

The Honorable Ken Plum
Chairman, House Agriculture, Chesapeake and Natural Resources Committee
Pocahontas Building-Virginia House of Delegates
Richmond, VA 23219

Dear Delegate Plum:

As members of the recreational fishing and boating industry, we ask that you actively support HB1448/SB791 that transfers the management authority of Atlantic menhaden to the Virginia Marine Resources Commission (VMRC). As you know, the Commonwealth of Virginia is out of compliance with Amendment 3 of the Interstate Fishery Management Plan (FMP) for Atlantic Menhaden for failing to fully and effectively implement and enforce the Chesapeake Bay Reduction Fishery Harvest Cap (Bay Cap). This noncompliance finding was the result of actions by Omega Protein for exceeding the Bay Cap by approximately 30% in 2019. The U.S. Secretary of Commerce upheld the noncompliance finding and as a result, Virginia faces a moratorium on all menhaden fishing in June unless the state acts to bring itself back into compliance with the Atlantic States Marine Fisheries Commission's FMP.

The Bay Cap is a management solution that conserves menhaden as critical forage for the Chesapeake Bay ecosystem, while reducing conflicts between Omega Protein's fishing fleet and the sportfishing and boating communities. The Bay Cap is particularly important as of late because menhaden's top predator, Atlantic striped bass, is currently in poor condition and the Chesapeake Bay is the primary spawning and nursery area for the species. Furthermore, the Bay Cap is designed to ensure adequate forage for striped bass and other important predator species (e.g., bluefish, summer flounder, black sea bass, cobia) that have significant recreational fisheries within the Bay and along the Atlantic coast. These valuable recreational fisheries are major contributors to America's economy and support many fishing-dependent businesses within Virginia and across our industry. In Virginia alone, the annual value of striped bass has declined from \$240 million to \$120 million in the past decade while associated jobs have declined from 3,950 to 1,830 in the same time period (McGraw Center for Conservation Leadership 2019). Additionally, recent science suggests that the industrial harvest of menhaden contributes to the decline in striped bass biomass (Buchheister et al. 2017).

It is clear Virginia needs a long-term solution to maintaining compliance with the Atlantic menhaden FMP established and agreed upon by all states as part of the ASMFC management process. Transferring regulatory authority to VMRC offers several advantages. HB1448/SB791 would provide for regulation by full time fisheries managers who can work seamlessly with their counterparts at ASMFC as they have for all other migratory saltwater species managed in Virginia. Additionally, these bills would bring Virginia into compliance and avoid a costly moratorium on the entire menhaden fishery. These transfer bills would also protect Virginia's bait industry which supplies both recreational anglers and commercial crabbers with menhaden bait. Lastly, acting now would eliminate the need for the General Assembly to address menhaden management in the future.

As stakeholders of our shared public resources, we respect the laws that govern our fisheries which ensure the sustainability of the resource and our industry. We simply cannot tolerate the recent actions of Omega Protein which willfully exceeded the Bay Cap and forced the Commonwealth of Virginia out of compliance with ASMFC. Your support of HB1448/SB791 will demonstrate clear leadership to the thousands of Bay anglers and the hundreds of businesses they support and bring the Commonwealth of Virginia back into compliance.

Sincerely,

Glenn Hughes
President
American Sportfishing Association
Alexandria, VA

Chris Edmonston
President
BoatU.S.
Springfield, VA

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President
National Marine Manufacturers Association
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CC: Committee Members