

What the Menhaden Debate Is Really About

A point-by-point rebuttal to the American Small Pelagics Network's case against additional Chesapeake Bay protections

By: Debbie Campbell

The question is not whether Atlantic menhaden are healthy coastwide. The question is whether a coastwide assessment can establish that Chesapeake Bay contains enough forage, in the right places and seasons, while a concentrated industrial reduction fishery operates inside the estuary and at its entrance.

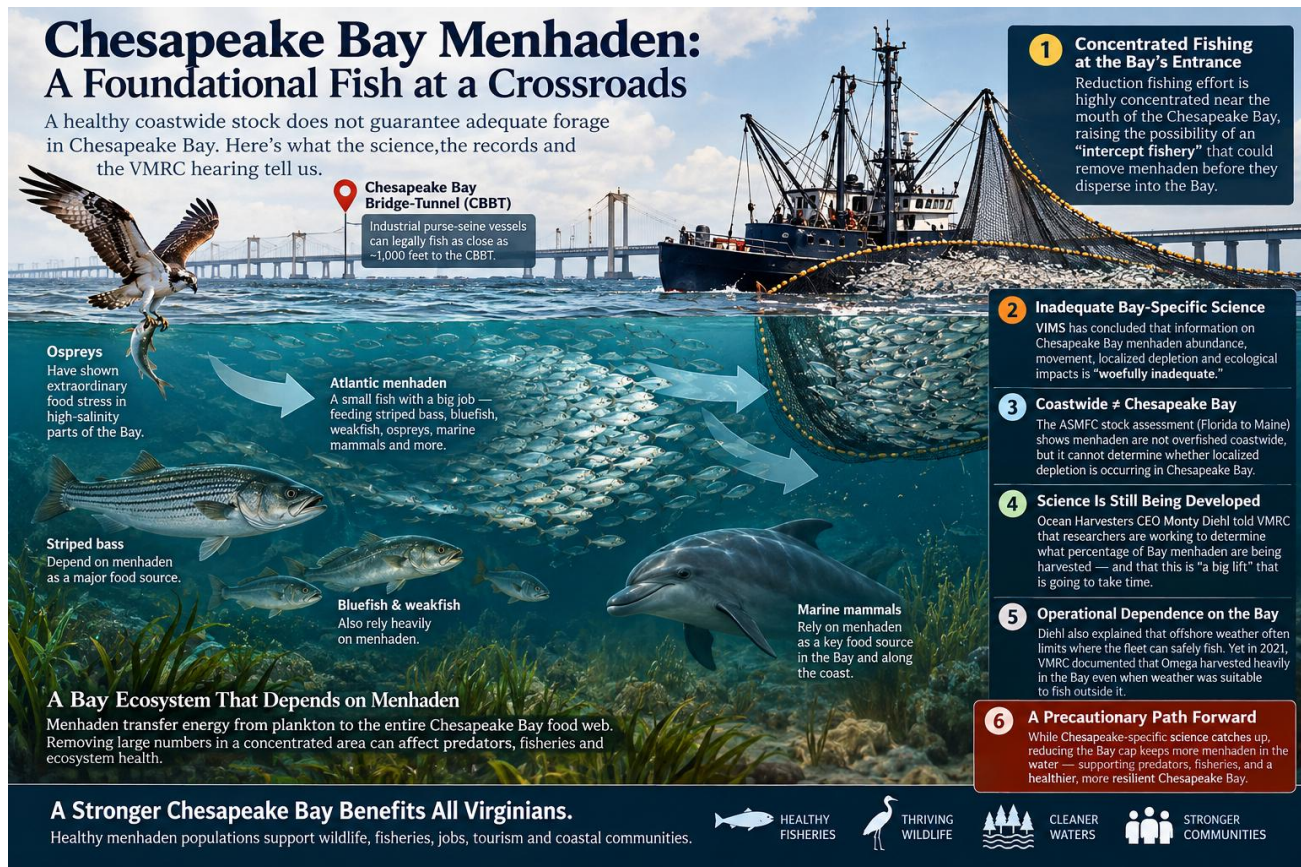


Illustration: the management problem is spatial. Coastwide stock status does not answer Bay-scale forage questions.

This response follows the argument advanced by the American Small Pelagics Network (ASPN) in its October 2026 public commentary and related reporting: stock status, ecological reference points, osprey science, striped bass, economics, corporate ownership, ongoing research, and the Chesapeake Bay cap. Where ASPN is correct, this rebuttal says so. Where its framing outruns what the evidence can establish, the distinction matters.

The Core Problem With ASPN's Argument

ASPN repeatedly answers a local ecological question with coastwide evidence. That is the central weakness in its case. The 2025 Atlantic menhaden assessment is important and reassuring at the stock-wide scale: the species is not overfished and overfishing is not occurring. But the Chesapeake Bay controversy is not a claim that the coastwide stock is collapsing. It is a question about local abundance, distribution, migration, predator access and concentrated removals inside one of the Atlantic coast's most important estuaries.

ASMFC itself has preserved a separate Chesapeake Bay reduction-fishery cap precisely because localized depletion has long been a management concern. Draft Addendum II now considers options including a reduction of that cap by as much as 50 percent. The Commission’s own work acknowledges that available information is insufficient to comprehensively characterize Bay-wide abundance, distribution and fishing effects. That uncertainty does not prove harm. It also does not prove safety.

A sound rebuttal therefore should not claim that commercial harvest has been proved to cause every osprey, striped-bass or bait-fishery problem. The stronger scientific case is narrower: substantial ecological warning signs exist; industrial effort is concentrated; the Bay-specific science needed to quantify the risk remains incomplete; and precaution is a legitimate management response while that science catches up.

1. “The Stock Is Healthy, So Further Bay Restrictions Are Not Scientifically Justified”

ASPEN'S CLAIM: The 2025 Atlantic menhaden stock assessment found the stock not overfished and not experiencing overfishing. ASPN presents that result as a major reason to resist additional Chesapeake Bay restrictions.

REBUTTAL

The stock-status statement is true. The inference ASPN asks readers to draw from it is not.

A coastwide assessment estimates the status of a single stock unit spanning a vast geographic range. It does not measure how many adult menhaden are present in Chesapeake Bay at a given time, how schools move through the Bay mouth, how long they remain available to local predators, or whether intense harvest in a particular area can create localized depletion.

VMRC staff made this scale explicit at the April 21, 2026 hearing, describing the single-species assessment as generating estimates for the coastwide stock as a single unit from Florida to Maine. That is the appropriate scale for coastwide overfishing status. It is not a Chesapeake Bay forage assessment.

ASMFC’s own public materials likewise caution against converting coastwide status into a local conclusion. The Bay cap exists as a separate management tool because localized depletion is a different question from coastwide stock collapse.

A healthy Atlantic stock and a locally stressed Chesapeake forage base can exist at the same time. One finding does not disprove the other.

2. “Ecological Reference Points Already Protect Predators”

ASPEN'S CLAIM: ASPN argues that ASMFC’s ecological reference points already account for predator needs and emphasizes that the adopted 2026 catch level had a modeled zero-percent probability of exceeding the ecological overfishing threshold.

REBUTTAL

Ecological reference points are an important advance and should be defended. But ASPN’s presentation blurs two distinctions: threshold versus target, and coastwide ecosystem modeling versus local forage sufficiency.

ASMFC reduced the 2026 coastwide total allowable catch by 20 percent after the 2025 assessment showed fishing mortality above the ERP target and fecundity below the ecological target. The fact that the adopted catch level was modeled below the overfishing threshold does not mean the stock was at the preferred ecological target. A threshold is the boundary managers seek not to cross; the target is the management objective.

ASMFC’s 2025 ERP analysis shows why the ecological target matters. The Board reduced the coastwide total allowable catch (TAC) from 233,550 metric tons in 2023–2025 to 186,840 metric tons for 2026, a 20 percent cut. Even at that level, projections indicated a 100 percent probability of fishing mortality exceeding the ERP target, though a zero percent probability of exceeding the overfishing threshold. ASMFC stated that a reduction of 50 percent or more from the prior TAC would be needed to lower the probability of exceeding the ERP fishing-mortality target. A 50 percent reduction from 233,550 metric tons would mean 116,775 metric tons—37.5 percent below the 2026 TAC, or roughly another 40 percent. These results reflect an ecosystem target designed around forage demands of striped bass; they do not establish that any one TAC change alone will recover striped bass. Nor does the coastwide ERP model establish a Chesapeake-specific quota. Nonetheless, the scale of the coastwide ecological gap strengthens the precautionary case for a significant reduction in concentrated Bay harvest while Bay-specific research is developed. (ASMFC, October 2025 TAC announcement and Atlantic Menhaden FAQ.)

Nor does the ERP framework certify that every predator in every region has adequate prey. The model is built around specified predator-prey relationships, with striped bass playing a central role. It does not establish an osprey forage requirement for high-salinity Chesapeake waters, nor does it calculate whether menhaden are sufficiently available near individual nesting areas or throughout the Bay.

The correct conclusion is that ERPs improve coastwide management - not that they eliminate the need to manage spatially concentrated forage risk inside Chesapeake Bay.

3. “Osprey Studies Do Not Prove the Reduction Fishery Caused the Decline”

ASPEN'S CLAIM: ASPN notes that Chesapeake osprey researchers identified food stress but did not design their studies to prove that commercial menhaden harvest caused the reproductive decline. It also points to osprey problems in other regions.

REBUTTAL

This is partly correct and should be conceded. The published Chesapeake studies do not establish that commercial harvest alone caused poor osprey reproduction. A credible rebuttal should not say otherwise.

But that concession does not make the osprey evidence irrelevant. Recent Chesapeake research has documented declining reproductive performance, reduced menhaden deliveries to nests, brood reduction and nest failure in high-salinity areas. A food-supplementation experiment improved reproductive performance, directly supporting food limitation as an important mechanism. A 2026 Bay-wide study found the high-salinity study areas functioning as demographic sinks and identified reduced Atlantic menhaden availability as a primary driver of poor reproduction there.

The Center for Conservation Biology’s 2026 reporting described the Bay’s osprey breeding performance as the worst in its long-term record, with none of the monitored areas above 5 ppt salinity reaching productivity needed for population maintenance. Researchers also reported major declines in menhaden delivery to nests in some areas and a lower-energy diet as ospreys shifted to alternative prey.

Evidence of osprey problems elsewhere does not negate the Chesapeake mechanism. Different populations can experience food limitation for different reasons. The management question is whether managers should ignore a strong local forage signal until a study isolates one human activity as the sole cause.

“The fishery has not been proved to be the sole cause” is scientifically defensible. “Therefore local menhaden availability is adequate” is not.

4. “Managers Should Wait for the Ongoing Chesapeake Studies”

ASPEN'S CLAIM: ASPN urges managers to wait for several ongoing, publicly funded Chesapeake studies before imposing additional restrictions.

REBUTTAL

This sounds cautious, but it treats the status quo as if it were scientifically neutral. It is not. Continuing concentrated removals at the existing cap while waiting for better data is itself a risk-allocation decision.

The most important evidence here comes from Virginia’s own scientific and regulatory record. VIMS characterized information on Chesapeake menhaden abundance, movement between the Bay and shelf, localized depletion from fishing, and ecological impacts of purse seining as “woefully inadequate.” At the April 2026 VMRC hearing, VIMS scientific adviser Lyle Varnell explained that, compared with other species, managers are “way behind the curve” in determining the biomass needed to support the Bay food web.

Ocean Harvesters CEO Monty Diehl’s testimony underscored the same information gap from the industry side. While opposing a moratorium, he described tagging research intended in part to determine what percentage of menhaden in the Bay the fishery actually harvests, calling the work a major undertaking that will take time.

That creates a straightforward management problem: if the science is not yet capable of measuring local abundance, movement and harvest fraction adequately, the absence of a demonstrated localized-depletion signal cannot be treated as proof that localized depletion is not occurring.

The precautionary question is therefore not whether research should continue - it absolutely should. It is who bears the risk while managers wait. A lower cap leaves more forage in the ecosystem while the studies proceed. Maintaining the current cap places more of the uncertainty on predators, competing fisheries and the Bay food web.

5. “The Bay Cap Was Political and Has Never Been Scientifically Quantified”

ASPEN'S CLAIM: ASPN points to the history of the Chesapeake Bay cap and earlier ASMFC statements that the cap was not derived from a scientifically quantified local harvest threshold.

REBUTTAL

That history is relevant. The current cap is not the output of a Bay-specific biomass model that calculates a precise biologically necessary tonnage. But this does not make the cap scientifically meaningless, nor does it follow that a precautionary reduction lacks a scientific rationale.

The cap’s purpose has always been different from a coastwide overfishing limit: it is a risk-management measure intended to constrain concentrated reduction harvest in the face of concern about localized depletion. Precautionary limits are often used precisely where managers cannot calculate a perfect local threshold.

More importantly, management conditions have changed since the older statements ASPN cites. Draft Addendum II is being considered against a current record that includes concentrated summer reduction effort, concerns about declining Bay pound-net harvest and catch per unit effort, new predator research, and explicit recognition that Bay-specific abundance and movement information remains inadequate.

A historical statement that managers could not quantify a biological benefit from the cap under conditions in 2012 is not a scientific finding that no localized risk can exist in 2026.

6. “There Is No Proof of an Intercept Fishery at the Bay Mouth”

ASPEN'S CLAIM: Industry advocates dispute the idea that the reduction fleet forms a ‘gauntlet’ that prevents menhaden from reaching the upper Bay, noting that existing analyses do not establish a simple cause-and-effect relationship.

REBUTTAL

Again, the narrow proposition is fair: the available evidence does not prove that purse-seine sets near the Bay mouth systematically block menhaden from reaching Maryland. The rebuttal should not claim otherwise.

But ASMFC’s Chesapeake Bay work group examined this exact concern because reduction-fishery effort is substantially concentrated near the mouth of the Bay. The group identified migration and biomass information needed to determine whether concentrated sets can function as an intercept fishery. In other words, the question is unresolved, not disproved.

That matters because the fleet is permitted to operate extremely close to the Chesapeake Bay Bridge-Tunnel, at the estuary’s principal marine gateway. Concentrated industrial removal at an entrance through which forage fish migrate presents a different ecological-risk profile from dispersed coastwide harvest. If managers cannot yet quantify migration timing, local biomass, predator demand or the fraction of Bay fish removed, a narrow buffer does little to resolve the underlying uncertainty.

The fleet’s operational dependence on protected Bay waters adds context. At the April 2026 VMRC hearing, Diehl explained that offshore sea conditions often make purse-boat operations unsafe and argued that losing Bay access could threaten the business. That economic reality deserves consideration - but it is not an ecological reason to maximize Bay harvest.

A September 8, 2021 letter from then-VMRC Commissioner Steven G. Bowman to “Mr. Montgomery Diehl, Omega Protein” is particularly revealing. Bowman wrote that Omega had already taken 38,390 metric tons - 75.3 percent of the Bay cap - and criticized the fact that the harvest occurred despite weather suitable for fishing outside the Bay. The point is not that offshore weather never constrains the fleet. It is that Bay harvest cannot be explained solely as a rough-weather necessity.

The scientifically defensible position is not “the intercept effect has been proved.” It is “the intercept risk is credible, spatially concentrated and unresolved - exactly the kind of uncertainty for which a precautionary cap exists.”

7. “Menhaden Restrictions Will Not Rebuild Striped Bass”

ASPEN'S CLAIM: ASPN notes that eliminating menhaden fishing alone would not rebuild striped bass and emphasizes that recreational harvest and release mortality account for a large share of striped-bass removals.

REBUTTAL

Both points can be true without resolving the forage issue. Striped bass face multiple interacting pressures. Direct fishing mortality, recruitment, habitat conditions, disease, temperature and prey availability do not cancel one another out.

No credible case for reducing the Chesapeake Bay cap requires claiming that menhaden harvest is the sole cause of striped-bass decline or that menhaden conservation alone will rebuild the stock. The question is whether a stressed predator population benefits from maintaining abundant, accessible forage in a major nursery and feeding estuary.

ASPN also cites analyses finding sampled striped bass in generally acceptable body condition. That is useful evidence about the fish examined. It does not measure menhaden availability throughout Chesapeake Bay, nor does it establish that forage is spatially sufficient for every predator or life stage.

“Menhaden conservation alone will not rebuild striped bass” is not a rebuttal to forage management. It is a reminder that ecosystem management must address more than one pressure at a time.

8. “Menhaden Are Not Necessarily Worth More Left in the Water”

ASPN'S CLAIM: ASPN challenges claims that menhaden are categorically worth more as forage than when harvested and emphasizes jobs, wages, bait, fishmeal, fish oil and other products created by the fishery.

REBUTTAL

The reduction fishery unquestionably creates economic value and supports real workers and families. A serious conservation argument should acknowledge that rather than treating Reedville jobs as disposable.

But the reverse simplification is equally problematic. Economic value is not created only when a menhaden crosses a dock. Menhaden left in the ecosystem support recreational and commercial predator fisheries, bait availability, wildlife viewing, tourism, nutrient and food-web functions, future spawning biomass and ecological resilience.

The correct economic question is therefore allocation: how should a public forage resource be divided among direct industrial harvest, bait fisheries, predators and ecosystem functions? A sales figure for processed menhaden products cannot answer that question by itself.

A temporary or precautionary cap reduction also is not equivalent to eliminating the fishery. Draft Addendum II is considering a range of options, including reductions short of closure. Economic impacts belong in the decision, but so does the economic value of forage retained in the Bay.

9. “Ocean Harvesters Is an Independent American Company”

ASPN'S CLAIM: ASPN responds to Canadian-ownership criticism by emphasizing that Ocean Harvesters operates the Atlantic vessels as a U.S. company, even though Omega Protein's parent, Cooke, is Canadian.

REBUTTAL

The careful response is not to deny Ocean Harvesters' separate corporate identity. The phrase “independent American company,” however, is materially incomplete if it is used to imply an arm's-length separation from Omega Protein and the Cooke enterprise.

Omega's own corporate history states that Ocean Harvesters purchased vessels formerly owned by Omega and operates them under a long-term supply relationship with Omega. Monty Diehl/Diehl's employment history provides additional continuity: ASMFC and Omega records identify him in senior Omega fishing-operations roles before he later appeared as CEO of Ocean Harvesters.

The April 21, 2026 VMRC hearing makes the relationship unusually concrete. Diehl testified as “CEO of Ocean Harvesters.” Industry attorney Sean Gehan told the Commission he was appearing on behalf of Omega Protein and Ocean Harvesters. And the 2021 VMRC correspondence supplied for this review was addressed directly to “Mr. Montgomery Diehl, Omega Protein” concerning Chesapeake Bay harvest by the same reduction enterprise.

Recent reporting has also described ownership links between Ocean Harvesters, Omega and individuals connected to Cooke. Those reports should be described as reported ownership facts rather than used to claim that Ocean Harvesters lacks a separate legal identity.

The fair formulation is that Ocean Harvesters is a separately organized U.S. fishing company with extensive historical, personnel, operational, commercial and reported ownership ties to Omega/Cooke. Readers should receive that context when “independent American company” is offered as an answer to the ownership issue.

10. The Regulatory Record Is More Complicated Than a Simple Sustainability Narrative

ASPN'S CLAIM: ASPN emphasizes regulated harvest, working-waterfront history and the economic importance of the fishery.

REBUTTAL

Those are legitimate parts of the record, but they are not the whole record. Omega exceeded the Chesapeake Bay cap in 2019 by roughly 15,000 metric tons, or about 30 percent, prompting federal noncompliance consequences and a temporary moratorium mechanism until Virginia addressed the issue.

Bowman's 2021 letter specifically invoked that history while warning about the pace of Bay harvest. It also expressed concern about fish spills/kills and stated that two incidents over the preceding two days involved an estimated 400,000 fish spilled and presumed dead.

Omega's response deserves equal treatment. It explained that net tears can occur during pumping, that the number of escaped fish is estimated, that the company reports and monitors incidents, and that roughly half of reported spills showed no observed evidence of dead fish. It also acknowledged that in other incidents some or all escaped fish later die.

Spills are not proof of localized depletion and should not be used that way. They are relevant to the regulatory history and to the broader question of whether landed catch captures every ecological removal associated with the operation.

11. “There Is No Scientific Basis for a 50 Percent Reduction”

ASPN'S CLAIM: ASPN stresses that Draft Addendum II presents a 50 percent reduction as a management option, not as the output of a scientific model proving that exactly 50 percent is biologically required.

REBUTTAL

That distinction is correct. Science has not produced a Chesapeake model showing that 25,500 metric tons is a uniquely optimal number. But management decisions under uncertainty rarely arrive with that level of precision.

The question is whether a substantial precautionary reduction is defensible. The cumulative record says yes: the cap exists to address localized risk; industrial effort is concentrated; Bay-specific abundance and movement remain inadequately measured; predator food stress is documented; pound-net indicators have raised concern; the Bay-mouth intercept question remains unresolved; and even the industry acknowledges that researchers are still trying to quantify what fraction of Bay menhaden the fleet harvests.

A 50 percent option is therefore best understood as a risk-management choice, not a claim of mathematical biological precision. Managers can revisit the level as the \$4.5 million research program and other studies produce better Bay-scale information.

The lack of a perfectly quantified local threshold cuts both ways. It is not evidence that the current 51,000-metric-ton cap is biologically optimal either.

Conclusion: ASPN Is Right About Uncertainty - but Draws the Wrong Management Lesson

ASPN is right about several important facts. Atlantic menhaden are not overfished coastwide. The current research does not prove that the reduction fishery alone caused Chesapeake osprey reproductive failure. Menhaden conservation alone will not rebuild striped bass. The reduction fishery supports real jobs and produces economically useful products. And a 50 percent Bay-cap reduction is a management choice, not the output of a model identifying one biologically exact tonnage.

But none of those facts establishes the conclusion ASPN wants managers to reach.

The unresolved issue is local. Chesapeake-specific abundance, movement, localized depletion and ecological effects remain inadequately known. The coastwide assessment cannot fill that gap. Ecological reference points do not certify forage sufficiency for every Chesapeake predator. Osprey studies show serious food stress. Industrial reduction effort can be concentrated near the Bay mouth. And the research now underway exists precisely because managers still lack answers to fundamental Bay-scale questions.

Waiting for science while continuing the existing level of industrial removal is not neutral. It places the risk of uncertainty on the ecosystem. A precautionary cap reduction places more of that risk on the fishery while preserving the ability to adjust management as new evidence arrives.

That is why reducing the Chesapeake Bay reduction-fishery cap - including serious consideration of the 50 percent option - can be both scientifically honest and appropriately cautious. The argument does not require exaggerating what the science proves. It requires recognizing what the science does not yet know.

Sources and Primary Records

1. American Small Pelagics Network, “Washington Examiner Op-Ed Gets the Facts Wrong on Menhaden, American Jobs and Fisheries Management,” Oct. 2, 2026. Used as the principal ASPN argument rebutted in this document. [Source](#)
 2. National Fisherman, “Menhaden industry group pushes back on forage fish claims,” Oct. 2, 2026. Summary of ASPN’s response and Chesapeake Bay cap debate. [Source](#)
 3. ASMFC, Atlantic Menhaden Draft Addendum II (2026) and public-hearing materials. [Source](#)
 4. ASMFC, Atlantic Menhaden species page and ecological reference point materials. [Source](#)
 5. ASMFC, 2026 TAC action following the 2025 stock assessment. [Source](#)
 6. ASMFC, Chesapeake Bay Precautionary Management Work Group Report, April 2025. [Source](#)
 7. ASMFC, Atlantic Menhaden FAQs, including limitations of coastwide conclusions and striped-bass context. [Source](#)
 8. Center for Conservation Biology / Frontiers in Marine Science, 2023 Chesapeake osprey reproductive and diet research. [Source](#)
 9. Frontiers in Marine Science, 2023 osprey food-supplementation experiment. [Source](#)
 10. Frontiers in Marine Science, 2026 Chesapeake Bay osprey study. [Source](#)
 11. Center for Conservation Biology, 2026 Chesapeake Bay osprey breeding-performance report. [Source](#)
 12. Omega Protein corporate history describing Ocean Harvesters vessel ownership/operation and long-term supply relationship. [Source](#)
 13. ASMFC Atlantic Menhaden Management Board Proceedings, Dec. 2012, documenting Monty Deihl’s Omega Protein role. [Source](#)
 14. VMRC April 21, 2026 meeting transcript supplied for this review. Primary record for testimony by VMRC/VIMS staff, Monty Diehl, industry counsel, petitioners and commissioners.
 15. VMRC Commissioner Steven G. Bowman letter to Montgomery Diehl, Omega Protein, Sept. 8, 2021, and related Omega spill-response page supplied for this review. Primary records for Bay harvest/weather, 2019 cap history and spill procedures.
- Method note: This rebuttal deliberately separates three categories: (1) findings established by stock assessments or peer-reviewed research; (2) unresolved risks identified by managers or scientists; and (3) advocacy claims or inferences. It does not treat lack of proof of harm as proof of safety, and it does not treat ecological warning signs as proof that commercial harvest is the sole cause.

AUTHOR’S NOTE

This commentary reflects my analysis and conclusions. I supplied the source article, public records and research direction; selected the issues to examine; reviewed and revised the arguments; and take responsibility for the final factual claims and opinions expressed here. I used ChatGPT as a research, fact-checking, drafting and editing tool. AI assistance does not replace my responsibility for the published work. The U.S. Copyright Office has stated that use of AI as an assistive tool does not, by itself, bar copyright protection for human-authored expression, while purely AI-generated material is not protected absent sufficient human authorship.

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