

Virginia Marine Resources Commission
Aquaculture Management Advisory Committee (AMAC) Meeting
380 Fenwick Road, Fort Monroe, VA
VMRC Commission Room
Monday, September 16, 2019 – 3:30 PM

ATTENDANCE

Members Present

Ellen Bolen
Ann Gallivan
Rebecca Kubin
Mark Luckenbach
Beverly Ludford
Mike Oesterling
H.R. Perkinson, III.

Members Absent

A.J. Erksine
Jay Ford
Kim Huskey
Thomas Leggett, Jr.

VMRC Staff Present

Andrew Button
Tony Watkinson
Ben Stagg
Hank Badger
Daniel Faggert
Pat Geer

Minutes were prepared by Kristen Bachand.

I. Introductions; Announcements

Chairman Ellen Bolen called the meeting of the Aquaculture Management Advisory Committee to order at 3:33 PM.

II. New Business:

Ben Stagg, Director of Shellfish Aquaculture Leasing and Mapping, opened the meeting by presenting an example of a lease renewal case. The returned renewal form was 50% complete, resulting in a denial letter tailored to request more information. The leasee called Mr. Stagg and provided additional information, which led to the lease being renewed. Following a question from Ms. Ann Gallivan, Mr. Stagg elaborated on the internal process used to consider a lease for renewal. The renewal form is first compared to mandatory reporting, followed by an examination of the map of the lease's area to look at various factors (i.e. submerged aquatic vegetation, proximity to channels, piers, and land) along with water quality and other possible conflicting uses. Mr. Stagg then writes comments on the renewal decision. Dr. Mark Luckenbach asked what could be done if a portion of the lease is unusable. Mr. Stagg stated that one can redraw the leased area (\$100 for a new plat) and the now unleased area is available for a new lease.

Ms. Beverly Ludford started the discussion on the Standard Husbandry Operating Procedures provided by Mr. Thomas Leggett, Jr. prior to the meeting and the Oyster Planting Grounds Lease

Renewal and Lease Denial Hearing Guidelines document. She would like to change the wording bushels of seed in the document to seed planted. Mr. Mike Oesterling agreed, saying the phrasing could also say baskets. Ms. Ludford also said the Commission should consider rotational use of leases in a management plan. Ms. Gallivan mentioned that any provided plans must be clear, as the amount of production on a given lease is not the same each year due to a variety of external factors. Mr. H.R. Perkinson, III. shared the concern of small lease owners, stating that it is hard for them to get shell as it goes to restoration or bigger operations. Although they supported the 1 bushel per acre per year limit, the small lease owners were concerned that this would apply for all cases, without considering the intensity of the operation. Mr. Perkinson also expressed his concern that including floats in the guidelines would single out this type of operation. Per Mr. Stagg, floats are included because a permit is needed for deployment.

Chairman Bolen started the second half of the discussion with a request on what additional questions should be asked when initially leasing oyster ground. Dr. Luckenbach stated that if the leasee intends to grow shell, then he/she should provide the source. Both Ms. Ludford and Mr. Oesterling expressed concern that newcomers do not understand the process and should be provided guidance on creating a business plan through mentoring, similar to the Crab Disaster Program. Mr. Andrew Button, Head of Conservation and Replenishment, stated that staff is willing to point applicants in the right direction, but this takes time. Mr. Oesterling and Mr. Perkinson supported additional information on the current renewal form questionnaire or a management plan, which could prevent future protests to lease applications. Mr. Stagg responded that only a mandatory management plan that did not change over time would help prevent protests. Ms. Gallivan stated most applicants want flexibility, so would list everything possible on the plan. She suggested a public education initiative to reduce protests.

III. To Be Addressed Before Next Meeting

- Committee members provide additional feedback on the guidelines document
- Ms. Gallivan requests a way to include yearly use data on the rent form
 - Staff will consider this for the next cycle
- Mr. Perkinson questioned the wording of significant production and reasonable plantings
 - Staff will review this to determine whether “and” or “or” is needed
- Ms. Ludford requests a change from “bushels of seed” to “seed planted” in the guidelines
- Staff will determine if restored reefs are on leases or by permit
- Staff will provide an example of a Virginia use plan, along with other states’ plans
- Staff will provide the number of new applicants in the current lease application pool

The next meeting will be held in November, with a date to be determined.

IV. Adjournment

Chairman Bolen adjourned the meeting at 5:08 PM.