

**Virginia Marine Resources Commission
Menhaden Management Advisory Committee (MMAC)**

Conducted via electronic means using WebEx
Monday, September 12, 2022 – 4:00 P.M.

ATTENDANCE

Members Present

Dr. Rob Latour (Chair)
Shanna Madsen (Vice Chair)
Monty Diehl
AJ Erskine
Craig Freeman
Daniel Knott
Mike Leonard
Chris Moore
Kenny Pinkard
Ken Schultz

VMRC Staff Present

Pat Geer
Andrew Button
Lewis Gillingham
Alexa Galván
Brooke Lowman
Joshua McGilly
Jill Ramsey
Ethan Simpson
Somers Smott

Others Present

Robert Crockett
Will Bransom
Jaclyn Higgins
Kyle Shreve
John Bello

Minutes were prepared by Alexa Galván.

I. MMAC Welcome and Introductions

Chair Dr. Rob Latour called the meeting to order at 4:00pm. This meeting was conducted virtually via WebEx. Two new committee members were introduced- Mr. Craig Freeman, a recreational and charter fisherman, and Mr. Kenny Pinkard, a labor representative from Omega Protein.

II. Approval of the May 18, 2022 meeting minutes

Mr. Monty Diehl made a motion to approve the minutes, which passed by consensus.

III. Internal Sector Transfers

Deputy Chief Shanna Madsen reminded the committee that the menhaden regulation currently allows the temporary transfer of quota between the purse seine reduction and purse seine bait sectors for 2022 only. Staff must amend the regulation to remove the year if the committee wants to continue allowing transfers between those sectors beyond 2022. A menhaden allocation subcommittee was formed in the spring of 2022 and came to consensus that this internal sector quota transfer clause should be utilized for 2022 and beyond. The purpose of the internal transfer system was to attract quota transfers from other jurisdictions to Virginia's purse seine bait sector, as the reduction sector offered a letter promising to transfer their portion of out-of-state transfers to the purse seine bait sector. Secondly, this internal transfer clause allows for the sectors to transfer quota in case of emergency (eg. damage to a bait vessel precludes them from fishing for a season). 2.5 million pounds of menhaden quota has been transferred to Virginia this summer and more transfers are expected this fall. Deputy Chief Madsen reminded the group that the subcommittee and Committee both previously agreed that the internal sector transfer clause between the purse-seine sectors should be made permanent. Deputy Chief Madsen explained that the non-purse seine bait sector was not included in transfers because there were too many parties to sign onto any such transfer and that this sector already receives a portion of any out-of-state transfers. However, this could be revisited due to potential changes to the incidental catch and small-scale fisheries provision in the Atlantic States Marine Fisheries Commission (ASMFC) Addendum I for quota reallocation.

Mr. AJ Erskine asked if any jurisdictions had concerns about the reduction sector's letter waiving their portion of the quota transfer. Deputy Chief Madsen said not once the process was explained. Mr. Erskine suggested the regulation be changed to allow jurisdictions to transfer quota directly to the bait industry as he believed the states withheld quota because of discomfort with this letter. Deputy Chief Madsen reminded the Committee that the MMAC allocation subcommittee previously discussed this external direct sector transfer language and did not recommend that it move forward at this time. The subcommittee believed that external transfers to a specific sector potentially allows ASMFC member states to vote for smaller overall allocations for the state of Virginia during management actions (currently Addendum I), while allowing those states to transfer quota directly to the sectors that they favor, namely the bait sector. The committee was also reminded that by changes to the menhaden regulation may only be made October – December (during which there are only 2 Commission meetings) unless the change qualifies as an emergency or must be made to come into compliance with interstate management. The soonest external transfer language could be put into regulation would be December, which would necessitate draft regulatory language available for review in late October and Addendum I would not yet be approved by the ASMFC Menhaden Management Board. The ASMFC Annual Meeting is being held November 7-10 and therefore the subcommittee's concerns will still be relevant when the external transfer language is developed and advertised.

Mr. Erskine made a motion for staff to develop language for external transfers from states to specific sectors for the December Commission meeting. The motion was seconded by Mr. Freeman and passed by consent. The Committee also recommended that the internal sector transfer clause be made permanent at the December Commission meeting, to reduce the number of times the regulation would need to be amended.

IV. Other Business

Deputy Chief Madsen told the committee there would be another meeting after Addendum 1 is finalized at the ASMFC annual meeting November 7-10, 2022. Any regulatory changes resulting from Addendum 1 would go before the Commission likely at their January meeting. Virginia's public hearing on Addendum 1 will be held on September 21 from 6-8 PM at the Virginia Institute of Marine Science in Gloucester. The next Menhaden Management Advisory Committee meeting will be October 13 from 4-6 PM at the VMRC Main Office.

VI. Public Comment

There were no public comments.

VII. Adjournment

The meeting was adjourned at 5:09 P.M. by Chair Dr. Latour.