

# The ASMFC backs off its commitment to menhaden, ecosystem management

by CHARLES WITEK



Just last month (prior to ASMFC meeting), I asked “Will the ASMFC live up to last August’s promise” of managing menhaden in accordance with the newly-adopted environmental reference points.

We learned that the answer to that question is no.

Instead of reducing the annual Atlantic menhaden catch limit from the current 216,000 metric tons down to 176,800 metric tons—the highest level of landings that would still have at least a 50 percent probability of keeping harvest at or below the target fishing mortality level—the Atlantic States Marine Fisheries Commission’s Atlantic Menhaden Management Board opted to set the catch limit at 194,400 metric tons, a level that has only a 41.5 percent probability of keeping harvest at or below target in 2021, and a somewhat better, but still inadequate, 47.5 percent probability of keeping the fishing mortality below target in 2022.

In other words, for both years, the ASMFC chose to set annual catch limits that it knew were likely to fail to meet the fishing mortality targets that it had established just two months ago.

I have to admit that I was slightly surprised by that action.

While I never dismiss the possibility of the ASMFC abandoning its conservation commitments to any species—it does that on a regular basis—I didn’t think that the Atlantic Menhaden Management Board, which had unanimously adopted a target reference point in August would, come October, ignore that same reference point, almost before the ink of the August proceedings had enough time to dry.

But I should have known better. We are, after all, dealing with the ASMFC, where there are no real limits to a management board’s discretion, where preventing overfishing, rebuilding stocks, basing decisions on the best available science, and even adhering to the terms of a management plan, are all viewed as mere options that, should they prove inconvenient, can be casually ignored without fear of any consequences at all.

That doesn’t mean that some members of the Atlantic Menhaden Management Board didn’t try to convince that board to live up to its commitments. **Dr. Justin Davis**, a fisheries manager for the State of Connecticut, was the foremost among these.

Noting that he was “proud” to have been part of the August meeting, where the ecological reference points were adopted, and declaring that such adoption was a “significant and precedent-setting decision,” Dr. Davis moved that the Management Board adopt a 176,800 metric ton catch limit for 2021 and a 187,400 metric ton catch limit for 2022. Both would have a 50 percent probability of keeping fishing mortality at or below the ecological reference point target.

There were plenty of people on the Management Board who felt that such reference points were unduly conservative,



but Dr. Davis noted that, “A 50 percent probability isn’t really risk averse,” implicitly acknowledging that setting such a reference point also led to a 50 percent probability that such catch limits would result in the fishing mortality target being exceeded.

He explicitly stated that the arguments for a higher catch limit weren’t very persuasive, and noted that such higher limits aren’t what the majority of stakeholders want. He pointed out that his proposed catch limits, and their 50 percent probability of constraining landings to target, merely delivered on the ASMFC’s promise of taking action consistent with the environmental reference points.

Another speaker—I couldn’t hear her name—followed up on Dr. Davis’ thoughts, saying, “This decision is the first opportunity we have to walk the walk” promised by the adoption of environmental reference points two months before.

But doing the right thing, and making good on the promise of the Management Board’s actions in August, wasn’t all that important to many Management Board members. All they could see is the short-term economic impacts of the harvest reductions, and at the ASMFC, short-term economic considerations will almost always be elevated above the long-term health of fish stocks, or even of entire ecosystems.

Almost as soon as the meeting began, and the suggestion of reducing landings arose, someone from **New Jersey** (again, because of a poor audio connection, I couldn’t quite make out who) tried to effectively negate the entire ecological reference point effort, and go back to single-species management. He pointed out the current health of the menhaden population and said, “We should be proclaiming success,” rather than reducing landings, because “We would like to minimize the possibility of losing one million dollars in the menhaden fishery.”

**Roy Miller**, the governor’s appointee from Delaware, expressed his support for the 194,400 metric ton catch limits that the Management Board ultimately adopted, noting “There were no economic considerations factored into” the lower catch limits that would have had an even shot at constraining fishing mortality to the target reference point.

**Eric Reid**, the legislative proxy from Rhode Island, complained that, “The science that’s lacking [from the motions to reduce landings] is the socio-economic science—and it is a science.”

**Capt. John McMurray**, the legislative proxy from New York, tried to turn things around. He reminded the Management Board that if it proves unwilling to adopt a harvest limit consistent with its own ecological reference point target, after unanimously adopting such target just last August, such failure will only reinforce the public perception that the ASMFC is incapable of making the hard decisions necessary to properly manage the resource, but instead caters to special interests.

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