

MINUTES
SHELLFISH MANAGEMENT ADVISORY COMMITTEE (SMAC)
MEETING

August 21, 2019

Members Present

Wayne France
Tommy Kellum
Ernest George
Beverly Ludford
Charles Johnson
Richard Green

Members Present

Dan Dise (On phone)
John DeMaria
J. C. Hudgins
Lake Cowart
Jackie Shannon
Richard Harding

VMRC/VIMS Staff

Andrew Button
Adam Kenyon
Pat Geer
Vernon Rowe
Jamie Hogge

Wayne France, Chairman, opened the meeting at 4:01 p.m.

Adam Kenyon, Fisheries Program Manager, provided a briefing on mandatory reporting and the importance of moving forward to online harvest mandatory reporting. He also explained the expense and process that is involved with the paper version of the reporting. Mr. Kenyon proposed that the online harvest mandatory reporting is projected to begin October 2020 with the assistance staff at various location that will be available to assist. Mr. Kenyon's comments are a part of the verbatim record.

Andrew Button, Head Conservation and Replenishment, provided a briefing on new guidelines for Oyster Planting Ground Lease Renewal. Mr. Button's comments are a part of the verbatim record.

Mr. Button explained that the guidelines shall provide a reference for leaseholders during the ten-year lease term and for use by VMRC staff when evaluating such leases. When a lease is denied by VMRC these guidelines can also assist the Commission at any hearing for review of such lease denial.

This document provides guidance concerning both lease production and plantings, as well as providing a non-exclusive list of other factors the Commission shall consider when determining whether to renew a lease, if production and planting requirements are not met.

For renewal of an existing lease, 28.2-613 requires significant production and reasonable plantings of shellfish or cultch, or significant aquaculture operation during any portion of the 10-year period of the lease term. To facilitate administration of these requirements the Commission shall:

1. Consider harvest of one bushel per acre per year to be the minimum requirement for lease renewal. Use of mandatory reporting data shall used to determine this minimum harvest amount. If reporting on the lease application renewal form does not match with mandatory reporting the lease will be referred to the mandatory reporting program for reconciliation. The lease will not be renewed until any such mandatory reporting discrepancies have been resolved. If no discrepancies are found and the minimum harvest is achieved the lease will be renewed.
2. If harvest data does not meet the minimum effort a combined effort using harvest data, shell, cultch and seed planting effort will be reviewed. For the lease to be renewed an effort

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of one bushel of combined harvest/planting of per acre per year at any time over the entire ten year period will result in the lease being renewed. This effort can include harvest, shell or cultch planting, seed planting, or aquaculture shellfish production. For shell, cultch, spat on shell, and seed planting receipt information may be required.

Leaseholders are reminded that significant production, reasonable plantings and per acre effort per year is considered in totality for the entire ten year lease term and such production and/or planting can occur during any time of the ten year lease term.

Mr. Button then provided a briefing on the current Oyster Management Plan for the Lower Rappahannock River below Rt. 3 Bridge and provided information for future discussions. Chairman Wayne France recommended that the first step is to re-assess how things are done and discuss further improvements at the next SMAC meeting. No questions or comments on the brief background.

Mr. Button discussed the proposed establishment of the 2019-2020 areas of public harvest, public oyster harvest seasons, and management measures. After much discussion, the members provided suggestions for the 2019-2020 oyster harvest season which included harvest time to end at noon for certain areas and gear types.

The Proposed DRAFT 2019 – 2020:

James River

Clean Cull:

Oct., Nov., Dec., Jan., Feb., Mar., Apr. – HT

Area 1, 3:

Oct. – HT

Nov. – HS* (harvest ending at noon)

Dec. & Jan. – HS (harvest ends at 2 pm)

Area 2:

Oct. – HT

Nov. – HS* (harvest ending at noon)

Dec. & Jan. – HS (harvest ends at 2 pm)

Seed Oysters:

Oct., Nov., Dec., Jan., Feb., Mar., Apr. & May – HT

York River

Area 2:

Nov. – HT, Feb. – HS* (harvest ending at noon)

Milford Haven

Milford Haven:

Dec., Jan., & Feb. – HT

Deep Rock:

Dec., Jan., & Feb. – PT

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Rappahannock River

Area 1:

Feb. – PT

Area 2:

Oct. – PT, Nov. – HS* (harvest ending at noon) & Feb. – HS* (harvest ending at noon)

Area 4:

Nov. – PT, Dec. & Jan. – HS

Area 7:

Oct. – HT

Area 9:

Nov. & Dec. – HT

Great Wicomico

Great Wicomico 1:

Dec. – HS & Feb. – HS* (harvest ending at noon)

Little Wicomico and Coan

Little Wicomico & Coan:

Oct., Nov. & Dec. – HT

Yeocomico & Nomini

PG 8, 100, 107, 112 & Nomini:

Oct., Nov., & Dec. – HT

Tangier-Pocomoke

Poco Area 1 & Tangier Area 1:

Dec. & Jan. – DR, Feb. – DR* (harvest ending at noon)

Seaside ES

Seaside ES:

Nov., Dec., Jan., Feb., & Mar. – HT/By Hand

The bushel limits for HS, DR & PT is proposed for an eight (8) bushel limit. A twelve (12) bushel limit is proposed for HT and By Hand harvest.

Committee Member Kellum made motion to approve to shorten harvest time to 12 noon for Hand Scrape (HS) and Dredge (DR) for November & February in all areas. The motion was seconded. The motion carried 12-0.

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Committee Member George made a motion to accept the changes made to the proposed open harvest areas. Committee Member Green seconded the motion. The motion carried 12-0.

The committee discussed new business. Committee Member Hudgins requested another SMAC meeting be held before spring 2020 to revisit the Oyster User Fee Transfer requirements stated in the regulation.

The meeting was adjourned at 6:05 p.m.

DRAFT