

MINUTES

SHELLFISH MANAGEMENT ADVISORY COMMITTEE MEETING

September 28, 2022
4:00 to 6:00 pm

Commission Room
380 Fenwick Road, Bldg. 96
Fort Monroe, Virginia

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Members Present

Wayne France via WebEx
Richard Harding
Beverly Ludford via WebEx
Peyton Mason

Members Present

Tommy Kellum via WebEx
Charles Johnson
J. C. Hudgins
Jackie Shannon via WebEx

VMRC/VIMS/VDH Staff

Andrew Button
Ben Stagg
Jamie Hogge

Wayne France, Chairman, opened the meeting at 4:03 p.m.

Approval of Agenda

Member J. C. Hudgins made a motion to approve the agenda as presented. Member Rich Harding seconded the motion. The motion passes unanimously.

Review of Warm Water Harvest Regulations

Andrew Button, Deputy Chief, Shellfish Management Division, provided a review of the Warm Water Harvest Regulation due to the recently extension for the month of October with a PowerPoint presentation. His comments are a part of the verbatim record.

VMRC does not discriminate against individuals with disabilities; therefore, if you are in need of reasonable accommodations due to a disability, please contact (757- 247-8052) prior to the meeting.

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SHELLFISH MANAGEMENT ADVISORY COMMITTEE MEETING

User Fee Transferability Requirements

Mr. Button, Deputy Chief, Shellfish Management Division, provided recommendations for a change in transfer eligibility for medical exceptions, unexpected death and a 70 year old exemption with previous harvest history. His comments are a part of the verbatim record.

After detailed discussion regarding changes to the Oyster User Fee transfer regulation 4 VAC 20-720-15. **Control Date, License Moratorium, Transferability and Agents**, the following were the recommendations from SMAC:

Oyster User Fee Transfer Exemptions:

Military obligation:

Eligible to transfer to non-family member without the 40 days or more of harvest in the previous years.

Medical:

Must have 40 days or more of reported harvest the previous 2 years.

Family:

Transfer to a direct family member as stated in regulation 4 VAC 20-720-15-D (1)

Death:

Eligible to transfer to a non-family member, with 40 days or more of reported harvest the previous 2 years, and paid the Oyster User Fee each year.

70 years or older:

Eligible to transfer to a non-family member **IF** the Oyster User Fee has been paid for 5 consecutive years or more and a cap of no more than 50 Oyster User Fee transfers per calendar year.

Peyton Mason made a motion to approve the recommendation for the changes to the Oyster User Fee transfers. Member J. C. Hudgins seconded the motion. The motion passes unanimously.

Other Business

Great Wicomico and Piankatank quota will be revisited after the results of the fall dredge survey and discussed during a future SMAC Meeting which will be the first of the next year.

The meeting adjourned at 5:35 p.m.

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MINUTES
SHELLFISH MANAGEMENT ADVISORY COMMITTEE
MEETING

January 24, 2023
4:00 to 6:00 pm

Commission Room
380 Fenwick Road, Bldg. 96
Fort Monroe, Virginia

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Members Present

Wayne France
Richard Harding
Peyton Mason
Don Porter
Ernest George
Cody Metcalf via WebEx

Members Present

Tommy Kellum
Charles Johnson
J. C. Hudgins
Jackie Shannon
Dan Dise via WebEx
Beverly Ludford via WebEx

VMRC/VIMS/VDH Staff

Andrew Button
Adam Kenyon
Jamie Hogge
Melissa Southworth, VIMS
Roger Mann, VIMS

Wayne France, Chairman, opened the meeting at 4:00 p.m.

At the request of Chairman Wayne France, Andrew Button, Deputy Chief, Shellfish Management Division, provided an overview of the recent Public Oyster Harvest Season extension that was discussed and passed by the Commission during the January 24, 2023, Commission Meeting. Mr. Button's comments are a part of the verbatim record.

Mr. Button explained that the Commission approved a motion for an emergency regulation change to extend the Public Oyster Harvest Season for James River Hand Scrape Areas 1, 2, and 3 as well as Rappahannock River Area 2 until Friday, February 24, 2023. James River Hand Scrape Areas 1, 2, and 3 were scheduled to close February 14, 2023 and Rappahannock River Hand Scrape Area 2 was scheduled to close January 31, 2023.

Mr. Button gave a Shellfish Management Division update and introduced Adam Kenyon as the new Chief of Shellfish Management Division. His comments are a part of the verbatim record.

SMAC Members discussed a 10-working day extension (Ending March 14) to present before the Commission at the February 28, 2023 meeting for the following Public Oyster Harvest Areas:

- All areas that are due to close in Feb. (EXCEPT Rapp. Area 4, Pocomoke Sound 9 & 10, and Pocomoke Area 2)
- Rappahannock Area 1 - PT
- G. Wic. Area 2 (March)
- Blackberry Hangs (March)

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J. C. Hudgins inquired about a Single PT license vs. Double PT license quota. His comments are a part of the verbatim.

~~Tommy Kellum provided an update from the Virginia Seafood Counsel & Marine Products Board.~~
His comments are a part of the verbatim record.

Other Business

Next meeting – potentially mid February
The meeting adjourned at 5:45 p.m.

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SHELLFISH MANAGEMENT ADVISORY COMMITTEE MEETING

York 2

Tangier Area 2

Deep Rock to end March 29, 2023

EXCEPT Rapp. Area 4, Pocomoke Sound 9 & 10, and Pocomoke Area 2

Committee Members agreed to send the recommendation to extend Oyster Harvest Season by 10 working days, which will end harvest March 14, 2023, to the Commission for review during the February 28, 2023 Commission Meeting for the exception of Deep Rock which was recommended to close March 29, 2023. Members also discussed the possibility of closing Rappahannock Area 4 earlier than the original closure date of February 28, 2023.

Ty Burns, Eastern Shore spoke with concerns about the potential health of the rocks if they are left not worked. His comments were a part of the verbatim record.

Mr. Button, Deputy Chief, Shellfish Management Division, clarified the recent change in Oyster User Fee transfer eligibility and requirements. His comments are a part of the verbatim record.

40 days is no longer required, in order to transfer

- A person must have paid the user fee for the previous 5 calendar years and have a minimum of 3 years of harvest reported within that 5-year period.
- Transfers can be granted if a person has paid the user fee for 5 consecutive years and is deceased or has a medical exception.

User Fee Transferability Requirements

By request of Committee Member Hudgins, Mr. Button, Deputy Chief, Shellfish Management Division, clarified the recent change in Oyster User Fee transfer eligibility and requirements. His comments are a part of the verbatim record.

40 days is no longer required, in order to transfer

- A person must have paid the user fee for the previous 5 calendar years and have a minimum of 3 years of harvest reported within that 5 year period.
- Transfers can be granted if a person has paid the user fee for 5 consecutive years and is deceased or has a medical exception.

Military – above requirements apply

Medical - above requirements apply

Death - paid the user fee for the previous 5 calendar years but the harvest history does not apply.

J. C. Hudgins asked to be able to keep a bucket of oysters to take home to eat on top of their daily limit. Andrew Button explained that all oysters for commercial use must go through a Certified Shellfish Dealer. Their comments are a part of the verbatim record.

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