

VMRC Petition for New or Amended Regulation

Date: 9/30/2026

Submitted to: Virginia Marine Resources Commission, 380 Fenwick Road, Fort Monroe, VA 23651

Menhaden Bait Preservation Petition

Because the VMRC holds authority over fishing regulations in Virginia's salt waters and the menhaden fishery, I petition the Commission to amend the annual quota allocation, as well as to expand upon and codify the MOU establishing the 1-mile purse-seine buffer zone agreed upon at your December 2022 commission meeting. This request is submitted pursuant to your authority under Virginia Code § 28.201 and regulation 4VAC20-1270-30.

To preserve and increase the menhaden non-purse-seine bait sector and recreational bait harvests, and to create an exclusive menhaden bait zone, I ask that you amend or establish the following regulations:

1. **Increase the non-purse-seine menhaden bait sector quota** from 1.58% to 5%.
2. **Establish a legally binding 1-mile shoreline restricted zone** across the entirety of Virginia's Chesapeake Bay waters and Atlantic coastal waters prohibiting purse-seine harvesting operations. Establish penalties for violations.

Creating a 1-mile buffer zone will give the Atlantic Menhaden biomass a fighting chance to re-establish sustainable nearshore populations. This in turn could restore the opportunity for non-purse-seine bait fishermen, crabbers, hook-and-liners, shoreline subsistence anglers, and recreational fishermen to benefit as well from the menhaden fishery, as is the statutory duty of VMRC. Virginia could establish itself as a robust menhaden bait fishery supplying internal and external needs at a reasonable acquisition cost for all.

An added benefit could extend as well to the fish, shellfish and wildlife that depend on an abundant nearshore supply of menhaden, protecting the ecological forage and fish stocks of the Commonwealth, which is also a statutory duty of VMRC. No other fish species contains the nutritional power of menhaden.

This request is based upon VMRC's own scientific landing data over the past five seasons showing large shortfalls in the catch versus the allowable quota.

Additional reference: § 28.2-203. Commission to prepare fishery management plans; standards.

4. Conservation and management measures shall not discriminate among user groups. If it becomes necessary to allocate or assign fishing privileges among various user groups, such allocation shall be (i) **fair and equitable to all fishermen**; (ii) **reasonably calculated to promote conservation**; and (iii) carried out in such manner that no person acquires an excessive share of such privileges;

5. Conservation and management shall, where practicable, promote efficiency in the utilization of fishery resources, except that **no such measure shall have economic allocation as its sole purpose**;

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