

VMRC FISHERIES NEWS

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

VOLUME 12 ♦ ISSUE 3 ♦ Winter 2004

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>)



STRIPED BASS REGULATION CHANGES

On January 25, 2005 the Commission adopted the following amendments to the striped bass regulation. The regulation as amended became effective January 31, 2005.

4 VAC-20-252-50 CONCERNING RECREATIONAL FISHING: GENERAL

C. It shall be unlawful for any person fishing recreationally to land and retain any striped bass in excess of the possession limit applicable for the area and season being fished, within the 24-hour period of 12:00 a.m. through 11:59 p.m. Striped bass taken in excess of the possession limit shall be returned to the water immediately.

4 VAC-20-252-55 RECREATIONAL HARVEST QUOTA

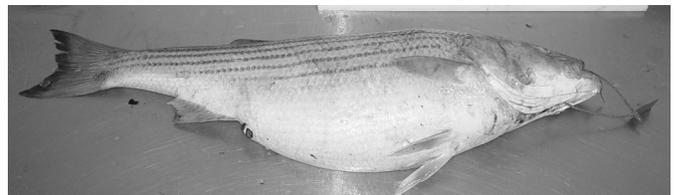
The total allowable level of all recreational harvest of striped bass for all open seasons and for all legal gear shall be 1,504,927 pounds of whole fish. At such time as the total recreational harvest of striped bass is projected to reach 1,504,927 pounds, and announced as such, it shall be unlawful for any person to land or possess striped bass caught for recreational purposes.

4 VAC 20-252-130. ENTRY LIMITS, PERMITS, REPORTS

F. All permitted commercial harvesters of striped bass shall report to the Commission, in accordance

with 4 VAC 20-610-10 et seq. In addition to the reporting requirements of 4 VAC 20-610-10 et seq., all permitted commercial harvesters of striped bass shall record and report daily striped bass tag use and specify the number of tags used on striped bass harvested in either the Chesapeake area or Coastal area. Daily striped bass tag use on striped bass harvested from either the Chesapeake area or Coastal area, within any month, shall be recorded on forms provided by the Commission and shall accompany the monthly catch report submitted no later than the 5th day of the following month.

STRIPED BASS REGULATIONS CONTINUE ON PAGE 7.



INSIDE THIS ISSUE

STRIPED BASS REGULATION CHANGES	1
REGULATION AMENDMENTS	2, 3
MANDATORY REPORTING	4, 5
STATE RECORD BREAKERS	6
IMPORTANT REMINDER	7
VMRC CALENDAR	8
PROPOSED TAKE REDUCTION PLAN	INSERT

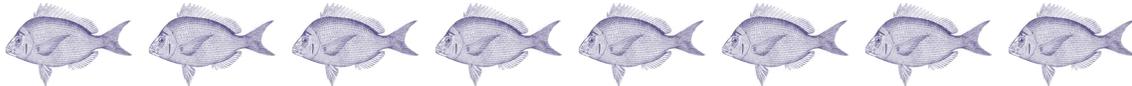
REGULATION AMENDMENTS

SCUP POSSESSION LIMITS AND HARVEST QUOTA

On January 25, 2005 the Commission adopted the following amendments to the scup regulation. The regulation as amended became effective February 1, 2005.

4 VAC 20-910-45. POSSESSION LIMITS AND HARVEST QUOTAS.

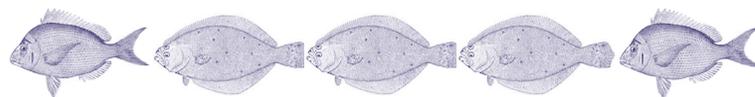
- A. During the period January 1 through April 30 of each year, it shall be unlawful for any person to do any of the following:
 - 1. Possess aboard any vessel in Virginia more than 30,000 pounds of scup.
 - 2. Land in Virginia, more than a total of 30,000 pounds of scup during each consecutive 14-day landing period, with the first 14-day period beginning on January 2.
- B. When it is projected and announced that 80% of the coastwide quota for this period has been attained, it shall be unlawful for any person to possess aboard any vessel or to land in Virginia more than 1,000 pounds of scup.
- C. During the period November 1 through December 31 of each year, it shall be unlawful for any person to possess aboard any vessel or to land in Virginia more than 3,500 pounds of scup.
- D. During the period May 1 through October 31 of each year, the commercial harvest and landing of scup in Virginia shall be limited to 5,040 pounds.



BLACK SEA BASS BYCATCH FISHERY

4 VAC 20-950-48. INDIVIDUAL FISHERY QUOTAS; BY-CATCH LIMIT; AT SEA HARVESTERS, EXCEPTIONS.

- D. From January 1, 2005 to December 31, 2005, it shall be unlawful for any person permitted for the by-catch fishery to possess aboard a vessel, or to land in Virginia, in any one day, more than 200 pounds of black sea bass, except that any person permitted in the by-catch fishery may possess aboard a vessel, or land in Virginia, more than 200 pounds of black sea bass, in any one day, provided the total weight of black sea bass on board the vessel does not exceed 10 percent, by weight, of the total weight of summer flounder, scup, Loligo squid and Atlantic mackerel on board the vessel. When it is projected and announced that 85 percent of the by-catch fishery quota has been taken, it shall be unlawful for any person permitted for the by-catch fishery to possess aboard a vessel, or to land in Virginia, more than 200 pounds of black sea bass, except that any person permitted in the by-catch fishery may possess aboard a vessel, or land in Virginia, more than 200 pounds of black sea bass, in any one day, but not more than 1000 pounds, provided the total weight of black sea bass aboard the vessel does not exceed 10 percent, by weight, of the total weight of summer flounder, scup, Loligo squid and Atlantic mackerel on board the vessel.



REGULATION AMENDMENTS

BLACK SEA BASS DIRECTED FISHERY

Regulation 4 VAC 20-950-48.1 establishes an Individual Transferable Quota system for the directed Black Sea Bass fishery. If you plan to transfer, call ahead and schedule an appointment. In order for a transfer to occur, both the transferor and the transferee must apply in person to Virginia Marine Resources Commission, 2600 Washington Ave., Plans & Statistics Dept. 4th floor.

The transferor will need to provide:

- The current Black Sea Bass permit that was originally issued.
- Commercial Registration License or Seafood Landing License number
- Federal Permit number

The transferee will need to provide:

- Commercial Registration License or Seafood Landing License
- A copy of Federal Black Sea Bass Moratorium Permit

Applicants must allow a minimum of 15 days for Virginia Marine Resources Commission to verify any and all black sea bass landings with the National Marine Fishery Service.

4 VAC 20-950-48.1. INDIVIDUAL TRANSFERABLE QUOTAS.

- A. Shares of the directed fishery quota, in pounds, held by any permitted fisherman in the directed fishery may be transferred to another person, and such transfer shall allow the transferee to harvest, possess and land black sea bass in Virginia in a quantity equal to the shares of the directed fishery quota transferred. Any transfer of black sea bass shall be limited by the following conditions.
1. Commercial black sea bass shares of the directed fishery quota shall not be transferred in any quantity less than the lowest quantity held, as of January 1 of the current year, by any person permitted for the directed fishery.
 2. No person permitted for the directed fishery may hold more than 20 percent of the annual directed fishery quota.
 3. No transfer of shares of the black sea bass directed fishery quota shall be authorized unless such transfer is documented on a form provided by the Commission and approved by the Commissioner.
- B. Transfers of all or a portion of person's share of the directed fishery quota may be permanent or temporary. Transferred quota shall only be used by the transferee for black sea bass landed in Virginia. Permanent transfers of shares of directed fishery quota shall grant to the transferee that transferred share of the quota for future years, and the transferor loses that same transferred share of the directed fishery quota in future years. Temporary transfers of shares of the directed fishery quota shall allow the transferee to harvest that transferred share of the directed fishery quota during the year in which the transfer is approved. Thereafter, any transferred share of the directed fishery quota reverts back to the transferor.

On January 25, the Commission approved an amendment to the black sea bass regulation. The amendment will allow applications for hardship exceptions into the black sea bass fishery for more than just medical conditions. Preference will be given to those applicants who can demonstrate the greater levels of participation in the fishery during and after the qualifying period or document an apprenticeship or helper status. The amendment will also stipulate that any exception that may be granted must not exceed the lowest individual fishery quota, in pounds, at the beginning of the season, and that there shall be no transfer of quota received by applicants to the exception process, for a period of five years after receipt of the quota. Any hardship exception that may be granted will receive quota from the 17,000 pounds that are set aside annually, specifically for hardship cases.

HARVEST REPORTING GUIDELINES

ALL REPORTS DUE BY THE 5TH OF THE FOLLOWING MONTH (ACTIVE OR NOT ACTIVE)

YOU MUST HAVE A COMMERCIAL LICENSE FOR AT LEAST TWO MONTHS BEFORE YOU CAN REPORT NO ACTIVITY

↓ COMMERCIAL REGISTRATION # 987654-9999 123456-9876 Joe Fisherman Joe Helper	WATER FISHED	HRS GEAR FISHED	GEAR	GEAR AMOUNT	MAN HOURS	NO. OF CREW	CONT.
	OVB	24	AGN	1200FT	6	2	
	SPECIES & MARKET CATEGORY			LIVE WEIGHT OR AMOUNT	✓ IF PRCD	PRICE	
	PUFT			125 LBS	✓		
	SHK			150 LBS			
SPMAC			50 LBS				
VESSEL NAME		VESSEL NUMBER					
GO FISH		000456789					
BUYER		COUNTY LANDED					
BIG BUYER		VIRGINIA BEACH					
→ SPECIAL PERMIT INFO.							
DATE JANUARY 2, 2005							

↓ COMMERCIAL REGISTRATION # VESSEL NAME BUYER → SPECIAL PERMIT INFO. DATE JANUARY 3, 2005	WATER FISHED	HRS GEAR FISHED	GEAR	GEAR AMOUNT	MAN HOURS	NO. OF CREW	CONT.
	CBLW	24	POT	150	8	2	
	SPECIES & MARKET CATEGORY			LIVE WEIGHT OR AMOUNT	✓ IF PRCD	PRICE	
	BCJ			10 BU			
	BCS			25 BU			
RCP			105 NU				

GUIDELINE DESCRIPTIONS

COMMERCIAL REGISTRATION LICENSE NUMBER (Including Helpers)
NAME OF FISHERMAN
NAME OF VESSEL (If Applicable)
VESSEL NUMBER (Coast Guard Doc#, VA State Registration, or Hull Number)
NAME OF BUYER (If selling to several buyers or selling to the public, write "RETAIL". If keeping for personal use write "PERSONAL USE")
CITY OR COUNTY (Where harvest offloaded from vessel)
SPECIAL PERMIT INFORMATION (e.g. Black Drum, Striped Bass, etc...)
DATE (Date Harvest Taken From Water, one day per ticket. <u>DO NOT COMBINE DAYS</u>)
WATER BODY (Main water body gear worked)
GEAR HOURS (Amount of Time Gear Is In The Water)
GEAR (Specify type of Gear Used, one gear per day per ticket. <u>DO NOT COMBINE GEAR</u> , on the same ticket)
GEAR AMOUNT (e.g. Number and Total Length of Nets, Number of Pots, Number and Total Length of Dredge)
MAN HOURS (Amount of time it takes to leave the dock, work, and get back to the dock — in one day)
No. OF CREW (Total number of people on the vessel, Including Yourself)
SPECIES & MARKET CATEGORY (Please be specific, for example; SPMAC or KMAC not just MACKEREL)
LIVE WEIGHT OR AMOUNT (Include unit of measure e.g. lbs, bu, nu, bbl, etc...)
<input checked="" type="checkbox"/> IF PRCD (If the weight given is for processed weight, please check the box)
PRICE (Optional)



FREQUENT REPORTING PROBLEMS

COMMERCIAL REGISTRATION #		WATER FISHED	HRS GEAR FISHED	GEAR	GEAR AMOUNT	MAN HOURS	NO. OF CREW	CONT.
987654-9999 Joe Fisherman		CBLW	24	GILL NET POT	1200FT 300	24	0	
SPECIES & MARKET CATEGORY				LIVE WEIGHT OR AMOUNT		✓ IF PRCD	PRICE	
1/2-1/7/05		PUFT		125 LBS				
1/9-1/14/05		BLC		220 (LBS, BU, OR NU?)				
1/16-1/21/05		MACKEREL		50 LBS				
1/23-1/28/05		SHK		1 NU				
VESEL NAME		VESEL NUMBER						
BUYER		COUNTY LANDED						
DATE		JANUARY 2-JANUARY 28, 2005						

AGN, DGN, OR SGN? BE SPECIFIC (points to GEAR)

DON'T COMBINE GEARS ON SAME TICKET (points to GEAR AMOUNT)

CANT WORK 24 HOURS A DAY (points to MAN HOURS)

CANT BE LESS THAN 1 (points to NO. OF CREW)

IMPORTANT INFORMATION DON'T LEAVE BLANK (points to registration info)

DON'T COMBINE DAYS ON SAME TICKET (points to dates)

SPANISH OR KING? BE SPECIFIC (points to MACKEREL)

NO CONVERSION, MUST REPORT SHARKS IN LBS (points to SHK)

MUST INCLUDE UNIT OF MEASURE (points to LBS, BU, OR NU?)

✓ BOX FOR PROCESSED WEIGHT (points to ✓ IF PRCD)



FREQUENT REPORTING PROBLEM DESCRIPTIONS



COMBINING DAYS (Report only one day per ticket)
COMBINING GEARS (Report only one gear per ticket)
MISSING OR INCORRECT VESSEL NUMBER (Very important information, don't leave blank)
MISSING BUYER (Very important, don't leave blank. If selling to several buyers or selling to the public, write "RETAIL". If keeping for personal use write "PERSONAL USE")
INCORRECT GEAR AMOUNT (Report actual gear amount used, not necessarily the exact amount licensed for example. If you are licensed for 300 pots, but only fished 100 that day, then only report 100)
24 MAN HOURS (Amount of time it takes to leave the dock, work, and get back to the dock- in one day)
CREW NUMBER = 0 (Must equal at least 1 because the crew number includes the captain as well as everyone else on the vessel)
GENERALIZED SPECIES (Must be specific. ie: Mackerel (spanish or king), Shad (Gizzard or Hickory))
MISSING UNIT OF MEASURE (Must specify lbs, bu, nu, bbl, etc...)
✓ IF PRCD (Must check box if the harvest weight is for a fish that has been processed first, then weighed, e.g. puffer tails, shark fin, roe)
REPORTING SHARK IN NUMBERS (Sharks must be reported in pounds, not numbers. There is no accurate conversion from numbers to pounds for sharks)
REPORTING SHEDDED CRABS (Only report peeler and soft crabs caught in pots, do not report crabs that are shedded in tanks)



Record Breakers



State Record Striped Bass Landed

A 63-lb., 8-oz. striped bass caught on January 2nd by Paul W. Kleckner of Greenbackville has been certified as a new Virginia state record by the Virginia Saltwater Fishing Tournament. Kleckner caught his fish in the Atlantic Ocean off the Eastern Shore of Virginia, approximately 18 miles south of Wachapreague Inlet. He was fishing with Otis W. Evans, Jr. on the private boat White Bite. The record-setting striper, which measured 50.5 inches in length and had a girth of 33 inches, was fooled by a parachute lure dressed with a 4-inch white shad fished as the trailing bait of an umbrella rig. They were trolling approximately 2 miles off the beach in area with a lot of bait and gannets sitting on the water when the record-setting striped bass struck. Kleckner fought the fish for almost 25 minutes before he was able to land it. The prior state record of 63-pounds was caught in the Atlantic Ocean near Corolla Lighthouse by Carolyn Brown on January 30, 2004. For more information, contact Claude Bain, Virginia Saltwater Fishing Tournament, 968 S. Oriole Drive, Virginia Beach, VA 23451, (757) 491-5160, mrcswt@visi.net.



THRESHER SHARK RECORD SHATTERED

Andrew Philip Schuyler of Virginia Beach shattered the state record by boating a 525-pound thresher shark on November 7, 2004. Schuyler caught his fish at Luchenbach Wreck off Virginia Beach while fishing with Jimmy Robinson on the Fin Daddy.

The thresher, which measured 95 inches fork length and had a girth of 59 inches, struck a tuna head fished from an 80-pound class reel mounted on a bent-butt 130-pound class rod and 130 pound test line. The total length of the shark, which included the entire length of its huge tail, was over 14 feet (169 inches).

Schuyler fought the shark, which jumped three times, for just over an hour. "We were anchored over the wreck catching big bluefish when the thresher hit, so we had to pull the anchor and follow the fish," Robinson stated. The fish made several strong runs, charged the boat at least one time, and eventually was boated a long way from the wreck. Robinson said they went to the Luchenbach, which is one of the Triangle Wrecks, to target big bluefish.

They decided to take the shark fishing equipment because of reports that anglers had seen a big thresher shark in the vicinity of the Triangle Wrecks earlier in the week.

The prior state record of 274 pounds, 12 ounces was caught off Wachapreague by Jim Bishop of Elliott City, MD on May 29, 2002.

STATE RECORD BLACKFIN TUNA LANDED

A 33 -pound, 15 ounce blackfin tuna caught on October 9th by William W. Charlton III of Chesapeake has been certified as the initial Virginia state record for the species by the Virginia Saltwater Fishing Tournament. Charlton caught his fish while trolling at the Norfolk Canyon with his friend Jimmy Collier on the Bone Daddy. The blackfin, which measured 39 inches in length and had a girth of 27.5 inches, was taken on a spreader bar rigged with plastic squids. Blackfin tuna were added to the list of species eligible for state record recognition in 1999. Charlton's fish is the first blackfin tuna registered which met the 20-pound minimum established for initial state record recognition.


IMPORTANT REMINDERS!!


CRAB DREDGERS- The crab dredge season runs from December 1, 2004 - March 31, 2005. All crab dredge reports are due by the 5th day of the following month. You are no longer required to dredge for crabs at least one day during this season in order to qualify for your permit renewal for next season.

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. Reports are due by January 5, the following year.

COMMERCIAL LICENSE RENEWAL- Applicants holding a valid Commercial Fisherman Registration License may register during the period December 1 through February 28 of each year.

DELAYED ENTRY- New applicants to enter the commercial fishery may register during the period of

December 1 through February 28. After the two year waiting period you will receive your commercial card and are then eligible to purchase commercial gear licenses.

STRIPED BASS TAGS- Please remember to 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.

***STRIPED BASS REGULATION CHANGES
CONTINUED FROM PAGE 1***

4 VAC 20-252-130. ENTRY LIMITS, PERMITS, REPORTS

G. Any buyer permitted to purchase striped bass harvested from Virginia tidal waters shall provide written reports to the Commission of daily purchases and harvest information on forms provided by the Marine Resources Commission (VMRC). Such information shall include the date of the purchase, buyer's and harvester's striped bass permit numbers and harvester's Commercial Fisherman Registration License number. In addition, for each different purchase of striped bass harvested from Virginia waters, the buyer shall record the gear type, water area fished, city or county of landing, weight of whole fish, and number and type of tags (Chesapeake area or Coastal area) that applies to that harvest. These reports shall be completed in full and submitted monthly to the Marine Resources Commission no later than the 5th day of the following month. In addition, during the month of December, each permitted buyer shall call the VMRC interactive Voice Recording System, on a daily basis, to report his name and permit number, date, pounds of Chesapeake area striped bass purchased and pounds of Coastal area striped bass purchased.



4 VAC-20-252-150. COMMERCIAL HARVEST QUOTA; CONVERSION TO STRIPED BASS TAGS.

A. The commercial harvest quota for the Chesapeake area shall be determined annually by the Marine Resources Commission. The total allowable level of all commercial harvest of striped bass from the Chesapeake Bay and its tributaries and the Potomac River tributaries of Virginia, for all open seasons and for all legal gear, shall be 1,504,927 pounds of whole fish. At such time as the total commercial harvest of striped bass from the Chesapeake area is projected to reach 1,504,927 pounds, and announced as such, it shall be unlawful for any person to land or possess striped bass caught for commercial purposes from the Chesapeake area.

4 VAC-20-252-160. INDIVIDUAL TRANSFER-ABLE SHARES; TAGGING

J. Prior to receiving any commercial season's allotment of striped bass tags, a permitted commercial harvester shall be required to have returned all unused tags from the previous commercial season to the Commission. Any unused tags that cannot be turned in to the Commission shall be accounted for by the harvester submitting an affidavit to the Commission that explains the disposition of the unused tags that are not able to be turned in to the Commission.

VMRC CALENDAR

MARCH	APRIL	MAY
FMAC - 03/15/05 6PM VMRC - 03/22/05 12PM	FMAC - 04/19/05 6PM VMRC - 04/26/05 12PM	FMAC - 5/17/05 6PM VMRC - 5/24/05 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
 MARINE RESOURCES COMMISSION
 2600 WASHINGTON AVE. 3RD FLOOR
 NEWPORT NEWS, VIRIGINA 23607

ADDRESS CORRECTION REQUESTED



ATTENTION

GILLNETTERS

PROPOSED TAKE REDUCTION PLAN FOR BOTTLE-NOSE DOLPHIN AND SEA TURTLE REGULATORY MEASURES TO IMPACT GILLNETTERS

This is to inform you that the National Marine Fisheries Service (NMFS) has held two public hearings and a comment period to receive public input on the proposed rule to implement the Bottlenose Dolphin Take Reduction Plan, which is intended to reduce fishing interactions with bottle nose dolphins along the Atlantic Coast and inside the COLREGS line up to the Chesapeake Bay Bridge Tunnel. The proposed rule also includes amendments to the mid-Atlantic large mesh gill net rule for the protection of sea turtles in North Carolina and Virginia state waters. This proposed rule is published in the Federal Register under the authority of the Endangered Species Act and the Marine Mammal Protection Act. The comment period ended February 8, 2005. NMFS has 60 days to publish the final rule.

Possible impacts include:

- From **June 1—October 31** Medium mesh (>5 inches to <7 inches) and large mesh (≥ 7 inches) gill-nets would be restricted between sunset and sunrise. No overnight sets would be allowed. Fisherman must remain within 0.5 nautical miles of set nets and the gear must be brought back to port with the vessel.
- From **November 1—December 31** Large mesh (≥ 7 inches) gill nets would be required to be removed from the water between sundown and sunset and stowed aboard the vessel when returning to port at night. No overnights sets would be allowed.
- All gill nets and haul seines would be required to have identification tags every 100 yards with owner ID, gear mesh, and unique identifier number.

The outcome of the proposed rule and a summary of the final rule will be included in the next newsletter along with any other necessary information regarding this issue.

If you have any questions on regarding the proposed rule, please contact the Southeast Region Division of Protected Resources at 727-570-5312.

