



STEVEN ENGLEBRIGHT
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October 23, 2017

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Ms. Megan Ware
Atlantic States Marine Fisheries Commission
1050 N. Highland Street, Suite 200 A-N
Arlington, VA 22201

Re: Draft Amendment 3 (Atlantic Menhaden)

Dear Ms. Ware:

While the 2017 Atlantic Menhaden Stock Assessment Update (ASMFC 2017) indicated that menhaden (*Brevoortia tyrannus*) overfishing hadn't occurred because of high fecundity, menhaden are also clearly not an unlimited resource as has been evidenced by increased mortality as a result of coastal pollution and habitat degradation. As the Atlantic Menhaden Management Board prepares to finalize Amendment 3, I urge you to take proactive and protective actions to recognize the importance of menhadens' ecological role as "the food fish of the ocean" serving as a food source for fish, including striped bass and weakfish, birds, including osprey and eagles, and marine mammals, including humpback whales. The inclusion of Ecological Reference Points (ERP) is an important step in that process.

A lot has changed since Atlantic States Marine Fisheries Commission (ASMFC) began coordinating the interstate management of menhaden in 1981, including a growing recognition of the need to balance fishing interests with the importance of the marine food web. I am pleased that Draft Amendment 3 highlights that importance. I think two management options proposed for use during the development of menhaden-specific ERPs stand out, both the result of expansive peer-reviewed and published ecosystem models. I support the use of **Option C**, a conservative approach which would include the interim use of Pikitch et al reference points, or **Option E** which would include the interim use of a 75% target and 40% threshold. Both of these options provide management flexibility while at the same time providing reasonable limits on the menhaden harvest.

I also urge the Board to consider a catch cap specific to menhaden nursery areas, including Chesapeake Bay. I suggest this option while still recognizing the Draft's statement "However new research credits the Chesapeake Bay with 30% of age 1 recruits and New England and the southeast estuaries contributing equal portions to the population (Anstead et al., 2016)." I think that a 30 percent contribution is significant enough to justify additional protections.

Thank you in advance for your consideration. Please do not hesitate to contact my office with any questions.

Very truly yours,

Steve Englebright, Chairman,
NYS Assembly, Environmental Conservation Committee