



Larry Hogan, Governor
Boyd Rutherford, Lt. Governor
Jeannie Haddaway-Riccio, Secretary

February 22, 2021

The Honorable Anne Healey
361 House Office Building
6 Bladen Street
Annapolis, MD 21401

Re: Letter of Information – House Joint Resolution 4 – Atlantic States Marine Fisheries Commission – Atlantic Menhaden – Population Evaluation and Prohibition on Commercial Reduction Fishing

Dear Chair and Committee Members,

The Maryland Department of Natural Resources provides the following information on House Joint Resolution 4. This resolution would request the Atlantic States Marine Fisheries Commission (ASMFC) to evaluate the population of Atlantic menhaden in the Chesapeake Bay and consider prohibiting the commercial reduction fishing of Atlantic menhaden, including the use of purse seines and spotter planes, in the Chesapeake Bay.

A request to evaluate the population of Atlantic menhaden in the Chesapeake Bay implies a request for ASMFC to launch a population survey of menhaden in the Bay. In the summer of 2020, the ASMFC technical committee charged with management of Atlantic menhaden reviewed a study to estimate menhaden biomass in Chesapeake Bay. The design included a range of scenarios at differing costs ranging from approximately \$230,000 to \$800,000. The department anticipates bearing a significant amount of these costs if ASMFC did require a population survey of menhaden in Chesapeake Bay.

With respect to the prohibition on commercial reduction fishing of Atlantic menhaden and the use of purse seines and spotter planes, this would effectively ask the Maryland Delegation to the ASMFC to put these ideas before the board. Maryland already prohibits the use of purse seines in State waters. Therefore, the Maryland delegation would be proposing to restrict the use of certain fishing methods in Virginia waters, directing how Virginia must manage its menhaden quota. While the intention is to prevent Omega Protein, an industrial fish processor, from operating in Chesapeake Bay, the prohibition would also affect small-scale purse seiners in the Virginia bait fishery.

At this time, the Atlantic menhaden stock has been assessed as a whole to be in healthy condition and there is no need to dramatically affect one state's management at this time. Additionally, Virginia has just transitioned management of Atlantic menhaden from the Virginia General Assembly to the Virginia Marine Resources Commission. The Virginia Marine Resources Commission has assembled a menhaden advisory panel composed of a broad variety of stakeholders and is currently establishing how it will scientifically manage the species. It would be highly inappropriate for Maryland to intervene with Virginia's process at this time.

In sum, there is a very robust process for management of Atlantic menhaden underway both at the state and interstate levels and there is no need for additional actions to be taken by the Maryland General Assembly which would in turn force action from its delegation to the ASMFC.

Thank you for allowing the department to submit the above information on HJ 4 for the committee's careful consideration.

Respectfully submitted,

James W. McKitrick
Director, Legislative and Constituent Services