

Mike Avery
President

January 17, 2018

Curtis Tomlin
Vice President

James J. Gilmore Chair
Atlantic States Marine Fisheries Commission
1050 North Highland St. 200 A-N
Arlington VA, 22201

Kevin Smith
Treasurer

Lanie Avery
Secretary

Dear Mr. Gilmore

I am writing on behalf of VSSA's more than 600 members to express our disappointment and displeasure over Virginia's appeal of the Amendment 3 provisions to Interstate Fishery Management Plan for Atlantic Menhaden. Virginia is challenging the decision as being unfair to Virginia. In our view, the arguments offered are without merit. They appear to be based on the greed from a single member that didn't get their way. Be assured, the arguments offered do not reflect the views of all Virginians. First the Coastwide Total Allowable Catch (TAC) was increased. Virginia is upset claiming they did not get their fair share of the increase based on the methodology chosen to distribute the total quota. The commission sought to spread the increase among the member states. Why is that unfair to Virginia? It isn't unfair to Virginia; provisions were included giving Virginia the opportunity and ability to negotiate with other states for their unused or unneeded quota.

Virginia is complaining because the Cap on the reduction fishery in Chesapeake Bay was reduced. The fact is the reduced cap was set above the average for the previous five year landings. Virginia argues there is no science to justify the decrease. Science or no science, the Menhaden Management Board feels the cap is necessary and has demonstrated this by originally implementing a Chesapeake Bay cap in 2005. In reality, if the menhaden were in Virginia's portion of the Chesapeake bay, the one and only reduction fishery company would have landed them from the bay rather than incur the additional time and expense of going to the Ocean to catch them. It should also be noted that Virginia is the only remaining state allowing purse seign fishing in their waters.

Amendment 3 considered changing Menhaden Management from a single species management to an Eco system based management philosophy. There were in excess of 150,000 written comments supporting the inclusion of Ecological Reference Points (ERP's) in Amendment 3 submitted to ASMFC. As additional information, there were over 2200 comments from Virginia residents, as well as 118 from scientists, and 180 businesses included in that total. This number of comments was both historical and unprecedented. Yet, the board decided to ignore the wishes of the public and continue

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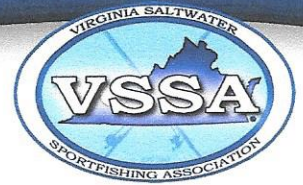
Nelson Smither

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Mr. James J. Gilmore
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with single species management for at least two more years. Had ERP's been implemented, the TAC would no doubt have been decreased rather than increased.

I urge you to consider, the appeal from Virginia does not reflect the view of all Virginians. Accordingly, VSSA does not support Virginia's appeal and strongly encourages the ISMFP board deny this appeal in its entirety.

Respectfully,


Chairman