most participants was that Massachusetts needs a combination of options that will increase and scale its access to the available resource, although participants needed more time to review and consider the specific options and how they would work together.
 - 1 commenter noted the importance of management being able to respond to shifts in species distribution, whether north or south.
- 1 commenter questioned the benefit for MA of the three-tiered minimum allocation approach versus having more quota available for transfers.

Public Comment Summary

Gerry O’Neil

- Commented that it is in Massachusetts’ best interests to end the IC/SSF program to make their fish more valuable and was concerned that Maine is benefitting from using this provision at the expense of other states. Removing purse seines from IC/SSF especially important for the Moving Average allocation option.
- Interested in a mechanism that would allow states to hold on to some amount of quota for use after the EESA so that the fishery could still operate at a small-scale level under quota if gears removed from IC/SSF.

Eric Lorentzen

- Expressed similar concern that Maine is being rewarded for its use of the IC/SSF provision while Massachusetts tried to abide by the intent of the provision, and that an increase in Maine quota will reduce the price for fish.

Mike Pollison

- Commented that states should not be allowed to split their quota into sectors (supports 3.3.1 Option 3).
- Added that a cap should be placed on Maine IC/SSF landings to allow for fish to return south to Massachusetts.

Mike Delzingo (Stellwagen Bank Charter Boat Association)

- Concerned that 6,000 lbs is far too great to be considered an incidental fishery and that menhaden are being depleted in Boston Harbor and not serving their role as a forage fish for other target species, particularly striped bass.

Paul Axelson

- Commented on the importance of management being able to respond to shifts in species distribution, whether north or south.

Atlantic Menhaden Addendum I Public Hearings

Rhode Island Hearing

September 8, 2022

8 Public Participants

Staff: James Boyle (ASMFC), Toni Kerns (ASMFC), Conor McManus (RI Commissioner)

Hearing Overview

- 1 commenter supported increasing the EESA and for maintaining quota in states that may not have menhaden fisheries to allow them the choice to keep quota for game fish or some other reason.

Poll Results

- **3.1.1 Commercial Allocation Step 1:**
 - Option A Status Quo (0.5%): 0
 - Option B (Three-Tier): 2
- **3.1.2 Commercial Allocation Step 2**
 - Option 1 Status Quo (2009-2011): 0
 - Option 2 2018, 2019, and 2021 Data: 3
 - Option 3 Weighted Average:
 - Sub-option 1: 0
 - Sub-option 2: 0
 - Option 4 Moving Average:
 - 4A (all landings): 0
 - 4B (all landings under TAC): 1
- **3.2.1 EESA:**
 - Option 1 Status Quo (1% Set Aside): 1
 - Option 2 Increase Set-Aside Up To 5%:
 - Sub-option 1 (Static): 3
 - Sub-option 2 (dynamic): 1
- **3.3.1 IC/SSF Timing:**
 - Option 1 Status Quo: 2
 - Option 2 Sector/Fishery/Gear Type: 0
 - Option 3 Entire State Allocation: 2
- **3.3.2 IC/SSF Gear Types:**
 - Option 1 Status Quo: 0
 - Option 2 No Purse Seines: 0
 - Option 3 Non-Directed Gears Only: 3
- **3.3.3 IC/SSF Trip Limits**
 - Option 1 Status Quo (6,000 lbs Trip Limit): 1
 - Option 2 4,500 lbs Trip Limit: 0
 - Option 3 3,000 lbs Trip Limit: 3
- **3.3.4 IC/SSF Catch Accounting:**

- Option 1 Status Quo: 2
- Option 2 IC/SSF Catch Accounting:
 - 2A Modify Trip Limits: 3
 - 2B Modify Gear Types: 1
 - Both 2A and 2B: 1

Public Comment Summary

Greg Vespe (Representative of RI Saltwater Anglers' Association)

- Supports 3.2.1 Option 2 but did not specify a sub-option
- Commented desire to allow states without a menhaden fishery to be able to keep quota for other purposes
- Expressed concern that this species needs to be carefully protected given the collapse of the Atlantic herring fishery, and feels that menhaden is the “last man standing”
- Additional comments regarding how states distribute their quotas
 - Would prefer states distribute catch within their waters more evenly to lessen the pressure on ecologically sensitive areas; specifically used the Chesapeake Bay as an example
 - Would prefer states to reevaluate how quotas are distributed to support smaller fishers and fewer large corporations

Rhode Island Hearing Attendance**Thursday, September 8, 2022**

First Name	Last Name	Email
Anna	Webb	anna.webb@mass.gov
Carl	Tiska	carl.tiska@gmail.com
Conor	McManus	conor.mcmanus@dem.ri.gov
Eric	Lorentzen	bellinghamssurfteam@yahoo.com
Greg	Vespe	vespe.risaa@gmail.com
Jaclyn	Higgins	jhiggins@trcp.org
Jason	McNamee	jason.mcnamee@dem.ri.gov
Mike	Jarbeau	mjarbeau@savebay.org
Nichola	Meserve	nichola.meserve@mass.gov
Nicole	Lengyel Costa	nicole.lengyel@dem.ri.gov
Peter	Himchak	peter.himchak@cookeaqua.com
Richard	Fuka	rfuka@gansettcrab.com
Richard	Fuka	captlobster@gmail.com
Robbi	Begi	robbiebegin@gmail.co
Toni	Kerns	tkerns@asmfc.org

Atlantic Menhaden Addendum I Public Hearings

*New York Hearing
September 15, 2022
11 Public Participants*

Staff: James Boyle (ASMFC), Maureen Davidson (NY DEC), Stephanie Rekemeyer (NY DEC)

Hearing Overview

- Comments largely focused on increasing New York's quota through incorporating recent landings as much as possible through the allocation timeframe, with the majority preferring 3.1.2 Option 2, but supporting Option 3A Sub-option 1 if the previous option was not achievable.
- Comments also expressed strong opposition to 3.3.2 Option 3 and the removal of the beach seine fishery in the state. Commenters wanted to emphasize the importance of maintaining existing fisheries and removing the beach seine from the IC/SSF landings would be a considerably detriment to the fishery as a whole and the fishers themselves.

Public Comment Summary

Tom Garay

- Supports 3.1.2 Option 2 to maximize NY quota
- Supports 3.3.2 Option 2 to remove purse seines from the IC/SSF provision
- Supports 3.3.3 Option 1
- Expressed the desire to maintain beach seines in the IC/SSF provision

Will Caldwell (Southampton Baymen's Association)

- Supports 3.1.2 Option 2 to maximize NY quota
 - If not 3.1.2 Option 2, would accept 3.1.1 Option B and 3.1.2 Option 3A Sub-option 1
- Supports 3.3.2 Option 2 to remove purse seines from the IC/SSF provision
 - Expressed strong opposition to Option 3 unless it was modified to protect existing beach seine fishery
 - Added a comment that would like to see beach seines considered separate from haul seines moving forward
- Supports 3.3.3 Option 1
- Also, wanted to give the Board a reminder that prior to 2015 there was no record of NY landings when considering historical landings

Michael Ozkaya

- Supports 3.1.2 Option 2 to maximize NY quota
 - If not 3.1.2 Option 2, would accept Option 3A Sub-option 1
- Supports 3.3.2 Option 2 to remove purse seines from the IC/SSF provision
 - Reiterated concern that Option 3 would be detrimental to the NY fishery
- Supports 3.3.3 Option 1

John Nemeth

- Supports 3.1.2 Option 2 to maximize NY quota
- Supports 3.3.2 Option 2 to remove purse seines from the IC/SSF provision
 - Reiterated concern that Option 3 would be detrimental to the NY fishery
- Supports 3.3.3 Option 1

Atlantic Menhaden Addendum I Public Hearings

New Jersey Hearing

September 27, 2022

4 Public Participants

Staff: James Boyle (ASMFC), Toni Kerns (ASMFC), Tracey Bauer (ASMFC), Joe Cimino (NJ Commissioner)

Hearing Overview

- 1 commenter expressed their feeling that northern states have fewer regulations of the menhaden fishery and are being rewarded for catching more than their quota, while NJ worked to stay within its quota including closing the fishery
- 1 commenter expressed their concern that the options do not address what they consider to be the true issue, which is water quality and pollution

Poll Results

- **3.1.1 Commercial Allocation Step 1:**
 - Option A Status Quo (0.5%): 2
 - Option B (Three-Tier): 0
- **3.1.2 Commercial Allocation Step 2**
 - Option 1 Status Quo (2009-2011): 1
 - Option 2 2018, 2019, and 2021 Data: 1
 - Option 3 Weighted Average: 1 voted with no follow up on sub-option
 - Sub-option 1: 0
 - Sub-option 2: 2
 - Option 4 Moving Average:
 - 4A (all landings): 0
 - 4B (all landings under TAC): 0
- **3.2.1 EESA:**
 - Option 1 Status Quo (1% Set Aside): 3
 - Option 2 Increase Set-Aside Up To 5%:
 - Sub-option 1 (Static): 1
 - Sub-option 2 (dynamic): 0
- **3.3.1 IC/SSF Timing:**
 - Option 1 Status Quo: 2
 - Option 2 Sector/Fishery/Gear Type: 0
 - Option 3 Entire State Allocation: 2
- **3.3.2 IC/SSF Gear Types:**
 - Option 1 Status Quo: 1
 - Option 2 No Purse Seines: 2
 - Option 3 Non-Directed Gears Only: 1
- **3.3.3 IC/SSF Trip Limits**
 - Option 1 Status Quo (6,000 lbs Trip Limit): 0
 - Option 2 4,500 lbs Trip Limit: 1
 - Option 3 3,000 lbs Trip Limit: 2

- **3.3.4 IC/SSF Catch Accounting:**
 - Option 1 Status Quo: 2
 - Option 2 IC/SSF Catch Accounting:
 - 2A Modify Trip Limits: 1
 - 2B Modify Gear Types: 0
 - Both 2A and 2B: 1

Public Comment Summary

Jeff Kaelin (Representative of Lund’s Fisheries)

- Supports 3.1.1 Option B
- Supports 3.1.2 Option 3A Sub-option 2
 - Commented that it is fair to weight the historical and recent landings equally
- Supports 3.2.1 Option 1
- Supports 3.3.1 Option 1
 - Commented that the NJ system of dividing the state quota by sector works well and wants it to continue
- Supports 3.3.2 Option 2
 - Commented belief that even at the size limit, purse seines can catch far more than the IC/SSF trip limit and simply dump fish to transport boats to bypass the limit
 - Fundamentally opposed to considering purse seines as small SSF
- Supports 3.3.3 Option 1
 - Commented desire to maintain limit specifically for gillnets
- Supports 3.3.4 Option 2
 - Commented that some action must be taken, whether trip limits or gear types, and that Option 2 would protect states that remain within their limits and report landings accurately

James Fletcher

- Expressed confusion at the document as a whole and disappointment that the Commission is not increasing landings of fish
- Expressed concern that the addendum does not consider water quality and pollution, as they feel that is the biggest threat facing all fisheries

Virtual Public Hearings for Atlantic Menhaden Draft Addendum I - September 27, 2022

Attendee Report: New Jersey

Batsavage	Chris	chris.batsavage@ncdenr.gov
Bauer	Tracey	tbauer@asmfc.org
Brust	Jeffrey	Jeffrey.Brust@dep.nj.gov
Celestino	Michael	mike.celestino@dep.nj.gov
Cimino	00-Joe	joseph.cimino@dep.nj.gov
Corbett	Heather	heather.corbett@dep.nj.gov
Fletcher	James	unfa34@gmail.com
Higgins	Jaclyn	jhiggins@trcp.org
Himchak	Peter	peter.himchak@cookeaqua.com
Kaelin	Jeff	jkaelin@lundsfish.com
Kerns	Toni	tkerns@gmail.com
Madsen	Shanna	shanna.madsen@mrc.virginia.gov

Atlantic Menhaden Addendum I Public Hearings
Hearing for Delaware, Maryland, and Potomac River Fisheries Commission
September 26, 2022
10 Public Participants

Staff: James Boyle (ASMFC), Toni Kerns (ASMFC), Dustin Leaning (ASMFC), Lynn Fegley (MD Commissioner), John Clark (DE Commissioner), Marty Gary (PRFC Commissioner)

Hearing Overview

- 2 commenters expressed concern over the quantity of coastwide quota that goes to VA, specifically to the reduction fishery
 - 1 of those commenters wanted it on the record that he did not participate in the polling because of the large difference between the quota that goes to VA compared to the amount of quota that other states can hope to gain through the options in the document

Poll Results

- **3.1.1 Commercial Allocation Step 1:**
 - Option A Status Quo (0.5%): 1
 - Option B (Three-Tier): 5
- **3.1.2 Commercial Allocation Step 2**
 - Option 1 Status Quo (2009-2011): 0
 - Option 2 2018, 2019, and 2021 Data: 2
 - Option 3 Weighted Average: 1 voted with no follow up on sub-option
 - Sub-option 1: 0
 - Sub-option 2: 1
 - Option 4 Moving Average:
 - 4A (all landings): 1
 - 4B (all landings under TAC): 1
- **3.2.1 EESA:**
 - Option 1 Status Quo (1% Set Aside): 0
 - Option 2 Increase Set-Aside Up To 5%: 0
- **3.3.1 IC/SSF Timing:**
 - Option 1 Status Quo: 2
 - Option 2 Sector/Fishery/Gear Type: 4
 - Option 3 Entire State Allocation: 1
- **3.3.2 IC/SSF Gear Types:**
 - Option 1 Status Quo: 2
 - Option 2 No Purse Seines: 4
 - Option 3 Non-Directed Gears Only: 2
- **3.3.3 IC/SSF Trip Limits**
 - Option 1 Status Quo (6,000 lbs Trip Limit): 2
 - Option 2 4,500 lbs Trip Limit: 2
 - Option 3 3,000 lbs Trip Limit: 4

- **3.3.4 IC/SSF Catch Accounting:**
 - Option 1 Status Quo: 2
 - Option 2 IC/SSF Catch Accounting:
 - 2A Modify Trip Limits: 1
 - 2B Modify Gear Types: 1
 - Both 2A and 2B: 2

Public Comment Summary

Kevin McManaman

- Commented that recreational fishers believe that too much of the quota goes to the VA reduction fishery and would like it reduced to protect biomass and water quality
 - Followed up with concern that current quota distribution goes against ASMFC stated goal to make equitable quotas

Chris Moore (Representative of Chesapeake Bay Foundation)

- Supports 3.2.1 Option 2 to increase the set aside
- Supports 3.3.1 Option 2 or 3
 - Commented that they would like to see states unable to use system to catch under IC/SSF provision faster and are sure to catch all of quota first
- Supports 3.3.2 Option 3
 - Commented that purse seines are directed gears and should be considered as such
- Supports 3.3.4 Option 2B Sub-option 1:

Lenny Rudow

- Commented to include it in the record that he did not participate in polling due to disparity between VA quota and the potential quotas for other states

**Virtual Public Hearings for Atlantic Menhaden Draft Addendum I - Septer
Delaware, Maryland, Potomac River Fisheries Commission**

Attendee Report

Last Name	First Name	Email Address
Braun	Ingrid	ingrid.prfc@gmail.com
Clark	John	john.clark@delaware.gov
Colden	Allison	acolden@cbf.org
Colson Leaning	Dustin	dleaning@asmfc.org
Fuller	Jeanne	harborbait@outlook.com
Frignoca	Ivy	ifrignoca@cascobay.org
Gallup	Bruce	sllama@megalink.net
Gary	Marty	martingary.prfc@gmail.com
Genovese	Paul	paul.genovese@maryland.gov
Gillingham	Lewis	lewis.gillingham@mrc.virginia.gov
Harrington	Amalia	amalia.harrington@maine.edu
Higgins	Jaclyn	jhiggins@trcp.org
Himchak	Peter	peter.himchak@cookeaqua.com
Kaelin	Jeff	jkaelin@lundsfish.com
Kerns	Toni	tkerns@asmfc.org
Luisi	Michal	michael.luisi@maryland.gov
Madsen	Shanna	shanna.madsen@mrc.virginia.gov
Meserve	Nichola	nichola.meserve@mass.gov
Miller	Roy	fishmaster70@comcast.net
Moore	Chris	cmoore@cbf.org
Rickabaugh	Harry	harry.rickabaugh@maryland.gov
Rudow	Lenny	Lenny@fishtalkmag.com
Thibodeau	Jack	jack.thibodeau@nya.org
Zlokovitz	Erik	Erik.Zlokovitz@maryland.gov

Atlantic Menhaden Addendum I Public Hearings

Virginia Hearing
September 21, 2022
53 Public Participants

Staff: James Boyle (ASMFC), Robert Beal (ASMFC), Jamie Green (VA Commissioner), Pat Geer (VA Commissioner Proxy), Shanna Madsen (VMRC)

Hearing Overview

- Comments largely focused on concerns that a reduction in VA quota would lead to lost fishery jobs and the impacts on the local community.
- Comments also frequently questioned states without menhaden fisheries continuing to have menhaden quota to the detriment of states with active fisheries.

Poll results

- **3.1.1 Commercial Allocation Step 1:**
 - Option A Status Quo (0.5%): 2
 - Option B (Three-Tier): 46
- **3.1.2 Commercial Allocation Step 2**
 - Option 1 Status Quo (2009-2011): 0
 - Option 2 2018, 2019, and 2021 Data: 1
 - Option 3 Weighted Average:
 - Sub-option 1: 0
 - Sub-option 2: 53
 - Option 4 Moving Average:
 - 4A (all landings): 0
 - 4B (all landings under TAC): 0
- **3.2.1 EESA:**
 - Option 1 Status Quo (1% Set Aside): 53
 - Option 2 Increase Set-Aside Up To 5%: 1 with no sub-option
- **3.3.1 IC/SSF Timing:**
 - Option 1 Status Quo: 0
 - Option 2 Sector/Fishery/Gear Type: 1
 - Option 3 Entire State Allocation: 0
- **3.3.2 IC/SSF Gear Types:**
 - Option 1 Status Quo: 0
 - Option 2 No Purse Seines: 1
 - Option 3 Non-Directed Gears Only: 0
- **3.3.3 IC/SSF Trip Limits**
 - Option 1 Status Quo (6,000 lbs Trip Limit): 0
 - Option 2 4,500 lbs Trip Limit: 0
 - Option 3 3,000 lbs Trip Limit: 0
- **3.3.4 IC/SSF Catch Accounting:**
 - Option 1 Status Quo: 0

- Option 2 IC/SSF Catch Accounting: 2 with no sub-option
 - 2A Modify Trip Limits: 0
 - 2B Modify Gear Types: 0
 - Both 2A and 2B: 0

Public Comment Summary

Taylor Deihl

- Commented their desire for the Board to protect established jobs rather than create new jobs elsewhere
- Expressed concern for her husband's job as a fish spotter if quota reductions led to job cuts and noted how the specific skills for working in the industry are difficult to transfer to other jobs in the area with comparable benefits
- Asked why FL, with a net ban, and states with no menhaden fishery receive quota only for it to be unused
- Asked why VA, with historically largest fishery, sees decreases in quota while other states' quotas are increasing

Ken Pinkard

- Supports 3.1.1 Option B to create three tiers for minimum allocations
- Supports 3.1.2 Option 3A Sub-option 2
- Expressed concern for a potential loss of fishery jobs in the area and noted as a former VP of a fishers union that he has seen opportunities decrease since 2012 and that these jobs are unique opportunities for good wages with a turnover of less than 3%

Ben Landry (Representative of Omega Protein)

- Supports 3.1.1 Option B to create three tiers for minimum allocations
 - In comment, asked why states without menhaden fisheries receive menhaden quota and stated that all it serves is to remove quota from active fishers
- Supports 3.1.2 Option 3A Sub-option 2
- Expressed concern for the economic impacts of reduced quotas, including the lowering of the Chesapeake Bay Cap over time
- Commented that he does not see a method to increase VA quota while other states use quota transfers, and does not feel it is equitable to give recent landings greater weight and reward states for going over their quota

Patrice Noel

- Expressed concern for her family and livelihood if quota reductions cause her husband to lose his job with Ocean Harvesters

Monty Deihl (Representative of Ocean Harvesters)

- First, noted that the local fishers union had 150 members 11 years ago and is now down to 90, and that most of those losses occurred in 2012 from the introduction of the fixed minimum.
- Commented that states without menhaden fisheries should not have menhaden quota that could go to VA or ME and preventing those fishers from catching menhaden

AJ Erskine (Representative for Mid-Atlantic Bait)

- Supports 3.1.2 Option 3A Sub-option 2

- Commented that VA has the market to increase landings but not the quota and asked why with stock assessments showing a healthy stock that we cannot increase the quota overall to help all of the states that need it
- Noted a desire to see pound nets continue to catch under the IC/SSF provision

Chris Moore (Representative of Chesapeake Bay Foundation)

- Supports VA being able to continue dividing their quota by sector, per 3.3.1
- Supports 3.3.2 Option 2 because of the directed nature of purse seines

Andy Hall (General Manager of Omega Protein)

- Expressed concern that continued reductions lead to lost jobs, which is also contributing to younger generations seeking opportunities elsewhere, and voiced opposition to any measures that decreases the reduction fishery quota

Atlantic Menhaden Draft Addendum 1

Atlantic States Marine Fisheries Commission

September 21, 2000

Virginia

-- PLEASE PRINT CLEARLY --

<u>Name</u>	<u>Company/Organization</u>	<u>City, State</u>
Tamara Hull	Omega Protein	Reedville VA
Hudly Hull	Omega Protein	Reedville VA
RANNIE BRAY	OMEGA PROTEIN	Reedville VA
Karen Parker	UFCW/Omega	Reedville VA
RUSSEL FERGUSON	OMEGA	LANCASTER VA
Allen Davis	OMEGA Protein	Reedville, VA
Hannah Long	omega protein	Reedville, VA
Samy Abbott	omega protein	Reedville VA
Ka Washington	omega Protein	Reedville, VA
Rodney Ball	Omega Protein	Reedville va.
Xavier Hudball	Omega protein	Reedville va.
Allen Hudson	omega Protein	Reedville, VA
Tom Parker	Omega	Reedville VA
Dwayne Long	Omega Protein	Reedville VA
Rynell Ball	Omega Protein/FishBait	Reedville VA
Brandon Cochrell	Omega Protein	Reedville VA
Taylor Dehl	Omega Protein	Reedville, VA
Patrice Noel	Omega Protein	Reedville, VA
Joanne Hinson	Omega Protein	Reedville
Renaie Butler	Omega Protein	Reedville
CEAIG FREEMAN	VMEC MMAC	Payson VA
Bailey, Loring	Omega	Reedville, VA
Stanford Parker	Omega	Westhempden
Jane Coe wither	Omega Protein	Reedville, VA
ROBERT CARRERI	ADU ANTUS	Essex, VA
Deborah Butler	omega protein	Reedville, VA
Hudson, Hudson	omega protein	Reedville, VA
Steve Thomas	Omega Protein	Reedville, VA
Knell	omega protein	Reedville, VA
Chris Moore	C.B.F.	VA Beach, VA
Roger O'Brien	Omega Protein	Reedville, VA

Name
 Jimmy F. [unclear]
 Paul M Jackson
 Marg [unclear]
 W 9th English
 Jordan Chinn
 Damon Cottrell
 Marily [unclear]
 S. LAKE COASTAL
 Ben Landry
 Vance L. Groat
 AS ERSKINE
 Zachary Kurs
 Steve Higginbotham
 Michelle Plauer
 Pat Geer

Company/Organization
 omega protein
 Omega Protein
 Omega Protein
 AMPRO
 Omega Protein
 Ocean Harvesters
 MID-ATLANTIC BAIT, INC
 omega Protein
 VMRC
 MID-ATLANTIC BAIT
 Omega Protein
 OMEGA
 omega Protein
 VMRC

City, State
 Reedville Va
 Reedville Va
 Reedville VA
 Reedville VA
 Lottsburg, VA
 Reedville, VA
 VA
 Reedville, Va
 Mathews Va
 White Stone, VA
 Hampton, VA



Atlantic States Marine Fisheries Commission

1050 N. Highland Street • Suite 200A-N • Arlington, VA 22201
703.842.0740 • 703.842.0741 (fax) • www.asmf.org

MEMORANDUM

TO: Atlantic Menhaden Management Board
FROM: Atlantic Menhaden Technical Committee
DATE: October 20, 2022
SUBJECT: Stock Projection Memo

The Atlantic Menhaden Management Board (Board) will discuss the 2023-2025 total allowable catch (TAC) for Atlantic menhaden at its November 2022 meeting. Per Amendment 3, the TAC is set through Board action, either on an annual basis or for multiple years, based on the best available science. If the Board does not set a TAC for 2023 by the Annual Meeting, next year's TAC will automatically be set at the level of the 2022 TAC (194,400 mt). Since the implementation of coastwide quota management the TAC has been set at the following levels: 170,800 metric tons (2013–2014); 187,880 metric tons (2015–2016); 200,000 metric tons (2017); 216,000 metric tons (2018–2020); and 194,400 metric tons (2021-2022).

At the August meeting, the Board tasked the Atlantic Menhaden Technical Committee (TC) with developing projections using the ecological reference points (ERPs) and the single-species assessment model (Beaufort Assessment Model, or BAM). Specifically, the Board requested the following projections:

- The TACs that have a 40%–60% probability of exceeding the ERP target, in 5% increments using 2023-2025 combined and as separate years.
- The percent risk of exceeding the ERP target and threshold if the current TAC was changed by -10% to +10% in 5% increments, including 0% (the current TAC).

This memo outlines the methods for the projections and the results of the analysis the Board requested to support the specifications process.

TAC Setting Process

As in recent years, the TAC has been informed by the results of projection analysis, which explores a range of TAC alternatives to determine the percent risk of exceeding the ERP reference points adopted in 2020:

- **ERP target:** the maximum fishing mortality rate (F) on Atlantic menhaden that sustains Atlantic striped bass at their biomass target when striped bass are fished at their F target
- **ERP threshold:** the maximum F on Atlantic menhaden that keeps Atlantic striped bass at their biomass threshold when striped bass are fished at their F target.

Monte Carlo Bootstrap (MCB) runs of the base model run from the BAM are used as the basis for the projection analysis (see stock assessment update report for details on BAM base run and MCB runs; ASMFC 2022).

The projections have the same methods and assumptions as those run for the benchmark assessment. It is important to note that key uncertainties about natural mortality and fecundity are accounted for in the projections. Additionally, during the benchmark assessment (SEDAR 2020), the SAS used a new procedure for projecting recruitment. Instead of assuming a static median value for recruitment, as is done for many assessment projection methodologies and as was done in the past, recruitment was projected using nonlinear time series analysis methods (Deyle et al 2018). Nonlinear time series analysis methods project recruitment based on how recruitment has changed in the past under similar conditions. This is done for each MCB run to account for uncertainty. Thus, uncertainty is recognized in the recruitment time series and the methods used for projections adequately accounted for that uncertainty using the best scientific methods available. As usual, projections are highly uncertain and subject to model assumptions (i.e., no changes in fishing effort, seasonality of the fishery is not modeled, there is no structural model uncertainty in projections).

An additional source of uncertainty that is not fully captured by the MCB approach is the retrospective pattern in the update (ASMFC 2022), as well as the potential impacts of the 2020 and 2021 data issues on the terminal year estimates of abundance. The TC noted that the retrospective analysis in the update showed a more consistent pattern of underestimating F and overestimating fecundity in the terminal year of the assessment compared to the benchmark assessment. The NEFSC (Legault 2020) and ICES (2020) provide recommendations about when to adjust for a retrospective pattern in projections for management use. The NEFSC uses adjusted estimates of abundance-at-age in projections when the retrospectively adjusted terminal year estimates of spawning stock biomass and F are outside the 90% confidence intervals of the unadjusted estimates (Legault 2020). ICES recommends adjusting projections for short-lived species, like menhaden, if the Mohn's rho value for spawning stock biomass is greater than 0.3 or the Mohn's rho value for F is less than -0.22, or if two of three or three of five peels fall outside the confidence intervals of the terminal year run (ICES 2020). For menhaden, the NEFSC guidelines indicated an adjustment was appropriate and the ICES guidelines indicated it was not necessary. The TC elected not to adjust the projections for the retrospective pattern, due to the conflicting advice given by the NEFSC and ICES guidelines and the lack of formal ASMFC guidance, as well as the uncertainty as to whether the retrospective pattern would persist in the future to the same degree or direction. However, the TC does note this as a source of uncertainty that is not well quantified in the projections, and the Board may wish to adjust their risk tolerance accordingly. In addition, the TC recommended that the issue of retrospective adjustments be looked at more thoroughly by the Commission's Assessment Science Committee so that consistent guidelines can be established for all of the Commission's assessments.

Results

One of the Board requests was to provide TACs that have a 40%-60% probability of exceeding the ERP target, in 5% increments, using 2023-2025 combined and as separate years. For the

projections using 2023-2025 as separate years, a TAC has been calculated to provide a TAC that does not exceed the level of risk for any year, or the lower of the three TACs provided in Table 1. The second request from the Board was to calculate the percent risk of exceeding the ERP target and threshold if the current TAC was changed by -10% to +10% in 5% increments. The results are presented in Table 2. Additionally, the TC notes that a TAC in 2023 does affect the TAC in 2024 and 2025 and therefore a value may not have the same associated risk in Tables 1 and 2.

Instead of providing figures for all the of scenarios the Board requested, the TC provided figures of the fecundity, recruits, full fishing mortality rate (F), and landings for the current TAC, a TAC of 174,960 mt (10% decrease to TAC), and the scenario where the risk of exceeding the ERP target in 2023- 2025 was 60% (Figures 1-3). These three plots provide the bounds of the highest and lowest risk scenarios in addition to the current TAC (194,400 mt).

References

- Atlantic States Marine Fisheries Commission (ASMFC). 2022. Atlantic Menhaden Stock Assessment Update. Arlington, VA. 135 pp.
- Deyle, E., A.M. Schueller, H. Ye, G.M Pao, and G. Sugihara. 2018. Ecosystem-based forecasts of recruitment in two menhaden species. *Fish and Fisheries* 19: 769-781.
- ICES. 2020. Workshop on Catch Forecast from Biased Assessments (WKFORBIAS; Outputs from 2019 Meeting). ICES Scientific Reports. 2:28. 38 pp. Available online at: https://www.ices.dk/sites/pub/Publication%20Reports/Expert%20Group%20Report/Fisheries%20Resources%20Steering%20Group/2020/WKFORBIAS_2019.pdf
- Legault, C.M. 2020. Rose vs. Rho: a comparison of two approaches to address retrospective patterns in stock assessments. *ICES Journal of Marine Science* 77: 3016–3030. Available online at: <https://academic.oup.com/icesjms/article/77/7-8/3016/5986648>
- Southeast Data, Assessment, and Review (SEDAR). 2020. SEDAR 69 - Atlantic Menhaden Single-Species Benchmark Stock Assessment and Peer Review Report. SEDAR, North Charleston, SC. 691 pp.

Table 1. The TACs associated with a 40-60% probability of exceeding the ERP target (0.19) for 2023-2025 combined and as separate years.

Probability of Exceeding the ERP Target	TAC for 2023-2025	TAC for 2023	TAC for 2024	TAC for 2025
40%	259,500	290,900	271,100	259,500
45%	270,500	303,800	281,800	270,500
50%	284,600	318,600	294,100	284,600
55%	301,000	335,100	308,200	301,000
60%	326,500	350,200	326,500	329,700

Table 2. Percent risk of exceeding the ERP target (0.19) and ERP threshold (0.57) for five different total allowable catch (TAC) projections.

TAC	Probability of Exceeding ERP Target			Probability of Exceeding ERP Threshold		
	2023	2024	2025	2023	2024	2025
174,960 mt (-10%)	0%	0%	2%	0%	0%	0%
184,680 mt (-5%)	0%	1%	3%	0%	0%	0%
194,400 mt (current TAC)	0%	1%	6%	0%	0%	0%
204,120 mt (+5%)	0%	4%	10%	0%	0%	0%
213,840 mt (+10%)	0%	8%	14%	0%	0%	0%

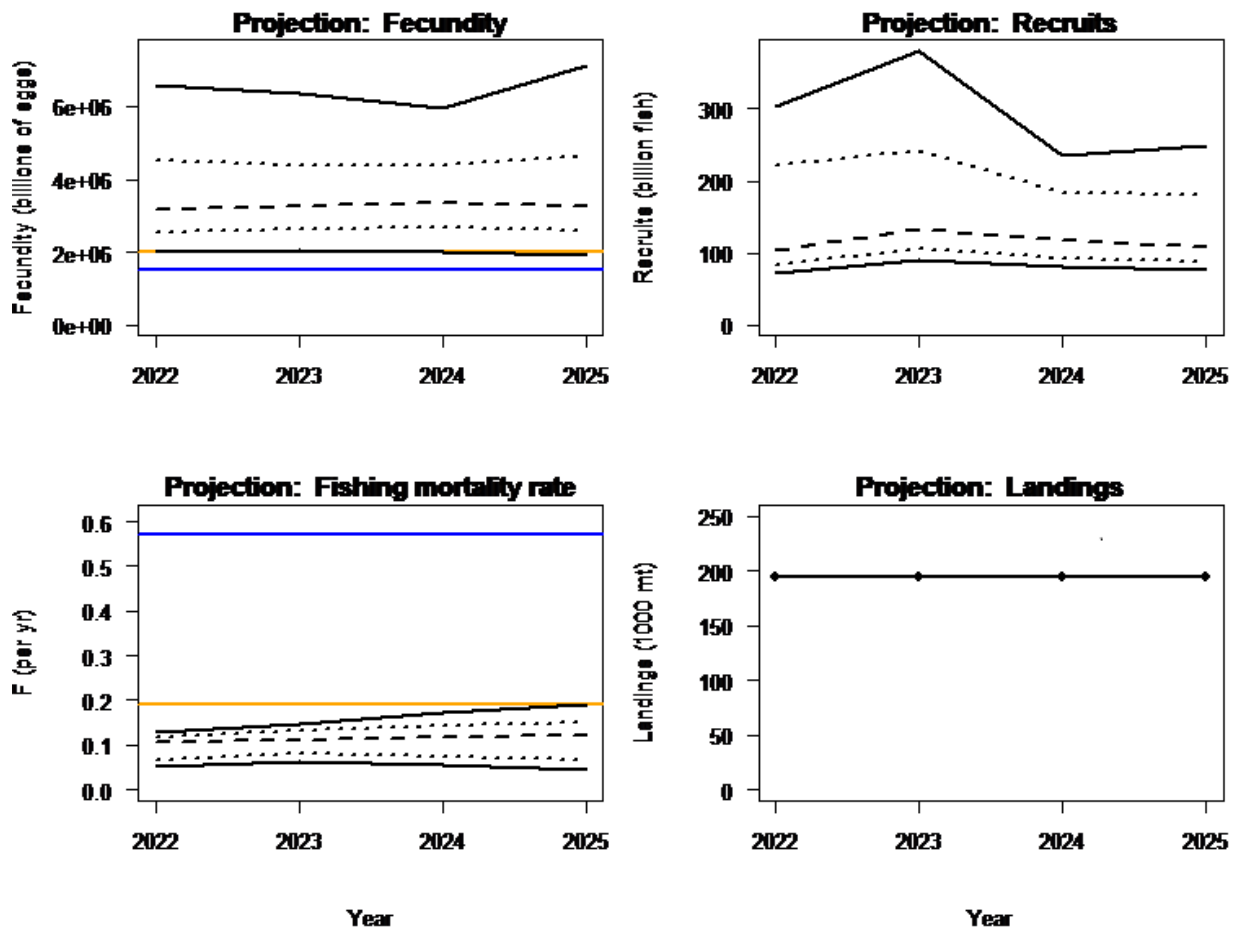


Figure 1. Fecundity, recruits, full fishing mortality rate, and landings for projections done with the current TAC of 194,400 mt. The blue lines indicate the ERP thresholds and the orange lines indicate the ERP targets. The dashed black line is the 50th percentile (median), the dotted black lines are the 25th and 75th percentiles, and the solid black lines are the 5th and 95th percentiles.

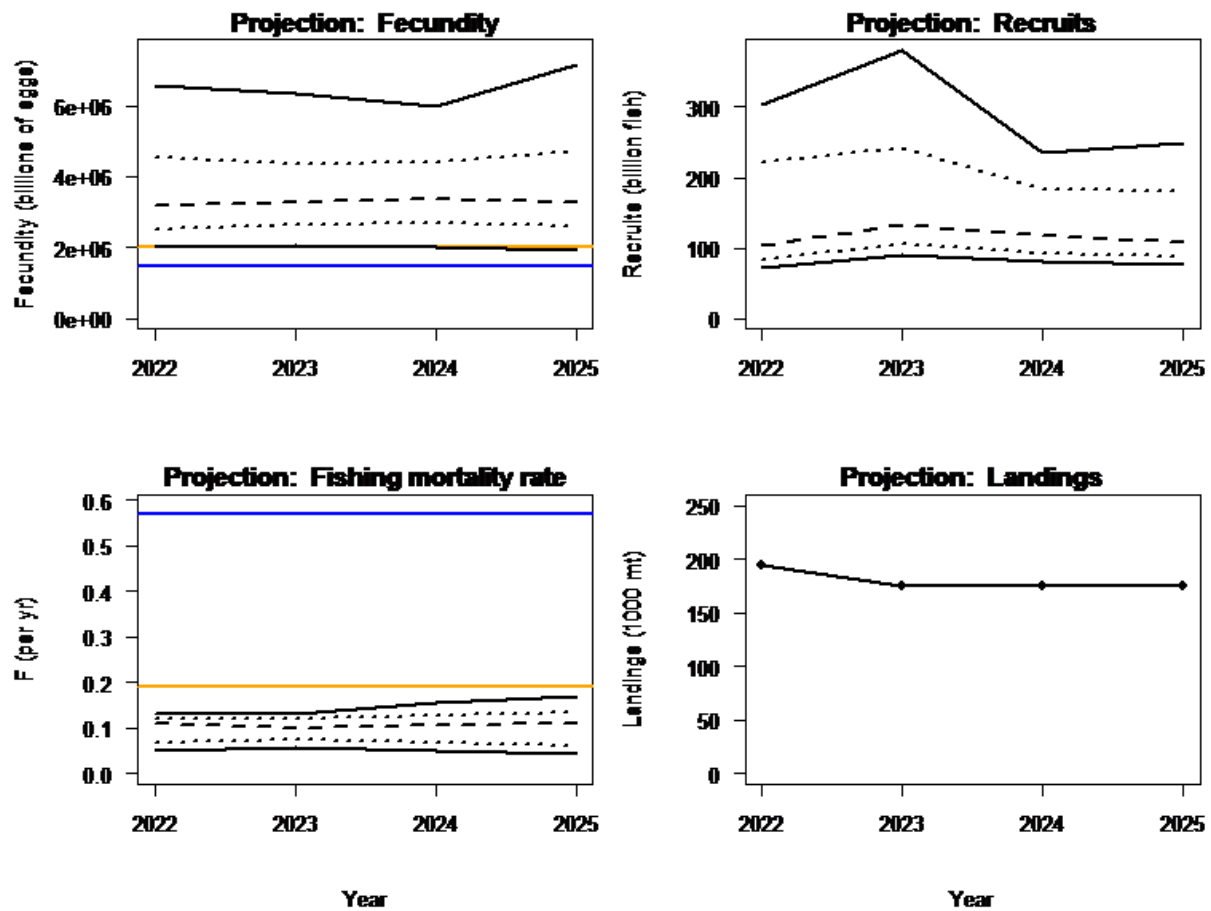


Figure 2. Fecundity, recruits, full fishing mortality rate, and landings for projections done with a TAC of 174,960 mt, representing a 10% decrease to the current TAC. The blue lines indicate the ERP thresholds and the orange lines indicate the ERP targets. The dashed black line is the 50th percentile (median), the dotted black lines are the 25th and 75th percentiles, and the solid black lines are the 5th and 95th percentiles.

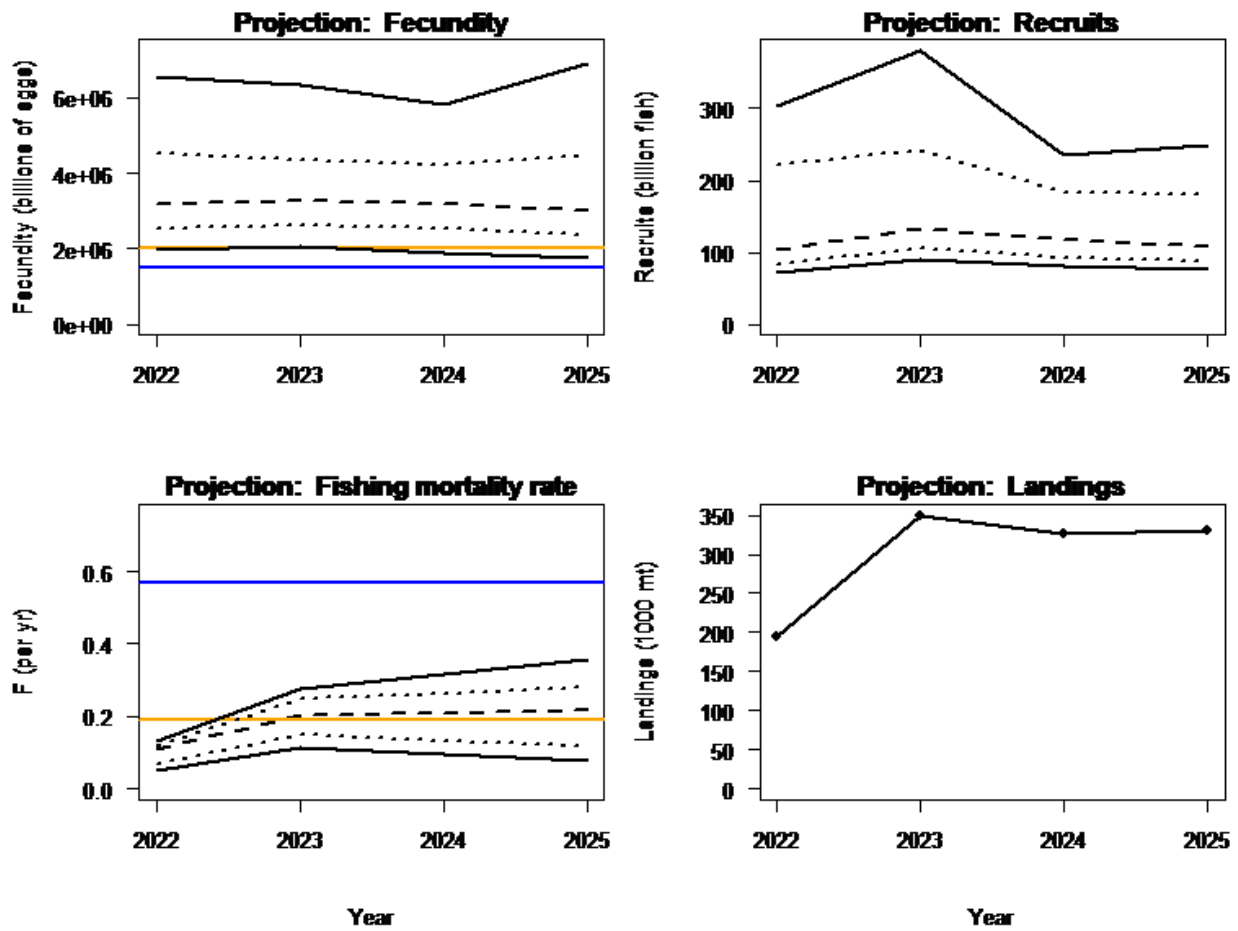


Figure 3. Fecundity, recruits, full fishing mortality rate, and landings for projections that result in a 60% risk of exceeding the ERP target in 2023-2025. The blue lines indicate the ERP thresholds and the orange lines indicate the ERP targets. The dashed black line is the 50th percentile (median), the dotted black lines are the 25th and 75th percentiles, and the solid black lines are the 5th and 95th percentiles.