

VMRC FISHERIES NEWS

VIRGINIA MARINE RESOURCES COMMISSION PLANS & STATISTICS 1-800-937-9247

VOLUME 13 ♦ ISSUE 1 ♦ Spring 2005

This newsletter provides only a summary of management measures adopted by the Commission and has no legal force or effect. Please refer to the actual regulations for legal documentation. To obtain a complete copy of the regulations call 757-247-2248 or access the VMRC website: (<http://www.mrc.virginia.gov>)



FEDERAL RULE INITIATED IN 2004 ON POUND NET LEADERS GOES BACK INTO EFFECT MAY 6 - JULY 15

NMFS is prohibiting the use of all pound net leaders, set with the inland end of the leader greater than 10 horizontal feet (3 m) from the mean low water line, from May 6 to July 15 each year in the Virginia waters of the mainstem Chesapeake Bay, south of 37°19.0' N. lat. and west of 76° 13.0' W. long., and all waters south of 37° 13.0' N. lat. to the Chesapeake Bay Bridge Tunnel at the mouth of the Chesapeake Bay, and the James and York Rivers downstream of the first bridge in each tributary. Outside this area, the prohibition of leaders with greater than or equal to 12 inches (30.5 cm) stretched mesh and leaders with stringers, as established by the June 17, 2002 interim final rule, will apply from May 6 to July 15 each year. This action, taken under the Endangered Species Act of 1973 (ESA), is necessary to conserve sea turtles listed as threatened or endangered. See page 2 for a map of the management zones.



COMMISSION VOTES TO MAKE EMERGENCY RULES PERMANENT

On March 22, 2005, the Commission approved five emergency regulations to minimize the interactions between bottlenose dolphins, sea turtles, and gill nets in Virginia Waters. These restrictions primarily involve ocean gill net fisherman using mesh seven inches and greater. On April 26, 2005 the Commission approved the emergency regulations as permanent regulations. The regulations are as follows: **4VAC20-170, 4VAC20-252, 4VAC20-430, 4VAC20-320, and 4VAC20-1080.**

A complete copy of the regulations can be found on the Commission website at www.mrc.virginia.gov/regulations

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REGULATION AMENDMENTS

On March 22, 2005, the Commission voted to reopen the closed recreational area for Black Sea Bass. Proposed amendments to 4 VAC 20-950-10 et seq., "Pertaining to Black Sea Bass," to repeal the closed recreational fishery season for 2005 were approved. The regulation now reads as follows:

4 VAC 20-950 –45 Recreational Possession Limits and Seasons.

A. It shall be unlawful for any person fishing with hook and line, rod and reel, spear, gig or other recreational gear to possess more than 25 black sea bass. When fishing is from a boat or vessel where the entire catch is held in a common hold or container, the possession limit shall be for that boat or vessel and shall be equal to the number of persons on board, legally eligible to fish, multiplied by 25. The captain or operator of the boat or vessel shall be responsible for that boat or vessel possession limit. Any black sea bass taken after the possession limit has been reached shall be returned to the water immediately.

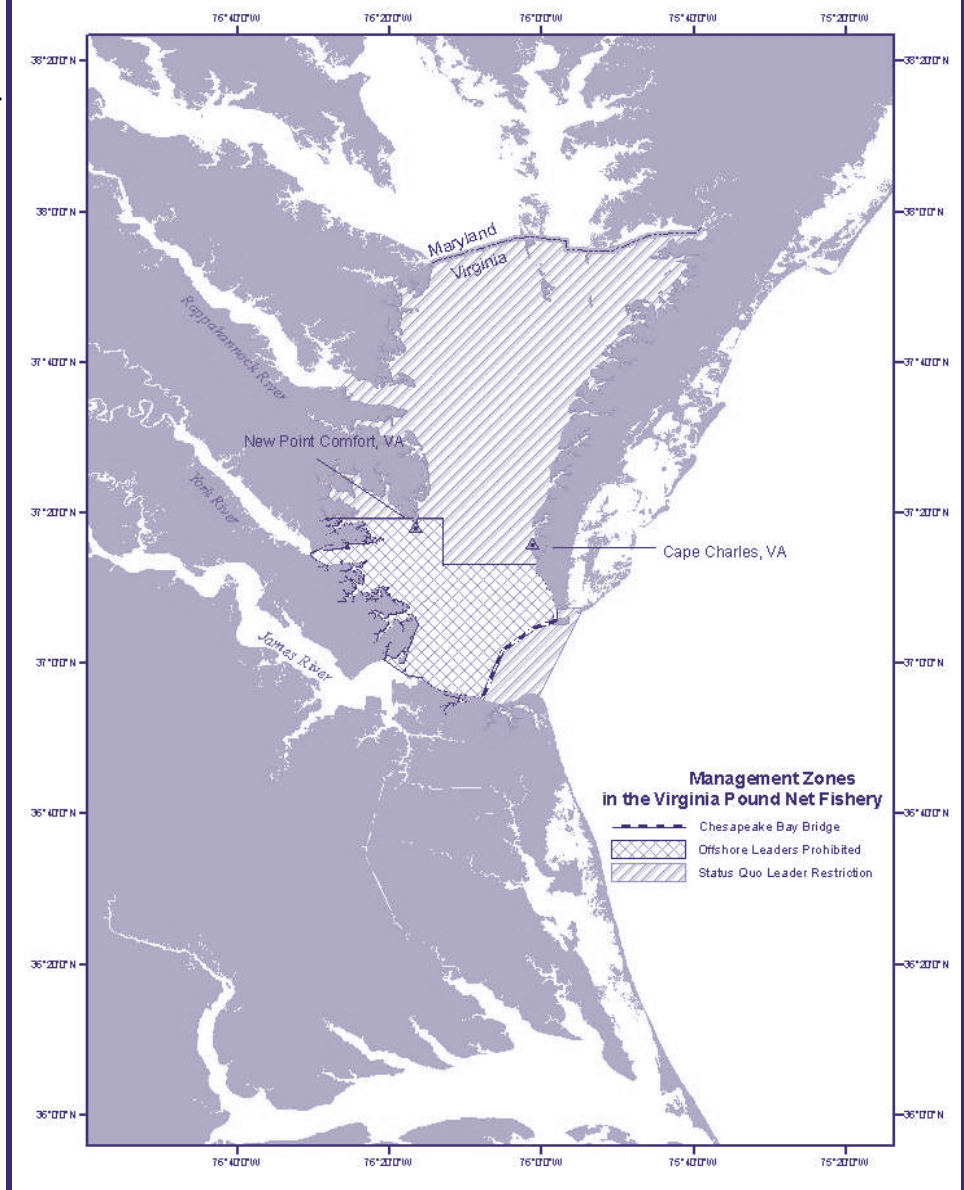
B. Possession of any quantity of black sea bass that exceeds the possession limit described in subsection A of this section shall be presumed to be for commercial purposes.

C. The open recreational fishing season shall be year-round.



Photo courtesy of MAFMC

MAP OF MANAGEMENT ZONES FOR VIRGINIA'S POUND NET FISHERY



**IMPORTANT REMINDERS!!**

BLACK DRUM BUYERS- All buyers are required to possess a black drum buyer permit, in order to purchase black drum from fisherman. All interested buyers must complete a buyer application to receive a permit. Contact Tara Scott at 757 247-2240 to request an application.

CHARTER BOATS- All charter boats fishing for striped bass are required to obtain a special striped bass permit. All striped bass caught must be reported to the VMRC at the end of the season.

RECREATIONAL FISHING WITH COMMERCIAL GEAR- All licensed recreational fishermen who purchase commercial gear used recreationally are required to report their harvests on special forms provided by the VMRC. Forms can be found online at www.mrc.virginia.gov/forms or can requested to be sent by mail. Reports are due by January 5, the following year.

STRIPED BASS TAGS- You must record the number of tags used daily on your mandatory reporting forms.

STRIPED BASS TAG TRANSFERS- Because transferring striped bass tags has become very complex and time consuming, you are now required to call and make an appointment at least one day in advance before coming to the office to transfer striped bass tags. Thank you for your cooperation and patience!

STRIPED BASS BUYERS- All buyers are required to possess a striped bass buyer permit in order to purchase striped bass from fisherman.

STRIPED BASS BUYER REPORTS- Permitted buyers shall provide written reports to the Commission of daily purchases and harvest information on forms provide by VMRC. Reports shall be completed in full and submitted monthly no later than the 5th day of the following month.

**1-800 LINE AND MANADATORY HARVEST REPORTING STATUS LETTERS**

Watermen please remember that, as part of the Mandatory Reporting Program, harvest reports are due by the 5th of every month. If you are not fishing, you must also report no activity by the same date. Our system does not automatically enter inactivity. Inactivity is manually entered, and we must be contacted to enter no activity for months you do not work, after the commercial card is printed, as stated in the letter you receive with your card. When using the 1-800, line please remember to provide your name and the last 4 digits of you commercial card. If you are providing information for multiple watermen please speak each name and commercial card number slowly. Please listen carefully to the recording, for the correct option and the required information that you must provide. In January and July of each year, a status letter is sent to all commercial watermen regarding their reporting history. A status letter may be sent monthly to those fishermen who fail to report by the 5th of the month. In order to avoid receiving these letters please turn your harvest and no activity reports in on time.

NOAA CREATES WEBPAGE TO HELP INFORM FISHERMAN

NOAA Fisheries Service Northeast Region has recently developed a Fishing Industry Homepage for constituents to access regulations by subregions. The development of this website was in direct response to a recommendation provided by the fishing industry. Although the region has set up the website using groundfish as a pilot project, it intends to include other species in the near future.

The new website is located on the Region's homepage under "Features" or at the following address: <http://www.nero.noaa.gov/nero/fishermen/>

The screenshot shows the NOAA Fisheries Service website for the Northeast Region. The page title is "NOAA FISHERIES SERVICE: NE REGION FISHING INDUSTRY HOMEPAGE". The main heading is "NORTHEAST MULTISPECIES REGULATIONS" with a sub-heading "Mid-Atlantic Regulated Mesh Area". A "Features" box lists: Commercial Fishery, Recreational Fishery, Species List, NOAA Charts, Mid-Atlantic Closed Areas, and All Regulated Mesh Areas. A "Return to Fishing Industry Homepage" link is visible. The footer contains navigation links: Home, About Us, Search, Directions, Regulatory Disclaimer, Contact Us, Privacy Policy, Disclaimer, and People Locator.



SPECIES PROFILE


SCIENTIFIC NAME:

Pogonias cromis

COMMON NAME:

Black drum

OTHER NAMES:

Striped drum, sea drum, common drum, oyster cracker, banded drum, pompey drum, and butterfly drum.

WHAT THE NAME MEANS:

Pogonias mean "bearded" and *cromis* means "to grunt" or "to croak".

SEASON: (WHEN AVAILABLE)

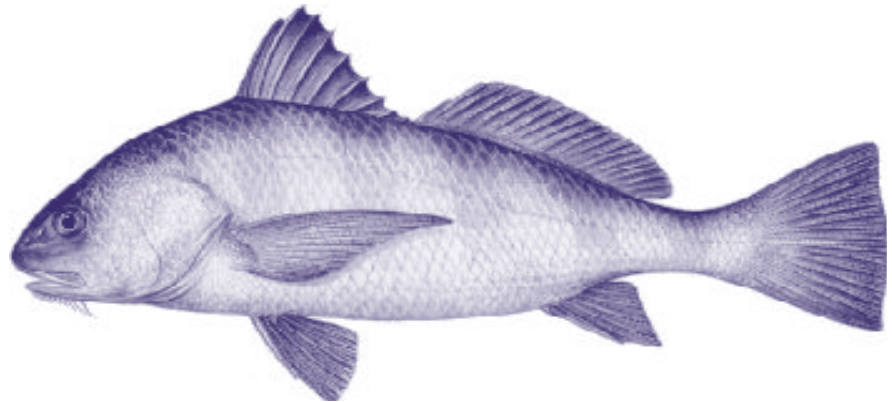
Commercial April - June

Recreational May - August

SIZE: Common to 30 pounds however, adults can range for 40 to 80 pounds. Smaller ones are called "puppy drum" and typically weigh 1-15 pounds.

FUN FACTS:

The largest Chesapeake Bay recorded black drum weighed 111 and was caught off Cape Charles in 1973.


DESCRIPTION

Black drum, *Pogonias cromis*, have high arched backs with 10 to 14 pairs of chin barbels. They have large scales and tend to be gray to black colored as adults. Juvenile black drum have 4 to 6 vertical bars. They have cobblestone like teeth capable of crushing oysters.

INTRODUCTION

Black drum occur in coastal waters and estuaries from Massachusetts to Argentina. They are uncommon north of Delaware Bay. They are commonly found in bays and lagoons. They are bottom dwellers that are often found feeding around oyster beds. Small drum feed along sandbars, shorelines and shallow flats. Larger fish tend to feed inside channels and surf. Black drum are sought by recreational anglers and commercial fisherman from Massachusetts to Florida. Very few studies have been conducted on this natural resource, leaving fishery managers the hard task of managing this species. Currently in Virginia the Black drum is a limited entry fishery.

LIFE HISTORY

Black drum is the largest member of the drum family, Sciaenidae, and can be found along inshore waters and estuaries. They occur throughout the east coast from Florida to New England; however, they are most commonly found from the Chesapeake Bay south. The largest numbers occur along the Texas coast in Corpus Christi Bay and Laguna Madre.

Black drum are gray or black colored with a high arched back. They get their common name from a large and elaborate swim bladder that, by using special muscles, can resonate to produce croaking or drumming sounds. These fish have 10-14 sensory chin barbels that they use to detect bottom-dwelling food items such as clams, oysters, mussels, and crabs. They can crush these items by using their cobblestone-like teeth, or pharyngeal tooth plates. Black drum are long-lived, with fish from age 7 to 57 years old observed in Chesapeake Bay.

Black drum spawn at the mouth of Chesapeake Bay and seaside inlets of the Eastern Shore between April and early June when water temperatures reach 57-68° F. Mature females may contain over 30 million eggs. After spawning, black drum spread out within the Bay and will migrate southward in late fall. Juveniles, usually distinguished from adults by their 4-6 vertical bars, prefer shallow, nutrient-rich waters typical of tidal estuary habitat.





SPECIES PROFILE



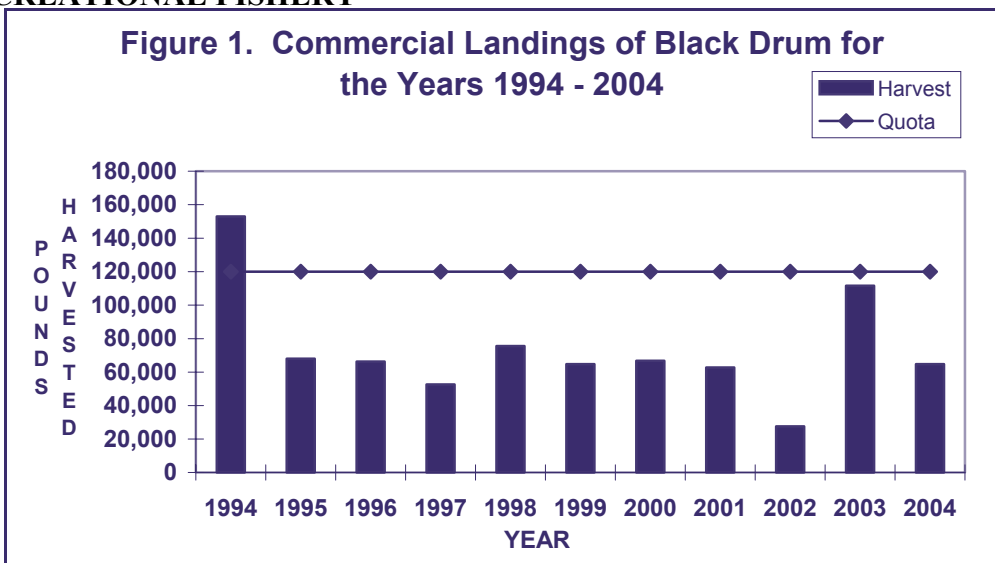
Young-of-the-year black drum will remain in this environment until they reach approximately 2½ inches, when some will move to deeper Bay water. It is believed that young black drum migrate from estuarine habitat to offshore habitat at age four along the Texas coast, when they are sexually mature. These mature adults return to estuarine habitats only for spawning. Young drum typically feed on maritime worms, small shrimp, and crabs and small fish. Larger drum eat small crabs, worms, algae, small fish and mollusks.

STOCK STATUS

Although black drum stocks do not appear to be overharvested, many unknowns surround the stock and its exploitation.

COMMERCIAL AND RECREATIONAL FISHERY

Black drum support small commercial and recreational fisheries along the Atlantic coast. The majority of the Atlantic coast catch occurs in the Chesapeake Bay region. In Virginia the commercial fishery for black drum is directed at large older adults. Typically, the commercial market is local, and fillets and roe are mostly sold during the months of April, May and early June. Drift gill nets, anchored gills nets and pound nets account for much of the commercial catch in the Bay.



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Figure 1 shows the annual commercial landings of black drum over the past eleven years. On average 74,000 pounds of black drum have been harvested over the past 11 years.

The recreational fishery usually begins and ends a month later than the commercial fishery, from May to August. Recreational anglers typically target larger trophy fish with hook and line. The season is very short but occurs before more popular fish enter the Bay. The fishery although very small helps to support communities on the eastern shore of Virginia. Due to a lack of catch and effort the recreational fishery statistics are limited for Black drum. According to the Marine Recreational Fisheries Statistics Survey (MRFSS) data, on average 37,000 pounds of black drum are harvested by recreational anglers each year.

CURRENT VIRGINIA REGULATIONS

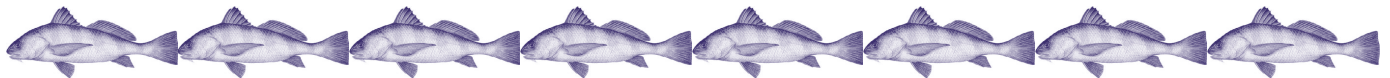
In response to concerns of excess effort resulting in supposed population declines from Virginia recreational anglers, commercial harvest quotas were imposed on commercial fisheries in 1992. Black drum is now a limited entry fishery. Under regulation 4 VAC 20-320-10 ET SEQ. “Pertaining to the Taking of Black Drum “ the Commission established a commercial harvest quota of 120,000 pounds. In 1993 permits were issued to 114 fisherman when the Mandatory Reporting Program was enacted. Currently, only 67 commercial waterman hold permits. A minimum size limit of 16 inches in total length applies to both commercial and recreational fisherman. Any registered commercial fisherman who is not permitted to harvest black drum in accordance with 4 VAC 20-320-70, may harvest, possess, and sell one black drum per day. Any such daily harvest shall not be part of the Commercial Harvest Quota but shall be reported to VMRC, specified in Regulation 4 VAC 20-610-10 et seq.



SPECIES PROFILE



A special management area and time restriction is also in effect making it unlawful for any person to place, set or fish gill nets or trotlines from 7AM to 8:30PM of each day from May 1 to June 7, in the southeastern portion of the Chesapeake Bay in the area bounded by a line drawn from Cape Charles Jetty to the 36A Buoy to the RN-28 Buoy, then south along the Baltimore Channel to the Fourth Island of the Chesapeake Bay Bridge-Tunnel, then north along the Chesapeake Bay Bridge-Tunnel to Fisherman's Island, then north along the coast, returning to the Cape Charles Jetty. In April of 2005, the Commission approved the following amendment to the regulation stating that any commercial fisherman who is permitted to harvest black drum, in accordance with 4 VAC 20-320-70 A, and sets or fishes any gill net east of the COLREGS Line and north of the North Carolina-Virginia border and south of the Maryland-Virginia border, in Virginia waters, shall be exempt from the maximum gill net mesh size, described in 4 VAC 20-430-65 A and B, during the months of April, May and June, provided that fisherman sets and fishes only floating gill nets. Also, any registered commercial fisherman who is permitted to harvest black drum, in accordance with 4 VAC 20-320-70 A, and sets or fishes any gill net, east of the COLREGS Line and north of the North Carolina-Virginia border and south of the Maryland-Virginia border, in Virginia waters, shall be exempt from the tending requirements, described in 4 VAC 20-430-65 C and D, during the month of June, provided that fisherman sets and fishes floating gill nets. Black drum buyers are also required to obtain a buyer's permit from VMRC in order to purchase black drum from harvesters. A copy of the complete regulation can be found the Commission's webpage at www.mrc.virginia.gov/commercialfinfishingrule.



NOTICE

The Virginia Marine Resources Commission invites public comment on a proposed regulation to increase fees for permits and licenses required for commercial and recreational fishing in Virginia tidal waters.

In accordance with §28.2-209 of the Code of Virginia, public hearings on the proposed fee increases will be held at the following locations:

1. Quality Suites at The Lake Wright, 6280 Northampton Boulevard, Norfolk, at 7 p.m. on Thursday, July 14, 2005,
2. Rappahannock Community College, Glens Campus at 7 p.m. on Monday, July 18, 2005,
3. Rappahannock Community College, Workforce Center, Warsaw Campus at 7 p.m. on Wednesday, July 20, 2005,
4. Eastern Shore Community College, Melfa, at 7 p.m. on Monday, July 25, 2005 and;
5. Virginia Marine Resources Commission, 2600 Washington Avenue, 4th Floor, Newport News, Tuesday, July 26, 2005 at 12:00 noon.

Written comments on the proposed fee increases should be mailed to Jack Travelstead, VMRC Fisheries Management Division, 2600 Washington Avenue, 3rd Floor, Newport News, Virginia 23607 by 5:00 p.m., Monday, July 25, 2005. A complete copy of the proposed permit and license fees may be reviewed at the Commission, Monday through Thursday, 8:00 a.m. to 5:00 p.m. and on Friday, 8:00 a.m. to 2:30 p.m. or may be obtained by calling the Commission at (757) 247-2248.

NOTICE CONTINUED

Section 28.2-201 of the Code of Virginia authorizes the Commission to increase fees for tidal fisheries licenses and permits not more frequently than every three years. It further stipulates that any fee increase be capped at \$5.00 or a percentage equal to the increase in the Consumer Price Index calculated from the time the fee was last set or adjusted, whichever is greater. Amounts generated from increases in commercial fishing licenses and permits shall be paid into the Marine Fishing Improvement Fund and shall be used solely for 1) managing and improving marine fisheries, 2) seafood product promotion and development services, 3) mandatory reporting and stock assessment, 4) conservation and management strategies identified by the General Assembly and the Commission, 5) education of commercial fishermen, 6) public information pamphlets and summaries of rules issued with gear licenses, and 7) retaining commercial fishermen to engage in replenishment, research, and stock assessment activities. Amounts generated from increases in recreational fishing licenses and permits shall be paid into the Virginia Saltwater Recreational Fishing Development Fund and shall be used solely for the purposes of conserving and enhancing finfish species taken by recreational anglers, enforcing certain licensing provisions, improving recreational fishing opportunities, administering the Virginia Saltwater Sport Fishing Tournament certificates program, obtaining necessary data and conducting research for fisheries management, and creating and restoring habitat for species taken by recreational fishermen.

In its consideration of raising permit and license fees, the Commission will review all public comment including specific proposals submitted by individuals or organizations. Additionally, the Commission will consider raising all fees to the maximum allowed by law and will further consider the recommendations of a specially appointed ad hoc panel, which met in May 2005.

A complete listing of the maximum fee increases allowed and the ad hoc panel's recommendations is available upon request, by calling VMRC at (757) 247-2248.

VMRC DOES NOT DISCRIMINATE AGAINST INDIVIDUALS WITH DISABILITIES; THEREFORE, IF YOU ARE IN NEED OF REASONABLE ACCOMMODATIONS DUE TO A DISABILITY, PLEASE ADVISE DEBORAH CAWTHON (757) 247-2248 NO LATER THAN FIVE WORK DAYS PRIOR TO THE MEETING DATE AND IDENTIFY YOUR NEEDS.

VMRC CALENDAR

JULY	AUGUST	SEPTEMBER
RFAB - 07/11/05 7PM FMAC - 07/19/05 6PM VMRC - 07/26/05 12PM	FMAC - 08/16/05 6PM VMRC - 08/23/05 12PM	HOLIDAY - 09/05/05 RFAB - 09/12/05 7PM VMRC - 09/27/05 12PM

The meeting dates and times are tentative and subject to change. Please call to verify the date and time of the meeting you would like to attend.

- ▶ **VMRC** — Virginia Marine Resources Commission. Meetings set on the 4th Tuesday of each month. Meetings begin at 9:30 A.M. (fisheries items are generally considered after 12 noon). Held at the Commission's main office in Newport News. **NOTE: Please call the Agency to confirm the date and time on scheduled meetings.**
- ▶ **FMAC** — Finfish Management Advisory Committee. Meetings generally the 3rd Tuesday of each month at 6 P.M. Held at the Commission's main office in Newport News.
- ▶ **ASMFC** — Atlantic States Marine Fisheries Commission. Call (202) 452-9110 to find out the meeting location.
- ▶ **CMAC** — Clam Management Advisory Committee. Meetings to be announced. Meetings begin at 7 p.m.. Held at Commission Main office.
- ▶ **MFAMC** — Mid-Atlantic Fishery Management Council. Call (302) 674-2331 to find out the meeting location.
- ▶ **RFAB** — Recreational Fishery Advisory Board. Meetings to be announced. Held at Commission Main office.

COMMONWEALTH OF VIRGINIA
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ADDRESS CORRECTION REQUESTED