

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

VOLUME 10 ISSUE 2 SUMMER 2002

This newsletter provides only a summary of management measures adopted by the Commission and has no legal force or effect. Please refer to the regulation cited for legal documentation. To obtain a complete copy of the regulations call 757-247-2248 or access the VMRC homepage: (http://www.mrc.state.va.us)



BLUE CRAB ECONOMIC SURVEY

Look for a Blue Crab Economic Survey in the Winter Issue of FISHERIES NEWS!

How are Chesapeake Bay watermen's incomes affected by fluctuations in blue crab populations, and how are these incomes influenced by existing or proposed changes in blue crab regulations? It's impossible to answer these questions without collecting economic data from watermen on a regular basis, similar to the way harvest and effort data are currently being collected by the Virginia Marine Resources Commission, the Potomac River Fisheries Commission and Maryland Department of Natural Resources.

In 1999, Virginia Commonwealth University conducted an extensive economic survey of Chesapeake Bay crab fishermen for the Bi-State Blue Crab Advisory Committee (BBCAC). This survey provided us with a snapshot of the economic conditions in the fishery at that time. This type of information is critical to understanding the impacts that changes in regulations and the condition of the fishery will have on individuals.

One of the recommendations from the authors of the BBCAC survey was that the states continue to obtain key economic data from crab fishermen by augmenting the existing harvest and effort surveys. Specifically, the survey is needed to obtain data on the cost of crabbing and how it changes from year to year under different conditions. Data on fuel usage, the cost of bait, the cost of running and maintaining a crabbing rig are essential to understanding the economic consequences of management actions. This data will also contribute to our understanding of the important role that the crab industry plays in the local and regional economies.

For these reasons you will be asked a few questions related to your cost of doing business in the crab fisheries, and this short survey will accompany the winter issue of the FISHERIES NEWS. When you receive this survey, please take the few minutes needed to add this important information to the data and information that are already being collected.

Doug Lipton Marine Economic Specialist Maryland Sea Grant Extension



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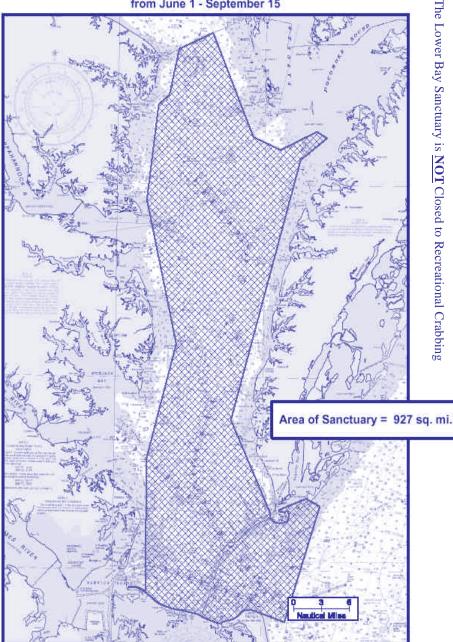
REGULATION CHANGES

BLUE CRAB SANCTUARY EXPANSION

On May 28, 2002, the Commission adopted a regulation that expands the existing deep-water blue crab sanctuary in the Chesapeake Bay. The Commission held a special meeting July 11, 2002 to provide technical changes to the new expansion and adopted an emergency Regulation (see below) to contain the adjustments to the boundary line of the sanctuary near Smith Point. The Commission will consider the emergency amendment for incorporation into the final Regulation 4VAC20-752-10 et. Seq., on August 27, 2002. The expansion of the sanctuary from 661 square miles to 927 square miles will offer protection to about 70 percent of the egg-bearing female crabs during the annual spawning season and will bring Virginia to more than the 15 percent harvest reduction quota requested by the Bi-State Blue Crab Advisory Commission.

Virginia Blue Crab Sanctuary

Commercial and recreational crabbing prohibited in sanctuary from June 1 - September 15



"PERTAINING TO BLUE CRAB SANCTUARIES" REGULATION 4 VAC 20-752-10 ET SEQ.

4 VAC 20-752-20. Definitions. "Hampton Roads Blue Crab Sanctuary" means that area consisting of all tidal waters inshore and upstream of a line formed by the extreme south and north ends of the westbound span of the Hampton Roads Bridge Tunnel.

"Virginia Blue Crab Sanctuary" means two distinct sanctuary areas, with one area consisting of all tidal waters which are bounded by a line beginning at a point, near the western shore of Fisherman's Island, being on a line from the Cape Charles Lighthouse to the Thimble Shoal Light, having NAD83 geographic coordinates of 37° 05' 58.00" N, 75° 58' 45.95" W; thence southwesterly to Thimble Shoal Light, 37° 00' 52.19" N, 76° 14' 24.63" W; thence southwesterly to the offshore end of Harrison's Fishing Pier, 36° 57' 44.98" N, 76° 15' 31.76" W; thence north to Flashing Green Buoy "9" on the York River Entrance Channel, 37° 11' 30.99" N, 76° 15' 16.85" W; thence northeasterly to Wolf Trap Light, 37° 23' 27.15" N, 76° 11' 46.01" W; thence northwesterly to a point, northeast of Windmill Point, 37° 38' 23.13" N, 76° 15' 59.54" W; thence northerly to a point due east of Great Wicomico Light at 37° 48' 15.72"N, 76° 14' 33.15" W; thence northeasterly to a point, 37° 49′ 18.10″ N, 76° 13' 06.00" W; thence northerly to a point on the Virginia-Maryland State line, 37° 54′ 04.00″ N, 76° 11′ 49.15″ W; thence northeasterly to a point on the Virginia - Maryland State Line, 37° 55' 44.82" N, 76° 07' 13.41" W; thence southeasterly to a point, southwest of Tangier Island, 37° 44' 59.85" N, 76° 01' 34.31" W; thence southeasterly to a

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REGULATION CHANGES CONTINUED...

point, southeast of Tangier Island, 37° 43' 41.05" N, 76° 57' 51.84" W; thence northeasterly to a point, south of Watts Island, 37° 45' 36.95" N, 75° 52' 53.87" W; thence southeas terly to a point, 37° 44' 56.15" N, 75° 51' 33.18" W; thence southwesterly to a point, west of Parkers Marsh, 37° 42' 41.49" N, 75° 55' 06.31" W; thence southwesterly to a point, west of Cape Charles Harbor, 37° 15' 37.23" N, 76° 04' 13.79" W; thence southeasterly to a point near the western shore of Fisherman's Island, on the line from Cape Charles Lighthouse to Thimble Shoal Light, said point being the point of beginning, and a <u>second area</u> consisting of all tidal waters which are bounded by a line beginning at Cape Charles Lighthouse, having NAD83 geographic coordinates of 37° 07' 31.63" N, 75° 53'58.36" W; thence southwesterly to Cape Henry Lighthouse, 36° 55' 42.02" N, 76° 00' 18.44" W; thence southeasterly to a point, 36° 54' 42.39" N, 75° 56' 44.23" W; thence northeasterly to a point, east of Cape Charles Lighthouse 37° 06' 45" N, 75° 52' 05" W; thence westerly to the Cape Charles Lighthouse, said point being the point of beginning.

4 VAC 20-752-30. Harvest restrictions.

A. It shall be unlawful for any person to dredge for crabs / within the Hampton Roads Blue Crab Sanctuary at any time.

B. It shall be unlawful for any person to conduct commercial or recreational crabbing within the Virginia Blue Crab Sanctuary from June 1 through September 15, except that recreational crabbing is lawful within the lowermost portion (defined by section §28.2-709 of the Code of Virginia) of the Virginia Blue Crab Sanctuary.

RECREATIONAL CRABBING EXEMPTIONS

On July 23, 2002, the Commission adopted an amendment to Regulation 4VAC 20-670-10 ET SEQ. PERTAINING TO RECREATIONAL GEAR LICENSES which was previously adopted as an Emergency Regulation June 18, 2002. The amended regulation clarifies that the daily time limits established for commercial crab pot and peeler pot licensees do not apply to the setting and fishing of recreational crab pot licensees. In addition, Regulation 4VAC20-670-30 specifies that the harvest restrictions associated with the Virginia Blue Crab Sanctuary do not apply to setting or fishing of recreational crab pots in the lower portion of the Virginia Blue Crab Sanctuary, as defined by section §28.2-709 of the Code of Virginia. The effective date of this regulation, as amended, is August 1, 2002.

C. Any law or chapter applying to the setting or fishing of commercial gill nets, cast nets, dip nets, crab pots, crab traps or crab trot lines shall also apply to the gear licensed under this chapter when set or fished for recreational purposes, except that: 1) certain commercial gear used for recreational purposes shall be marked in accordance with the provisions described in section 4 VAC 20-670-40 and 2) the daily time limits for commercial crab potting and peeler potting established in Regula-

tion 4 VAC20-270-30 shall not apply to the setting and fis hing of recreational crab pots licensed under this chapter, and 3) the closed season and area established in Section 28.2-709 of the Code of Virginia shall not apply to the setting and fishing of recreational crab pots licensed under this chapter.

SHELLFISH SEASON EXTENDED



Staff will present the results of a hard clam standing stock survey of the Hampton Flats Clam Harvest Area. There will be a discussion of the possibility of opening that area for relay clamming at the Commission meeting in August.

EMERGENCY REGULATION 4VAC 20-562-10 ET. SEQ. "PERTAINING TO THE HAMPTON ROADS SHELLFISH RELAY AREA"

4VAC 20-562-30. HARVEST SEASON.

A. The open harvest season for the Hampton Roads Shell-fish Relay Area, as specified by §28.2-816 of the Code of Virginia, shall be extended from Friday, August 16, 2002 through Friday, August 30, 2002. Harvest of hard clams in the Hampton Roads Shellfish Relay Area shall only occur on Mondays through Fridays during the 2002 open harvest season. Thereafter, Hampton Roads Shellfish Relay Area shall be managed by the authority promulgated in §28.2-816 of the Code of Virginia.

SCUP QUOTA INCREASE



On May 28, 2002, the Commission amended Regulation **4VAC 20-910-10 et seq. "PERTAINING TO SCUP"** to increase the summer period quota (May 1 - October 31) from 2,774 pounds to 4,987 pounds. The effective date of this regulation, as amended, is June 1, 2002.

RECREATIONAL FISHING CHANGE IN LICENSE REQUIREMENTS

On and after July 1, 2002 a person shall not take or catch fish recreationally from the Virginia coastal bays and inlets or the Virginia portion of the Territorial Sea (to 3 miles offshore), without first obtaining a Virginia Saltwater Recreational Fishing License.

Exemptions apply to persons under the age of 16 or persons who are age 65 or older. License reciprocity exists with Maryland and the Potomac River Fisheries Commission, for tidal waters.

For a listing of exemptions or other information, please contact the Virginia Marine Resources Commission at 1-800-541-4646.



REGULATION CHANGES CONTINUED...

STRIPED BASS COMMERCIAL HARVEST QUOTA

On June 18, 2002, the Commission approved the amendments to Regulation 4VAC 20-252-10. ET SEQ. "Pertaining To The Taking Of Striped Bass". This regulation establishes a 98,000-pound commercial harvest quota strictly for coastal areas, starting in 2003. This 98,000pound quota is a new and separate quota and not part of the commercial harvest quota for the Chesapeake bay and its tributaries and the Potomac River tributaries of Virginia. At this time, the Chesapeake quota is established as 1,701,748 pounds for the 2003 season. However, the Atlantic States Marine Fisheries Commission (ASFMC) is working towards finalizing Amendment 6 to the Interstate Fishery Management Plan for Atlantic Striped Bass, and there could be a change to the Chesapeake or coastal harvest quotas, as a result of ASMFC actions. The provisions of this regulation are intended to comply with all Federal and interstate requirements for fishing for striped bass. The effective date of this regulation, as amended, is June 19, 2002.

RECREATIONAL HARVEST LIMITS SUMMER FLOUNDER

On June 18, 2002 the Commission amended Regulation 4VAC 20-620-10 ET. SEQ. "PERTAINING TO SUMMER FLOUNDER". The amended regulation establishes a 17 1/2 inch minimum size limit and an 8 fish possession limit, with no additional closed fishing days for the remainder of 2002. The effective date of this regulation, as amended, is June 19, 2002.

4VAC 20-620-50, MINIMUM SIZE LIMITS

B. The minimum size of Summer Flounder harvested by recreational fishing gear, including but not limited to hook and line, rod and reel, spear and gig, shall be 17 1/2 inches, total length. Length shall be measured in a straight line from tip of nose to tip of tail.

4VAC 20-620-60. POSSESSION LIMIT

A. It shall be unlawful for any person fishing with recreational hook and line, rod and reel, spear, gig or other recreational gear to total more than 8 Summer Flounder. 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 the boat or vessel and shall be equal to the number of persons on board legally eligible to fish multiplied by 8. The captain or operator of the boat or vessel shall be responsible for any boat or vessel possession limit. Any Summer Flounder taken after the possession limit has been reached shall be returned to the water immediately.

REPORTING BLACK SEA BASS



Please refer to Regulation 4 VAC 20-950-45.

POSSESSION LIMITS AND HARVEST QUOTAS.

ALL fishermen must report ALL landings of black sea bass to law enforcement (Operations Division) within 1 hour after landing. The report must include an estimated weight of black sea bass and location where the black sea bass was offloaded/landed. The fishermen must then report the final weight of black sea bass and location where they were offloaded/landed, to the Plans & Statistics (1-800-937-9247) within 24 hours after landing. BLACK SEA BASS QUARTER III CLOSED JULY 1—SEPTEMBER 30, 2002. Quarter IV opens October 1, 2002.

OYSTER BUYER REPORTS



Oyster buyers must have the harvester's full name and Commercial Registration License number on the MRC 53's. This will enable Staff to verify the reports in our system to make sure the data is correct before the reports are sent to the National Marine Fisheries Service.

MANDATORY REPORTING EXEMPTIONS

Regulation 4VAC 20-610-60. Mandatory Harvest Reporting, Section K:

The reporting of the harvest of federally permitted species from beyond Virginia's tidal waters that are sold to a federally permitted dealer shall be exempt from the procedures described in this section.

FEDERALLY PERMITTED SPECIES

- Summer Flounder
- Scup
- Black Sea Bass
- Atlantic Sea Scallop
- Monkfish
- Squid
- Atlantic Mackerel
- Butterfish
- Spiny Dogfish
- Atlantic Bluefish



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HARVEST REPORTING GUIDLINES

INFORMATION REQUIRED ON ALL HARVEST REPORTS

- NAME AND COMMERCIAL NUMBER (Including the number of helpers and their commercial numbers)
- **VESSEL NAME** (Not the vessel make or model)
- **VESSEL NUMBER** (Very important to ALWAYS include this)
- **CITY/COUNTY** (Where harvest is offloaded from the boat, NOT truck)
- **BUYER** (If no buyer, then indicate if it is for retail or home use)
- **DATE** (Must include month and day for each trip)
- **WATER** (See report folder for appropriate abbreviations)
- HARVEST AMOUNT (Must indicate unit of measure: BU, LBS, NU ... ETC)
- HOURS GEAR WORKED (Amount of hours gear spent in the water before pulling the harvest)
- MAN HOURS WORKED (The total amount of time it takes to leave the dock, work the gear and return to the dock)
- GEAR TYPE AND GEAR AMOUNT (Please do not combine multiple gear type on same trip report)
- IF PRCD (Processed weight. If the weight given is for processed weight, please check the appropriate box)
- SPECIES ABBREVIATIONS: Please use appropriate abbreviation for species as given on the folders of the reports. **Example:** Please don't just write "shad" on the report, indicate whether it is supposed to be gizzard, American, or hic kory. If you have a mackerel, please indicate whether it is a spanish, king, or boston. Please be specific!
- **PEELER CRABS** (Only report peeler crabs harvested, NOT the amount of crabs shed)

CALCULATING HOURS WORKED VS. HOURS GEAR FISHED

- HOURS WORKED = [trip time] the total amount of time it takes to leave the dock, work the gear and return to the dock **EXAMPLE:** If it takes 2 hours to ride in the boat from the dock to the fishing site, 4 hours to pull the harvest from the gear, and another 2 hours to return to the dock, than the total HOURS WORKED= 8 hours.
- HOURS GEAR FISHED=Amount of hours gear spent in the water before pulling the harvest.
 - **EXAMPLE:** If nets or pots are set on Monday and harvested on Tuesday (gear left in the water for 1 day) than HOURS GEAR FISHED = 24 hours. If the harvest is not pulled until Wednesday (gear left in the water for 2 days) then HOURS GEAR FISHED = 48



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REGULATION CHANGES CONTINUED...

NATIONAL MARINE FISHERIES SERVICE ANNOUNCES NEW POUND NET RULE TO PROTECT ENDANGERED SEA TURTLES;

A new rule which became effective June 12, 2002, prohibits the use of certain types of leaders in the pound net fishery in the Virginia Chesapeake Bay, announced the National Oceanic and Atmospheric Administration (NOAA). The prohibition is necessary to protect endangered and threatened sea turtles, which can become entangled in the leaders and drown. The new rule was effective through June 30, though NOAA's National Marine Fisheries Service (NOAA Fisheries) could have extend the prohibition for as much as 30 days if it was necessary.

Under the new rule, leaders with mesh 12 inches or larger are prohibited in the Virginia waters of the mainstem Chesapeake Bay and portions of the Virginia tributaries through June 30, and from May 8 to June 30 in subsequent years. Leaders with stringers (vertical lines) also are prohibited. The rule was published in the Federal Register on June 17 as an interim final rule, and NOAA Fisheries accepted comments until 5 p.m. eastern time on July 17, 2002.

The rule also will require Virginia pound net fishermen to report any interactions with sea turtles and to allow observers to monitor fishing operations, if requested by NOAA Fisheries.

The new rule affects approximately 11 fishermen who fish for bait fish, croaker, menhaden, mackerel and other fish species at 24 pound net sites. These fishermen may continue to use pound net leaders as long as the leaders have a mesh smaller than 12 inches and do not have stringers.

All sea turtles in U.S. waters are classified as either threatened or endangered under the Endangered Species Act. Several species migrate north along the mid-Atlantic coast and into the Chesapeake in the spring. Between 1995 and 2001, 958 loggerheads, 59 Kemp ridleys, 17 leatherbacks, one green turtle and 32 unidentified turtles were found dead on Virginia beaches in May and June.

NOAA's National Marine Fisheries Service (NOAA fisheries) is dedicated to protecting and preserving our nation's living marine resources through scientific research, management, enforcement, and the conservation of marine mammals and other protected marine species and their habitat. To learn more about NOAA fisheries, please visit http://www.nmfs.noaa.gov.



AMERICAN SHAD COASTAL FISHERY PHASE-OUT



The Atlantic States Marine Fisheries Commission (ASMFC) has a five year phase-out plan for the American shad coastal fishery that began in 2000. Fishermen will no longer be allowed to commercially harvest American shad in the coastal areas along the east coast after December 31, 2004. The ASMFC gave each state two options. The first option was to slowly phase out the fishery by reducing the allowable harvests each year for five years. The second option was to do nothing for the first three years and then cut the harvests by 40% for the years 2003 and 2004, which is what Virginia decided to do. In order to comply with the 40% harvest reduction, Virginia will establish a 168,039 pound quota for the next two years. The 168,039 pound quota was calculated from the average landings of the coastal intercept American shad fishery from 1992-2001.

Permits will be required to harvest American shad in Virginia. The Fisheries Management Advisory Committee (FMAC) is currently evaluating criteria to limit entry into the fishery. Permitted fishermen will be required to call an interactive voice recording system within 24 hours of landing their catch. This reporting system will enable VMRC staff to monitor the quota. Fishermen's reports will be corroborated with permitted buyers' reports. (The new regulations for the 40% reduction will be in place by January 1, 2003.)

MANDATORY REPORTING FOR PURSE SEINE OR BAIT SEINE VESSELS

On July 23, 2002, the Commission approved the following amendments to Regulation **4VAC 20-610-60. MAN-DATORY HARVEST REPORTING.** This proposed amendment is in conformance with the interstate fishery management plan for Atlantic menhaden. The effective date of this Regulation, as amended, is August 1, 2002.

L. The owner of any purse seine vessel or bait seine vessel (snapper rig) licensed under provisions of §28.2 - 402 of the Code of Virginia shall submit the Captain's Daily Fishing Reports (CDFRs) to the National Marine Fisheries Service (NMFS), in accordance with provisions of Amendment I to the Interstate Fishery Management Plan of the Atlantic States Marine Fisheries Commission for Atlantic Menhaden, which was effective July 2001.

The CDFRs are forms provided by the NMFS and must be submitted in a manner consistent with the requirements of the NMFS.



Office of Public Affairs 1500 East Main Street Richmond, VA 23219

For More Information Contact

Dr. Khizar Wasti (804) 786-1763 Michelle Stoll (804) 371-4122

VIRGINIA HEALTH DEPARTMENT ISSUES FISH ADVISORY IN JAMES RIVER

(Richmond, Va.)—Virginia's State Health Commissioner Robert B. Stroube, M.D., M.P.H., issued a fish consumption advisory today for two species of fish in a portion of the James River expanding south from Richmond.

"The advisory is being issued due to recent tests that showed polychlorinated biphenyls (PCBs) in blue catfish and carp exceeding the health department's level of concern," Dr. Stroube said. "Other fish species sampled did not have contaminants above our level of concern."

The advisory area covers a 43-mile stretch of the James River beginning at the Interstate 95 James River Bridge crossing in Richmond. The advisory extends south to Flowerdew Hundred where the power lines cross the river about seven miles downstream of the Benjamin Harrison Bridge.

The advisory recommends that people do not eat any blue catfish and only two meals per month of carp from the described area. Women who are pregnant or may become pregnant, nursing mothers and young children should not eat carp or blue catfish from these waters. This section of the river is already under a fish eating advisory for Kepone contamination for people who eat fish from these waters on a daily basis.

"Following the advice of this advisory will protect people who eat fish caught in these waters from adverse health effects from PCBs," said Director of Health Hazards Control Khizar Wasti, Ph.D. Long-term consumption of fish contaminated with high levels of PCBs may increase the lifetime risk of cancer.

PCBs are a group of man-made industrial chemicals that exist as a mixture and may contain up to 209 individual compounds. Since 1977, PCBs have not been produced in the U.S., but they are still found in the environment. PCBs were once widely used as coolants and lubricants in transformers, capacitors and other electrical equipment.

The VDH recommends the following precautions to reduce any potential harmful effects from eating fish:

- Eat the smaller, younger fish (within the legal limits). Younger fish are less likely to contain harmful levels of contaminants than larger, older fish.
- Remove the skin, the fat from the belly and top, and internal organs before cooking the fish.
- Bake, broil or grill on an open rack to allow fats to drain away from the meat.
- Discard the fats that cook out of the fish.
- Avoid or reduce the amount of fish drippings or broth that are used to flavor the meal.
- Eat less deep fried fish, since frying seals contaminants into the fatty tissue.

The Virginia Department of Health issues fish advisories based on the evaluation of fish tissue sample results provided by the state's Department of Environmental Quality. For more information on current fish advisories in Virginia, log onto the Virginia Department of Health's Web site on fishing advisories at www.vdh.state.va.us/HHControl/fishing_advisories.htm

VMRC CALENDAR

AUGUST	SEPTEMBER	OCTOBER
VMRC- 8/27/02 9:30AM		VMRC- 10/22/02 9:30 AM
CMAC-8/22/02 7 PM	RFAB– 9/9/02 7PM	RFAB- 10/07/02 7 PM

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 7 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



Atlantic Coastal Cooperative Statistics Program

ACCSP is a state and federal coastal marine fisheries data collection and data management program. Its purpose is to coordinate and standardize the collection, processing, and storage of all marine statistics resulting in a coast wide program that is timely, credible, ensures compatibility, and eliminates duplicative reporting. ACCSP launched its online data management system on February 19, 2002, allowing the public to access data used by resource managers. This free resource is accessible through the Program's website at www.accsp.org. Users who request an account will have their username and password emailed to them within two business days.

ACCSP has approved funding for the biological sampling of horseshoe crabs and spanish mackerel in Virginia for 2002. One objective for the project is to build a database to house biological data for horseshoe crabs. The database is necessary to help analyze the health of the horseshoe crab stock and to help make better managerial decisions effecting the horseshoe crab fishery. The other objective is to provide more systematic spanish mackerel otolith and length frequency data for NMFS-SERO and Virginia. An early comparison of different region aging processes on the same samples aide in the establishment of coastwide standards.

COMMONWEALTH OF VIRGINIA MARINE RESOURCES COMMISSION 2600 WASHINGTON AVE. 3RD FLOOR NEWPORT NEWS, VIRIGINA 23607