Testimony of Thomas Lilly for Senate Panel March 1,2022

This is a brief summary of the "science" on this issue This Committee is not being asked to make a decision on what level of factory menhaden fishing is appropriate for Chesapeake Bay, That decision is the responsibility of the Commission. A proper airing of this issue at the Commision,in our opinion, is long overdue

In a letter to Governor Northam Professor Bryan Watts says ospreys are dying out on the Bay due to a chronic shortage of menhaden (report attached to Zalesack material) , Michael Academia, who speaks for Dr Watt's Center for Conservation Biology and whose PhD thesis is on the osprey-menhaden diet connection says ..."out of all the bird species, ospreys stand out alone and are inextricably linked to menhaden. Due to the dependency, ospreys represent one of the best and highly visible ecological reference points available to science." He says " depletion of menhaden has caused osprey production to decline to levels below the DDT era." Attached. The CBF Press Release July 2020 (Attached) confirms this ...it says " in the 1980s menhaden in the diet was 75% now it is 28% and that the nestlings mortality is as high as it was in the DDT era.

The Bay's large spawning rockfish that migrate into the Bay in early Spring that once supplied 70% of all the juveniles for the Atlantic Coast are chronically below target and 2021 marked the third consecutive year the stock failed in its purpose ..three years of the lowest Young of the Year production in 70 years. (see DNR survey in Phil Zalesak"s submission) The CBF Press Release says menhaden are the "most important fish in the Bay" and that " the rockfish population in the bay is showing signs of malnourishment and increasing mortality"...These large fish like the ospreys are uniquely dependent on menhaden to keep them healthy during the rigors of spawning. But the CBF release says menhaden in their diet has declined from 70% to 8%. Matt Cieri, a Maine scientist that headed the ASMFC environmental reference point project says menhaden fishing in the Bay must be reduced along with striped bass conservation to restore the species . Attached, Commercial and recreational striped bass fishing is a great tradition in Maryland that is dying out. Fishing isn't fun anymore. Alex's story. Compare this to New York where charter fishing, ospreys and eagles have bounced back when they banned factory fishing. See mail from editor NY Angler.

All menhaden exit the Chesapeake in cold weather and begin migrating back in to form the bay's forage base in early Spring with the spawning stock and all our other migrating species. These hundreds of surface schools are targeted by 8-10 300 foot long Omega purse seiners using spotter planes. These ships have the capacity to catch two to three times what is coming in....the Delegates are aware that requiring Omega fish in the Atlantic away from the bay entrance would prevent them from catching the schools migrating to Maryland when they fish in Virginia –quite possible as many as 2,000 of the 5,000 schools they catch there. This conflict and waste of Maryland's natural resources could be resolved by having Omega just fish in the US Atlantic where they already catch 2/3rds of their quota. No lost jobs of quota. One of the purposes of the Resolution is to have the Commission consider this problem that is unique to Maryland. All the other states can protect themselves from factory fishing and have done so....only Virgina allows it. Maryland outlawed it 70 years ago, but Maryland can't control what happens in Virginia unless the Maryland Delegates take action.

Dr. Noah Bressman, a Salisbury University biology professor summed this up saying protecting Chesapeake Bay"

"can be accomplished using qualitative management measures, such as seasonal and area closures without additional research. It can also be accomplished by moving the fishing into the U S federal zone as every state except Virginia has seen the necessity for doing. While I am always in support of more research for any topic (because I am a scientist) waiting for additional research on this issue that has always already clear will likely lead to menhaden continue to plummet in the Bay which will further reduce the capacity for striped bass to recover especially after the recent report showing their abysmal recruitment over the last three years period."

This is why the bay and the people of Maryland need this Resolution, without it the Commission will be locked in the same status quo of conveniently ignoring Chesapeake Bay and the impacts the intense factory fishing causes and they will just plow ahead when the bay could be restored by getting the menhaden to the fish and wildlife by just moving that foreign fishing company ..with its 300 foot by 50 foot ships out into the US Atlantic like every other state but Virginia has done See

Thank you Thomas Lilly

Pr

THE PROBLEM

Overharvesting of Atlantic menhaden in the Chesapeake Bay is not only **destroying striped bass, bluefish, and weakfish; it is also destroying ospreys.**

Michael Academia, a graduate assistant at William and Mary College, testified before the Atlantic Menhaden Management Board of the Atlantic States Marine Fisheries Commission on Wednesday afternoon, August 4th, and gave the following testimony:

"First of all, thank you members of the Board for listening.

Ospreys, also known as fish hawks, are one of our most iconic and cherished birds of prey; however, they can no longer sustain themselves within the main stem of Chesapeake Bay. Like the proverbial canary in the coal mine, ospreys are warning us of dangerous levels of overfishing.

I am a graduate student at William & Mary and represent the Center for Conservation Biology. My master thesis focuses on the osprey-menhaden relationship.

Many birds such as pelicans, Bald eagles, herons, loons, and gannets depend on menhaden. But out of all the bird species, ospreys stand alone and are inextricably linked to menhaden. Due to this dependency, ospreys represent one of the best and highly visible ecological reference points available to science.

The Center for Conservation Biology has conducted fieldwork on osprey throughout the Chesapeake Bay for **50 years and evidence** gathered demonstrates ongoing impacts. Through 4 generations of graduate students, the center has documented shifts in osprey diet and reduction in productivity. For example, delivery rates of fish were 3x higher in 197 compared to 2006. Menhaden, once the dominant prey species in the diet, now represents less than 30%. Most importantly, **depletion of menhaden has caused osprey productivity to decline to levels below the DDT-era.**

No other fish species available provides the energy content of menhaden. They provide critical ecosystem services within Chesapeake Bay and beyond.

We request that the needs of the broader ecosystem be considered when setting harvest policy and menhaden populations be maintained at levels that support a healthy ecosystem in Chesapeake Bay. Thank you."

Menhaden by the Numbers

70% The amount of an adult rockfish's diet historically filled by menhaden.

8% The amount of an adult rockfish's diet currently filled by menhaden.

https://www.cbf.org/about-the-bay/more-than-just-the-bay/chesapeake-wildlife/menhaden/index.html

8% *The rockfish population in the Chesapeake Bay is showing signs of malnourishment and increasing mortality.*

75% The amount of an osprey nestling's diet filled by menhaden in the 1980s.

28% The amount of an osprey nestling's diet filled by menhaden today. *Though the number of nests throughout the Bay region has improved, nestling mortality is as high as it was in the DDT era.*

SIGN UP (HTTP://WWW. US/STAY-UP-TO-DATE-ABOUT-THE-BAY.HTML)

From: Cieri, Matthew
Matthew.Cieri@maine.gov
Subject: Re: YOUR REMARK ??
Date: Aug 2, 2020 at 10:17:54 AM
To: Tom Lilly forageamatters@aol.com

Hi Tom,

Any meaningful rebuilding of striped bass has include reductions in the striped bass fishing mortality from where it currently is. They can get part of the way there with reductions in menhaden fishing, but it won't be enough to rebuild the stock to target levels without reductions in striped bass fishing mortality.

Matt

FWD: Menhaden
From: George Scocca george@nyangler.com
To: Tom foragematters@aol.com
Date: Mon, March 8, 2021 7:15am

Hello Tom:

I am the person that spearheaded the bill that has kept reduction fishing out of NY waters. The changes here have been unbelievable. I can talk about it all day. My single greatest accomplishment in 35 years of fisheries management.

The availability of bunker throughout our season has seen an increase in both charter and party boats carrying anglers to get in on our great striped bass fishery. Bass stick with their food source and this has kept a healthy population of stripers in our waters. It's sparked a number of for hire boats to carry more anglers than ever before.

It has also had a profound effect on our bird population. We now have about 12 dozen nest pair eagles on long island and the osprey population is thriving. All due to the amount of forage for them to eat.

And lets not forget the importance of their filtering our waters.
Thank you.
George R. Scocca
nyangler.com

Check out my Linkedin profile

Dr. Noah Bressman, PhD
Assistant Professor of Physiology
Salisbury University
Fish Biology, Biomechanics, Functional Morphology, and Behavior
Noahbressman.wixsite.com/noah
He/him/his

Begin forwarded message:

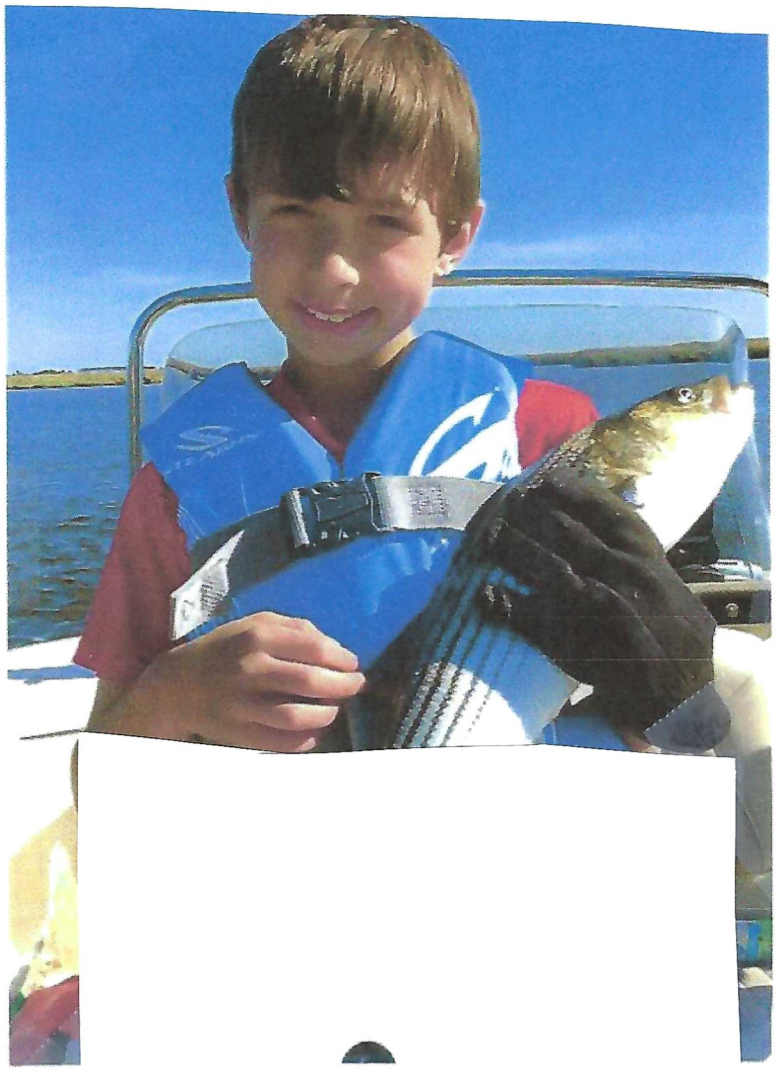
From: Noah Bressman
Date: October 18, 2021
To: Tina Berger <tberge
Subject: Re: FW: Fina

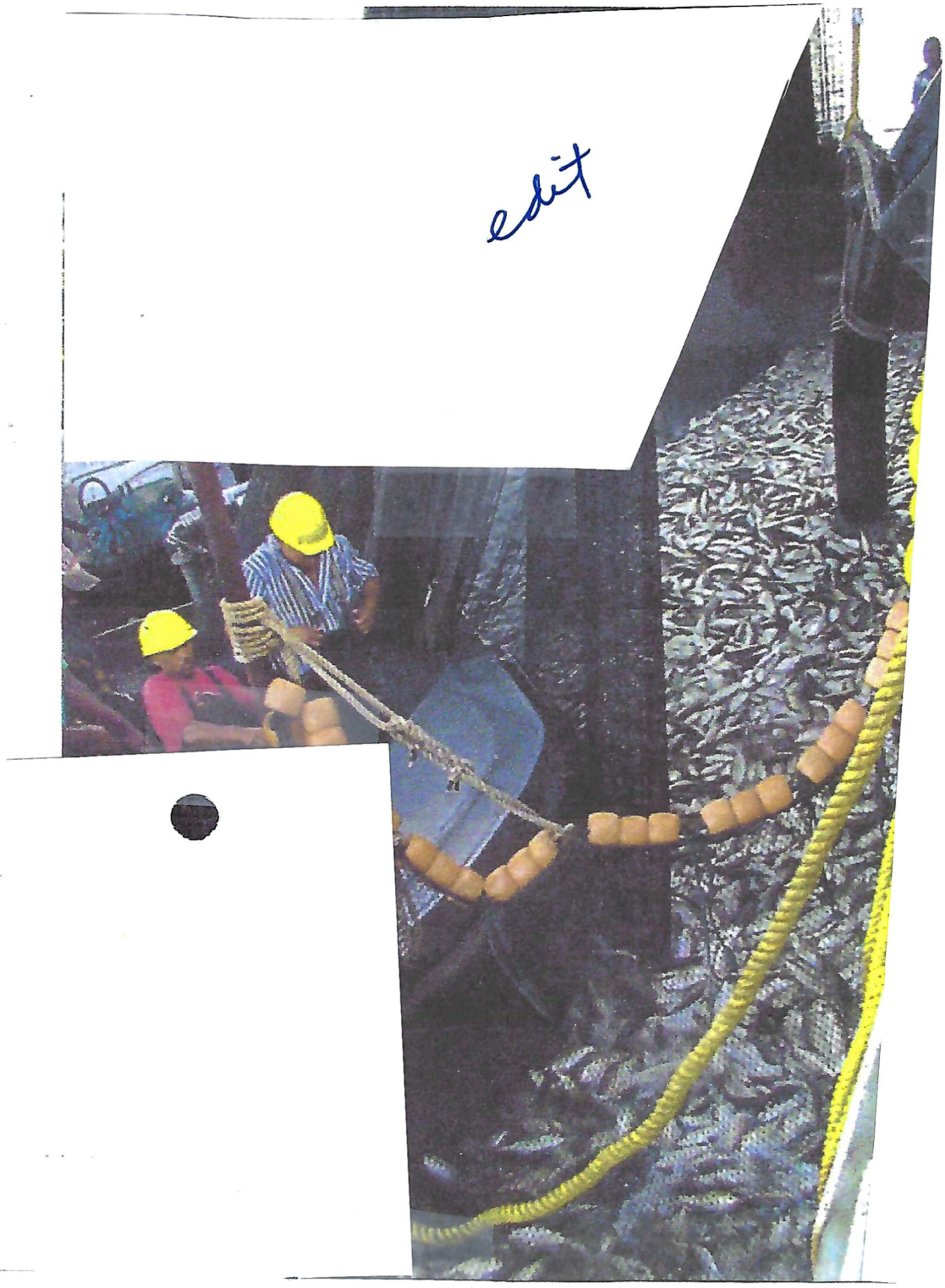
Thanks, Tina! I want to clarify that the most important thing I recommend is that the board take action now to evaluate the options to increase menhaden in Chesapeake Bay. If action was started at Tuesday's board meeting, some or all of the measures could be in effect for the 2022 season. This can be accomplished using qualitative management methods, such as seasonal and area closures without additional research. It can also be accomplished by moving the fishing into the US federal zone as every state except Virginia has seen the necessity for doing. While I am always in support of more research for any topic (because I am a scientist), waiting for additional research on this issue that is already clear will likely lead to menhaden continuing to plummet in the bay, which will further reduce the capacity for striped bass to recover in the bay, especially after the recent report showing their abysmal recruitment over the last 3 years. A delay in action, such as a several years-long stock and recruitment reassessment of the bay before action, will lead to the problem getting worse before it gets better.

Sincerely,
Dr. Noah Bressman, PhD

GRANDSON ALEX TAKEN ABOUT TEN YEARS AGO. MOST OF THE KIDS AND THEIR PARENTS HAVE LOST INTEREST .....FISHING JUST "ISN'T FUN ANYMORE"

Lets do the math. The bay's 400,000 fishing families aren't fishing much these days..the fishing has gotten worse and worse. Lets get the Chesapeake Bay the food their fish and wildlife need and deserve. Let's add more healthy fish to the equation. These families might get out on the bay a few more times a Summer and maybe have some great adventures. That could be another one million more precious days each year these parents and grandparents would have together enjoying the great sights and sounds Chesapeake bay has to offer. That is what is at stake here.





MULTIPLY THIS BY NINE OMEGA PURSE SIENERS WITH TWO FORTY FOOT SET BOATS EACH ,DIRECTED BY SPOTTER PLANES FISHING FIVE DAYS A WEEK FROM MAY TO DECEMBER VIRGINI

Virginia receives 78.6 of the entire Atlantic coast menhaden catch (TAC) For 2021-22 the TAC is 194,400 metric tons. VA quota 152,484 mt ,Omega quota 137,000 mt. of which 51,000mt can be caught in Chesapeake bay So, about 5,000 bay sized schools of 10 tons each with about 40-50,000 fish each are removed from the bay food chain every year. Virginia is the only state that allows factory fishing.