



COMMONWEALTH of VIRGINIA

Office of the Governor

Ralph S. Northam
Governor

November 20, 2019

The Honorable Wilbur L. Ross
Secretary of Commerce
1401 Constitution Avenue, NW
Washington, DC 20230

Dear Secretary Ross:

The Atlantic States Marine Fisheries Commission (ASMFC) recently voted unanimously to find Virginia out of compliance with the interstate fishery management plan for Atlantic menhaden. The Commonwealth of Virginia voted in favor of this finding because the data show clearly that the harvest cap of 51,000 metric tons (more than 112 million pounds) for the industrial purse seine fishery in Virginia's portion of the Chesapeake Bay has been exceeded. Compliance with this cap is necessary to conserve menhaden and other fisheries that depend on this important forage fish for their survival. These fisheries are an important part of our nation's economy.

Only one company participates in the industrial purse seine fishery – Omega Protein Corporation, a subsidiary of the Canadian firm Cooke, Inc. Despite direct appeals by Virginia's Marine Resources Commissioner and myself that Omega and Cooke abide by the 51,000 metric ton limit, the company has continued over-harvesting menhaden from the Chesapeake Bay even after exceeding the cap. This has resulted in tens of millions of American fish being exported to feed farmed salmon in Canada, in violation of the ASMFC quota.

Given these actions by an international company, imposing a moratorium on the menhaden harvest is the most appropriate way to bring about a shift to responsible management of menhaden, consistent with Section 5106(a) of the Atlantic Coastal Fisheries Cooperative Management Act. Imposing a moratorium immediately will prevent Omega and Cooke from pushing farther past the quota for 2019. A moratorium will also provide the motivation necessary to ensure that Virginia's General Assembly puts in place new measures to ensure future compliance with ASMFC fishery management plans, which are a shining example of the kind of

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cooperative federalism your Administration supports. A moratorium is the appropriate next step after a formal finding of non-compliance, according to the Act.

Section 5106(a) of ACFCMA requires the Secretary of Commerce to make a finding on the non-compliance recommendation within 30 days of being notified by ASMFC. Therefore, pursuant to Sec. 5106(b) of ACFCMA, I am requesting a meeting between your office and Virginia's Secretary of Natural Resources Matthew Strickler to discuss the Commonwealth's support for the ASMFC non-compliance finding, as well as our interest in the conservation of Atlantic menhaden, in advance of you making such a finding.

I have designated Katie Sallee in the Office of the Secretary of Natural Resources to coordinate this meeting. She may be reached at (804) 692-2547 or Katie.Sallee@governor.virginia.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Ralph S. Northam". The signature is fluid and cursive, with a long horizontal stroke at the end.

Ralph S. Northam