

MINUTES

COMMISSION MEETING

November 26, 2019

The meeting of the Marine Resources Commission was held at the Marine Resources Commission main office at 380 Fenwick Road, Bldg. 96, Fort Monroe, Virginia with the following present:

Steven G. Bowman	Commissioner
Wayne France	
John Tankard III	
John Zydron Sr.	
Ken Neill, III	Associate Members
Heather Lusk	
James E. Minor III	
Chad Ballard	
Christina Everett	
Kelci Block	Assistant Attorney General
Jamie Hogge	Recording Secretary
Dave Lego	Bs. Systems Specialist
Pat Geer	Chief, Fisheries Mgmt.
Adam Kenyon	Deputy Chief, Fisheries Mgmt.
Andrew Button	Head, Conservation and Replenishment
Stephanie Iverson	Fisheries Mgmt. Manager, Sr.
Alicia Nelson	Coordinator, RFAB/CFAB
Jill Ramsey	Fisheries Mgmt. Specialist
Jennifer Farmer	Regulatory Coordinator
Nancy McElligott	Fisheries Mgmt. Specialist
Alex Aspinwall	Fisheries Mgmt. Specialist
Lewis Gillingham	Director, SWFT
Jonathan Depaz	Fisheries Mgmt. Data Specialist
Alexa Kretsch	Fisheries Mgmt. Specialist
Somers Smott	Fisheries Mgmt. Specialist
Hank Liao	Lab Manager
Jessica Gilmore	Lab Specialist

Commission Meeting

Rick Lauderman
Warner Rhodes
Austin Brown
Clint Smith
Patrick West

Chief, Law Enforcement
Deputy Chief, Law Enforcement
Marine Police Officer
Marine Police Officer
Marine Police Officer

Tony Watkinson
Randy Owen
Justin Worrell
Jay Woodward
Mark Eversole
Mike Johnson
Rachael Peabody
Hank Badger
Allison Lay
Chris Myers
Ben Stagg

Chief, Habitat Management
Deputy Chief, Habitat Management
Environmental Engineer, Sr.
Environmental Engineer, Sr.
Environmental Engineer, Sr.
Environmental Engineer, Sr.
Environmental Engineer, Sr.
Environmental Engineer, Sr.
Environmental Engineer, Sr.
Environmental Engineer, Sr.
Dir., Shellfish Aquaculture, Leasing
and Mapping

Daniel Faggert

Surveyor, Engineering/Surveying

Virginia Institute of Marine Science (VIMS):

Lyle Varnell

Emily Hein

Mark Luckenbach

Others present:

Chris Frye
Richard Collins
Mike Oesterling
Rebecca Francese
Daniel Lang
Karen Loper
Tom Powers

William Ancarrow
Kathryn Sharp
Eddie Wood
Tom Perry
Joshua David
Myles Peabody
John Satterly

Barbara Ancarrow
Tom Hudson
Jane Wood
Ben Mears
Oula Shehab Domdan
Andy Lacatell
and others.

* * * * *

Commissioner Bowman called the meeting to order at approximately 9:37 a.m.

* * * * *

Associate Member Tankard said the invocation. Associate Member Lusk led the pledge by request of Commissioner Bowman.

* * * * *

APPROVAL OF AGENDA.

Associate Member Zydron moved to approve the agenda as presented. Associate Member Tankard seconded the motion. The motion carried, 9-0. Chair voted yes.

* * * * *

MINUTES: Commissioner Bowman asked if there were any changes or corrections to be made to the October 22, 2019 Commission meeting minutes.

Associate Member Zydron moved to approve the minutes as presented. Associate Member Ballard seconded the motion. The motion carried, 8-0. Chair voted yes. Associate Member Minor abstained.

* * * * *

Pat Geer, Chief, Fisheries Mgmt., announced that Adam Kenyon was recently promoted to Deputy Chief of Fisheries Mgmt. and Shanna Madsen has been selected as the second Deputy Chief of Fisheries Mgmt.

* * * * *

Commissioner Bowman swore in the VMRC staff and VIMS staff that would be speaking or presenting testimony during the meeting.

* * * * *

- 2. **PERMITS** (Projects over \$500,000.00 with no objections and with staff recommendation for approval).

Tony Watkinson, Chief, Habitat Management, reviewed the six (6) page 2 Items A through F for the Associate Members. Mr. Watkinson’s comments are a part of the verbatim record.

- 2A. **FAIRVIEW BEACH RESIDENTS ASSOCIATION, INC., #19-1344**, requests authorization to install a 140-foot armor stone breakwater, a 130-foot armor stone breakwater, a 120-foot armor stone breakwater, a 70-foot armor stone breakwater extension, a 50-foot armor stone breakwater extension, a 60-foot armor stone breakwater (to replace an existing hex box breakwater) and 8,480 cubic yards of beach nourishment, placed channelward of mean low water, adjacent to community property situated along the Potomac River in King George County. Staff recommends approval of the project as proposed.

Permit Fee:	\$ 100.00
-------------	-----------

- 2B. **DEPARTMENT OF CONSERVATION AND RECREATION, #19-1576**, requests authorization to dredge a 500-foot long by 40-foot wide access channel and install associated channel markers with a connecting depth of -5.11’ MLW, a two-lane concrete boat ramp and two (2) tending piers. Additional work includes the installation of two (2) 140-foot riprap breakwaters, an 85-foot riprap sill, a 130-foot riprap sill, a 50-foot riprap sill and associated sand backfill and vegetated plantings, adjacent to property situated along the Potomac River at Wide Water State Park on Brent Point Road in Stafford County. The project will impact 20,297 square feet of SAV, which will be mitigated for on-site through the use of upland BMP’s designed to reduce upland sedimentation in to the Potomac River. Staff also recommends a time-of-year restriction on instream activity from February 15 through June 30 of any year to protect anadromous fish

Permit Fee:	\$ 100.00
-------------	-----------

- 2C. **LYON SHIPYARD, INC., #19-1574**, requests authorization to mechanically maintenance dredge, on an as-needed basis, up to 35,000 cubic yards of State-owned submerged lands per dredge cycle, to achieve maximum depths of -42 feet MLW at the drydock, -12 feet MLW at Piers 6 and 7, and -18 feet MLW and -24 feet MLW along the rest of basin, at the Lyon Shipyard Facility along the Eastern Branch Elizabeth River located at 307 Compostella Road in the City of Norfolk. Dredged material will be barged to the Craney Island Dredged Material Management Area (CIDMMA) and disposed of in the rehandling basin.

Permit Fee:	\$ 100.00
-------------	-----------

- 2D. **LYON SHIPYARD, INC., #19-1538**, requests authorization to mechanically maintenance dredge, on an as-needed basis, up to 35,000 cubic yards of State-owned submerged lands to achieve maximum navigable depths of -20 mean low water adjacent to their existing bulkhead and -31 feet mean low water within a 100-foot by 400-foot basin adjacent to the existing drydock facility at located 307 Campostella Road situated along the Eastern Branch of the Elizabeth River in the City of Norfolk. Dredged material will be barged to the Craney Island Dredged Material Management Area (CIDMMA) and disposed of in the rehandling basin. This is a renewal of a previous permit and all permit conditions shall apply.

Permit Fee:	\$ 100.00
-------------	-----------

- 2E. **VIRGINIA ELECTRIC AND POWER COMPANY, #19-1433**, requests authorization to hydraulically maintenance dredge up to 150,000 cubic yards of State-owned subaqueous land, on an as needed basis, adjacent to the intake channel for the Surry Nuclear Power Plant within the James River in Surry County, and to temporarily install approximately four (4) 4 miles of 22 to 30-inch diameter HDPE pipe secured to floats or secured to the bottom of Lawnes Creek, to transport dredged sediments from the power plant intake channel to a dredge material management upland area located along Lawnes Creek in Surry County. Staff recommends approval of the project as proposed with the following conditions: a time-of-year restriction from February 15 through June 30 for the protection of anadromous fishes and June 30 through August 31 for the protection of spawning oysters. The dredge pipe must routinely be monitored. If any issues are identified, the dredge operation must halt until repairs are made.

The permittee agrees to deploy the HDPE pipe no longer than 15 days prior to the start of dredge activity and remove the pipe no greater than 15 days after dredging is completed. The permittee also agrees to contact VMRC staff if additional time is needed to install or remove the pipe.

Permit Fee:	\$ 100.00
-------------	-----------

- 2F. COLONNA SHIPYARD, #19-1706**, requests authorization to maintenance dredge 25,000 cubic yards of State-owned subaqueous material using mechanical methods to establish and maintain, on an as-needed basis, maximum depths of -27 feet at mean low water and -22 at mean low water, adjacent to Pier 8 and Pier 9 at the West Yard facility situated along the Eastern Branch of the Elizabeth River in the City of Norfolk. Dredged material will be barged to the Craney Island Dredged Material Management Area (CIDMMA) and disposed of in the re-handling basin.

Permit Fee:	\$ 100.00
-------------	-----------

No one spoke in support or opposition of the projects.

The matter was before the Commission for discussion and action.

Associate Member Tankard moved to approve the six (6) page 2 Items A through F as presented. Associate Member Minor seconded the motion. The motion carried 9-0. Chair voted yes.

* * * * *

- 3. CONSENT AGENDA ITEMS – There were no consent agenda items to be heard.**

* * * * *

- 4. CLOSED MEETING FOR CONSULTATION WITH, OR BRIEFING BY, COUNSEL. No meeting needed.**

* * * * *

5. LICENSE STATUS REVIEW.

(5-1) Myles Peabody (009288): Mr. Peabody was present and sworn in. Mr. Peabody was represented by Josh David. Their comments are a part of the verbatim record.

Patrick West, Marine Police Officer, was sworn in. His comments are a part of the verbatim record.

February 22, 2019, Have in possession uncultured oysters (24 quarts): **4 VAC 20-260-40**

Disposition:

May 8, 2019, Gloucester County General District Court

Fine: \$ 200.00

Court Cost: \$ 86.00

GUIDELINE SUGGESTION: 1 YEAR PROBATION (§ 28.2-232 of the Code of Virginia)

Jennifer Farmer, Regulatory Coordinator, explained to the Commission the sanction guidelines, with PowerPoint slides. Ms. Farmer's comments are a part of the verbatim record.

Mr. Myles Peabody, a commercial fisherman registration licensee, was convicted on May 8, 2019 for one count of possession of uncultured oysters (24 quarts) (4 VAC 20-260-40).

The Commission's guidelines for sanctions specify that one conviction of possessing at least 50% over the tolerance of shellfish, within a two-year period, should result in at least a one-year probation. In accordance with § 28.2-232 of the Code of Virginia, the guidelines suggest that Mr. Peabody be placed on probation for a period of one year from the date of this Commission meeting, November 26, 2019, through November 25, 2020. Any failure on Mr. Peabody's part to obey any of the laws or regulations relating to the Marine Resources of the Commonwealth during the one-year probation would result in Mr. Peabody appearing before the Commission for a hearing on license revocation.

Mr. Peabody stated that a lot of the oyster looked nice and automatically assumed that they were fine. He also stated that he made a mistake and apologized.

Mr. David asked for a minimal sentence for his client.

The matter was before the Commission for discussion and action.

Associate Member France made a motion for a 2 year probation due to the severity of the violation. Associate Member Tankard seconded the motion. The motion carried, 9-0. Chair voted yes.

* * * * *

6. **EDWARD WOOD, #18-1761**, requests authorization to install six private aids to navigation along a previously authorized dredge channel on Kings Creek in Mathews County. The project is protested.

Mike Johnson, Environmental Engineer, Sr., gave the briefing of the information provided in the staff's evaluation, with PowerPoint slides. Mr. Johnson's comments are a part of the verbatim record.

Mr. Johnson explained that the project area is located on a shallow tributary of the East River, which was dredged in 2018 by Mr. Wood and others under Joint Permit Application (JPA) #16-1263. After dredging was completed, staff received a complaint from Ms. Kathryn Sharp, a riparian property owner along Kings Creek, saying that white PVC poles had been left in the creek along the dredged channel footprint.

Upon inspection, staff observed that the dredge cut markers were still in place after the original dredge project had been completed. Staff contacted Mr. Wood informing him that the PVC poles should be removed, to which he indicated that he wanted to keep some of the poles as channel markers. Staff informed him that he should still remove the PVC poles and submit a JPA for private aids to navigation since a subaqueous permit would be required for any privately owned structures that would mark the channel. Mr. Wood complied with staff's directive to remove the poles and submitted the requested application requesting authorization to install six private aids to navigation, which consist of numbered green day channel markers that are 2-foot by 2-foot in size and extend approximately one foot above mean high water.

Staff has carefully considered all of the concerns raised by the protestant for this project and worked with the applicant to reduce the number of proposed channel markers. Further, staff ensured that the applicant filed the appropriate paperwork with the USCG for navigational safety. Mr. Wood has received his permit from the Corps and the USCG has reviewed his application for the channel markers and found them to meet their requirements. These two agencies have extensive knowledge of navigational issues and staff agrees with their determination that the number and size of the channel markers are appropriate.

Accordingly, after evaluating the merits of the project against the concerns expressed by those in opposition to the project, and after considering all of the factors contained in §28.2-1205 of the Code of Virginia, staff recommends approval of the project as proposed.

Jane and Edward Wood, applicants, were sworn in. Their comments are a part of the verbatim record.

The applicants explained that the markers are needed to prevent them and others that use the creek from running aground.

No one spoke in support of the project.

Katherine Sharp was present and spoke in opposition of the project. She was sworn in and her comments are a part of the verbatim record.

Ms. Sharp had concerns that adding markers would not provide any navigation improvements, would obstruct use of the waterway, pollute the view of the creek and decrease property value.

The matter was before the Commission for discussion and action.

Associate Member Tankard made a motion to reject the request. Associate Member Everett seconded the motion. The motion carried, 6-3. Chair voted for the motion. Associate Members France, Ballard and Lusk opposed.

* * * * *

7. **BENJAMIN W. MEARS III, Oyster Planting Ground Application #2018-039**, requests authorization to lease 16.83 acres of Oyster Planting Ground in Mattawoman Creek, Northampton County. The project is protested by nearby property owners.

Hank Badger, Environmental Engineer, Sr. gave the briefing of the information provided in the staff's evaluation, with PowerPoint slides. Mr. Badger's comments are a part of the verbatim record.

Mr. Badger explained that the proposed lease area is located near the headwaters in Mattawoman Creek, 2.3 miles north of the town of Eastville and 2.5 miles southwest of the Town of Machipongo. The mean low water (MLW) depths vary from minus two tenths (-0.2) of a foot near the shoreline to approximately minus three (-3) feet in the center of the creek. There is no marked channel and navigation is in the center of the creek. The bottom is mostly a sand and mud mix near the shoreline, and mud in the center of the creek with no submerged aquatic vegetation. Mattawoman Creek has clam aquaculture near the mouth of the creek and some oyster aquaculture activity in the main stem of the creek.

Mr. Mears has no oyster ground leases in his name, however, his son does have three (3) oyster ground leases in Mattawoman Creek for a total of 21.03 acres. Mr. Mears also has one (1) additional application for 205 acres in the Chesapeake Bay, north of the Town of Cape Charles. The applicant intends to use the ground to grow aquaculture oysters in cages. Mr. Mears' son (Benjamin Mears IV) has two of the three adjacent oyster ground leases.

Mr. Mears intends to use the proposed lease to grow aquaculture oysters in on-bottom cages that are less than 12 inches above the bottom. He does not intend to install cages in the unmarked channel. However, Regulation 4 VAC 20-335, does authorize certain shellfish aquaculture structures on leased ground (including cages) provided the structures do not exceed 12 inches above the bottom substrate. In addition, under the same regulation the Commission can direct removal of any structure that causes more than a minimal adverse effect on navigation. Also, since the entire area of the survey is now in conditionally approved waters, as classified by the Health Department, staff sees no reason not to lease the area.

Accordingly, after considering all of the factors in §28.2-609 and §28.2-618 of the Code of Virginia, and Regulation 4 VAC 20-335 and the concerns raised by the protestant, staff recommends approval of Mr. Mears' application for 16.83 of oyster planting ground in Mattawoman Creek as surveyed and mapped.

Benjamin Mears, applicant, was present and sworn in. His comments are a part of the verbatim record.

No one spoke in support or opposition to the lease request.

The matter was before the Commission for discussion and action.

Associate Member Tankard made a motion to approve staff recommendation. Associate Member Ballard seconded the motion. The motion carried, 9-0. Chair voted yes.

* * * * *

8. VIRGINIA WATER HOLDINGS, LLC, Oyster Planting Ground Application#2014-227, requests authorization to lease approximately 100 acres within the Chesapeake Bay in Lancaster County. The application is protested by numerous adjacent highland property owners.

Ben Stagg, Dir., Shellfish Aquaculture, Leasing and Mapping gave the briefing of the information provided in the staff's evaluation, with PowerPoint slides. Mr. Stagg's comments are a part of the verbatim record.

Mr. Stagg explained that an application from Virginia Water Holdings, LLC, requesting to lease approximately 100 acres of oyster planting ground within the Chesapeake Bay in Lancaster County, was received by the Engineering/Surveying Department on August 12, 2014. The application was subject to the normal public interest review process. The use plan questionnaire as completed by Mr. Tom Perry of Virginia Water Holdings, LLC, indicates that the applicant proposes to use the area, if leased, for on-bottom structures.

Mr. Perry also sought, in 2014, a permit to place floating aquaculture gear in this same area. That permit application was subjected to a separate public interest review process.

The request was protested and was the subject of a Commission hearing in August of 2014. The permit request was approved at that hearing, and a permit was issued September 19, 2014 for up to 500 floats. Action on the lease application was delayed due to the increase in applications from approximately 150 to over 300 applications per year during the 2014-2016 time frame. After 2016, Mr. Perry requested a delay in surveying and proceeding with the application, but at staff's request indicated he was agreeable to proceed earlier this year. The area was surveyed in late September of 2019.

While staff understands that the use of on-bottom structures often creates concerns for nearby property owners, the applicant must adhere to the current regulations for the placement of such structures. Further, there will not likely be daily husbandry activity at this site, the bottom structures should not be visible, and the applicant will be responsible for proper maintenance and retrieval of any gear that may be displaced in a storm event. Therefore, after reviewing the protestant's objections, and considering all factors in Sections 28.2.607 and 28.2-1205, subsection A, of the Code of Virginia, staff recommends approval of leasing 100.00 acres of grounds to Virginia Water Holdings, LLC, as shown on the survey plat dated September 26, 2019.

Thomas Perry IV, applicant, was present and sworn in. His comments are a part of the verbatim record.

No one spoke in support of the project.

There were three (3) people that spoke in opposition of the application. They were sworn in and their comments are a part of the verbatim record.

Those that spoke in opposition expressed the following concerns: debris from cages and floats littering the shoreline, smell of the cages when they are washed ashore, concerns with the concentration of fecal matter on the floats from birds sitting on them, and the uncertainty that the cages will remain in the designated location.

The matter was before the Commission for discussion and action.

Associate Member Zydron made a motion to approve the lease application, but reduced the lease to 10 acres in the area for the permitted aquaculture floats. Associate Member Tankard seconded the motion. The motion carried, 7-2. Chair voted yes. Associate Members Ballard and Lusk voted in opposition.

* * * * *

9. **THREESHEETS OYSTER COMPANY, Oyster Planting Ground Application #2019-042**, requests authorization to lease approximately 100 acres within the Chesapeake Bay in Lancaster County. The application is protested by numerous nearby highland property owners.

Ben Stagg, Dir., Shellfish Aquaculture, Leasing and Mapping gave the briefing of the information provided in the staff's evaluation, with PowerPoint slides. Mr. Stagg's comments are a part of the verbatim record.

Mr. Stagg explained that an application from ThreeSheets Oyster Company, LLC, requesting to lease approximately 100 acres of oyster planting ground within the Chesapeake Bay in Lancaster County, was received by the Engineering/Surveying Department on May 20, 2019. The application was subject to the normal public interest review process. The use plan questionnaire as completed by Mr. Daniel Lang of ThreeSheets Oyster Company, LLC indicates that the applicant proposes to use the area, if leased, for on-bottom structures.

Mr. Lang also indicated that some of the structures might exceed the regulatory approved height of 12-inches allowed on private shellfish leases. If the lease is granted, the applicant will need to seek a General Permit # 4 to place any cages greater than 12-inches above the substrate. No such request has been submitted to date. Pursuant to Chapter 4VAC20-1130-10 et. seq., General Permit # 4 cannot be issued without having an existing lease. If the lease is granted and such a permit is requested, it will require a separate public interest review.

While staff understands that the use of on-bottom structures often creates concerns for nearby property owners, the location and configuration of this request should adequately address the issues raised by the protestants. Therefore, after reviewing the protestant's objections, and considering all factors in Sections 28.2.607 and 28.2-1205, subsection A, of the Code of Virginia, staff recommends approval of leasing 99.97 acres of grounds to ThreeSheets Oyster Company, LLC, as shown on the survey plat dated September 26, 2019.

Fredrick Daniel Lang, applicant, was present and sworn in. His comments are a part of the verbatim record.

There was one (1) person that spoke in opposition of the application. She had concerns about the potential dangers to paddle boarders, kayakers and others that utilize the waterway. She was previously sworn in and her comments are a part of the verbatim record.

No one spoke in support of the project.

The matter was before the Commission for discussion and action.

Associate Member Minor made a motion to approve staff recommendation. Associate Member Ballard seconded the motion. The motion carried, 6-3. Chair voted yes. Associate members Tankard, France and Everett opposed.

* * * * *

10. PUBLIC COMMENTS. There was no one present to speak during public comment.

* * * * *

11. PUBLIC HEARING: Staff request to incorporate the emergency amendments as a permanent part of Chapter 4 VAC 20-910-10 et seq., "Pertaining to Scup (Porgy)", to decrease the trip limit from 28,500 pounds to 27,000 pounds for the commercial Winter II period fishery of October 1 through December 31.

Jill Ramsey, Fisheries Mgmt. Specialist, gave the briefing of the information provided in the staff's evaluation, with PowerPoint slides. Ms. Ramsey's comments are a part of the verbatim record.

Ms. Ramsey explained that on Friday, September 27, 2019, the National Marine Fisheries Service (NMFS) announced an in season adjustment to the Winter II commercial scup quota and per trip federal landing limit.

The Winter I and Winter II period quotas are managed through vessel possession limits, and landings are monitored by NMFS. Addendum X to the FMP allows unused quota to rollover from the Winter I period into the Winter II period. Vessel possession limits for

the Winter II period are increased by 1,500 pounds per trip for each 500,000 pounds of scup that are rolled over.

For 2019, the Winter I period quota was established as 10,820,000 pounds and the Winter II period quota was established as 3,822,816 pounds. Based on the best available landings information from NMFS, 5,267,671 pounds from the Winter I period coast wide quota remained unharvested. This remaining quota has rolled over to the Winter II period quota, resulting in a revised coast wide quota of 9,090,487 pounds. The increase in quota translates to a federal landing limit of 27,000 pounds per trip.

Staff recommends the Commission amend Chapter 4 VAC 20-910-10 et seq., "Pertaining to Scup (Porgy)," to decrease the trip limit from 28,500 pounds per trip to 27,000 pounds per trip for the commercial Winter II period fishery of October 1 through December 31.

The matter was before the Commission for discussion and action.

Associate Member Minor made a motion to approve staff recommendation. Associate Member France seconded the motion. The motion carried, 9-0. Chair voted yes.

* * * * *

- 12. PUBLIC HEARING:** The Commission proposes to amend Chapter 4 VAC 20-252-10 et seq., "Pertaining to the Taking of Striped Bass", to establish the 2020 striped bass commercial quota for the Chesapeake Bay and Coastal areas and modify the dates associated with the 28" commercial maximum size limit in the Chesapeake Bay area which are presently March 26 through June 15.

Alex Aspinwall, Fisheries Mgmt. Data Analyst, presented the information provided in the staff's evaluation, with PowerPoint slides. Mr. Aspinwall's comments are a part of the verbatim record.

The Atlantic States Marine Fisheries Commission (ASMFC) Striped Bass Management Board met on October 30, 2019 to set recreational and commercial striped bass measures specified under Draft Addendum VI. Adjustments to the commercial quota are necessary

to stay in compliance under ASMFC management. The ASFMC management board approved an 18% reduction for both the commercial and recreational sectors. The management board also approved an option to allow all states to use conservation equivalency to be able to adapt these reductions to meet their states individual needs. All conservation equivalency plans must be approved by the Striped Bass Technical Committee and approved by the management board in February 2020. Staff developed a conservation equivalency plan to reduce the number of fish harvested in the commercial sector by 9.37%.

The commercial maximum size limit for striped bass in the Chesapeake Bay area is presently 28" total length from March 26 through June 15. Historically, the 28" maximum size limit was in effect eleven days earlier from March 15 through June 15. In response to the overfished status of the striped bass stock, staff is requesting that the 28" commercial maximum size limit reflect the historical season (March 15 through June 15) to further protect the spawning stock from being overfished.

Staff recommends the Commission approve amendments to Chapter 4 VAC 20-252-10 et seq., "Pertaining to the Taking of Striped Bass," to establish the 2020 striped bass commercial quota for the Chesapeake Bay and coastal areas and modify the dates associated with the 28" commercial maximum size limit in the Chesapeake Bay area which are presently March 26 through June 15.

There were three (3) people that spoke with their comments and concerns. Their comments are a part of the verbatim record.

The matter was before the Commission for discussion and action.

Associate Member Minor made a motion to approve staff recommendation. Associate Member Neill seconded the motion. The motion carried, 8-1. Chair voted yes. Associate Member Tankard voted no.

* * * * *

Commission Meeting

**18461
November 26, 2019**

There being no further business, the meeting was adjourned at approximately 1:39 p.m.
The next Commission meeting will be Tuesday, December 17, 2019.

Steven G. Bowman, Commissioner

Jamie Hogge, Recording Secretary