

ENERGY + ENVIRONMENT

COMMENTARY

The battle for menhaden: corporate greed threatens the Chesapeake Bay

The Chesapeake Bay is far too precious a resource to let one Canadian company strip it of 112 million pounds of a keystone fish species every year, simply because it is cheaper for them to net the young menhaden in the bay than to have to gather the fish in the ocean.



IVY MAIN

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📷 Bunker or menhaden fish, seen while whale watching off Long Beach, N.Y. (Vicki Jauron, Babylon and Beyond Photography via Getty Images)

You might know them as bunker or pogies. Landlubbers might not know them at all. Menhaden, a kind of herring that has been called [the most important fish in the sea](#), are a keystone species in the Atlantic, serving both as a critical food source for predatory fish, marine mammals and birds, and as a consumer of vast quantities of algae that would otherwise clog waterways and shade out underwater vegetation.

Around the Chesapeake Bay, people know them as the victim of corporate greed and Virginia politics, both sadly familiar topics.

Menhaden have supported one of the East Coast's largest fisheries since colonial times. They once supplied "reduction factories" up and down the coast, where every year hundreds of millions of the bony little fish were cooked and ground up to make lamp oil and fertilizer. Today, in addition to fertilizer, they are turned into cat food, health supplements and feed for farmed salmon.

[A school of 100+ menhaden jumping out of the water, creating a massive splash.](#)

As early as [the 17th century](#), overfishing caused the population to decline, and it's been a cycle of boom and bust ever since. One by one, all the Atlantic states but one banned reduction factories and fishing for the reduction industry in their state waters, protecting the bays and estuaries where the immature fish live for their first year or two before heading into the ocean.

The one outlier is Virginia. The last reduction factory on the East Coast is located in Reedville, Virginia, providing jobs for about 250 local workers. But this is hardly a sleepy little local business. The operation is owned by Omega Protein Corporation, which in turn is owned by a Canadian multinational, Cooke Inc. Omega's fishing vessels use 1,500-foot-long purse seine nets to harvest hundreds of millions of pounds of menhaden every year. The fish are processed at the Reedville factory and then shipped out to Omega's other business operations around the world.

In 2012, in the face of [plummeting numbers](#) of menhaden blamed on Omega's operations, the Atlantic States Marine Fisheries Commission (ASMFC) took on the regulation of menhaden fishing. Today the ASMFC [allocates catch levels](#) among the states, but in a way that locks in Omega's outsized share of the fishery. Virginia's – that is, Omega's – quota is 75% of the total. The other 14 states in the compact share the last 25%, enough to supply bait for local crabbers, fishermen and lobstermen.

Virginia is an exception in other ways, too. Not only is Omega permitted to operate in state waters along the Virginia coast, which no other Atlantic state allows, Virginia also lets Omega's vessels fish in the Chesapeake Bay. In fact, Omega is currently allowed to take [112 million pounds](#) (51,000 metric tons) of menhaden out of Virginia's side of the Chesapeake Bay every year, about a third of Virginia's total quota.

Maryland doesn't allow Omega to operate on its side of the Chesapeake, and it very much wishes Virginia wouldn't either. Young fish have to survive the trip through the Virginia side to reach the ocean, where the adults spend most of their lives.

Pretty much everyone else who depends on the bay for recreation or their livelihood also wishes Virginia would keep Omega out of the Chesapeake. The bay's health is famously precarious. Many of its fish and birds that depend on menhaden for food are in decline, including [striped bass](#) (rockfish) and [osprey](#). The declines threaten economic mainstays like the recreational striped bass fishery, which generates an [estimated](#) \$500 million annually in economic activity. [Residents also complain](#) about Omega's "fish spills," where torn nets result in beaches covered with thousands of dead menhaden and bycatch including red drum.

But Omega prefers to fish in the protected waters of the Chesapeake over the rougher open ocean, or even in coastal waters outside the bay. Fishing in the Chesapeake allows Omega to reach its overall quota faster and at less expense to itself. The bay's loss is, decidedly, Omega's gain.

And Omega is grateful to Virginia, or at least to its lawmakers. Every year it presents Virginia politicians with generous [donations](#). Each incoming governor's inaugural committee, regardless of party, gets \$25,000. Favored legislators receive thousands of dollars in campaign contributions. Senator Richard Stuart, R-Westmoreland is the top recipient, but in the fine tradition of Virginia corporate palm-greasing, Omega has contributed to dozens of other legislators from both parties.

For years Omega's friends ensured that the General Assembly, rather than a regulatory agency, directly "oversaw" the menhaden fishery, by which I mean [it did not interfere](#). In 2020, however, the General Assembly finally passed [legislation](#) giving oversight of menhaden to the Virginia Marine Resources Commission (VMRC).

That change has not produced the tighter regulations advocates hoped for. Corporate political power in Virginia has a half-life rivaling that of nuclear waste; besides, fishing interests control the VMRC. There are no representatives from the environmental community on its board.

But advocates keep trying. Last fall the Virginia Saltwater Sportfishing Association [presented](#) Gov. Glenn Youngkin and the Virginia Marine Resources Commission with a petition asking for a ban on menhaden fishing in the Chesapeake Bay. Instead, the VMRC [approved](#) a memorandum of understanding with Omega that keeps fishing vessels a mile

from shore inside the bay. The agreement, which has no force of law, is expected to lessen the likelihood of fish spills but will not reduce Omega's catch limit, much less kick its vessels out of the bay.

Two weeks ago, the Chesapeake Legal Alliance [sued](#) the VMRC on behalf of the Southern Maryland Recreational Fishing Organization, claiming VMRC "rubber-stamped" a higher quota set by the AMSFC without making its own determination of what effect higher catch limits would have on the fishery. The Alliance also argued that VMRC acted outside the statutory window of time for adjusting catch limits – a provision that, ironically, was added to the law at the behest of Omega.

The fact is, no one actually knows what effect Omega's industrial fishing operation has on the Chesapeake Bay because the bay has never been given a chance to heal from centuries of exploitation. Menhaden stocks are healthy along the Atlantic coast, thanks to fishing quotas and the actions of other states to protect nurseries like the Delaware Bay. But in the Chesapeake Bay, the assault of industrial reduction fishing goes on unchecked.

This year Delegate Tim Anderson, R-Virginia Beach, introduced a [bill](#) that would have paused menhaden reduction fishing in the bay for two years to allow the Department of Environmental Quality to conduct a study; the bill was tabled in committee. Another of Anderson's bills would have prohibited foreign-owned corporations from making political contributions; [that bill](#) was killed in subcommittee.

Omega's influence on the General Assembly is surely popular in Reedville (pop. 2,222), and no doubt it's politics as usual in Richmond, but the rest of us should be angry. The Chesapeake Bay is far too precious a resource to let one Canadian company strip it of 112 million pounds of a keystone fish species every year, simply because it is cheaper for them to net the young menhaden in the bay than to have to gather the fish in the ocean.

No one is trying to put Omega's Virginia employees out of work. But we should certainly put Omega out of the Chesapeake Bay.

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IVY MAIN

Ivy Main is a lawyer and a longtime volunteer with the Sierra Club's Virginia chapter. A former U.S. Environmental Protection Agency employee, she is currently the Sierra Club's renewable energy chairperson. Her opinions are her own and do not necessarily reflect those of any organization.

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