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SENATE BILL NO. 1388

Offered January 11, 2023

Prefiled January 11, 2023

A BILL to direct the Virginia Institute of Marine Science to study the ecology, fishery impacts, and economic importance of menhaden populations in the waters of the Commonwealth; report.

Patron—Lewis

Referred to Committee on Rules

Be it enacted by the General Assembly of Virginia:

1. § 1. That the Virginia Institute of Marine Science (VIMS) shall study the ecology, fishery impacts, and economic importance of menhaden populations in the waters of the Commonwealth. Areas of focus shall include (i) current season movements of menhaden in and out of the waters of the Commonwealth, including the Chesapeake Bay; (ii) the forage needs of current populations of piscivorous fish, birds, and marine mammals in the estuarine and marine waters of the Commonwealth where menhaden are known to inhabit; (iii) the effects of climate change on menhaden recruitment and juvenile and adult abundance in the waters of the Commonwealth; (iv) the evaluation of habitat changes in the Chesapeake Bay, including algal assemblages and the duration and volume of hypoxia in waters of the Commonwealth; (v) the economic importance of menhaden to the Commonwealth's coastal communities and businesses, including the blue crab fishery and recreational fisheries; (vi) the economic impact of fish spills on coastal communities along Virginia's Eastern Shore; (vii) the by-catch of nontarget species by purse seine nets in waters of the Commonwealth; (viii) the evaluation of a potential tagging program for menhaden using the Chesapeake Bay acoustic array that is currently deployed by the National Oceanic and Atmospheric Administration's Chesapeake Bay office in partnership with the Commonwealth; and (ix) development of a statistically rigorous fishery observer program for the Commonwealth's menhaden fisheries that can document catch and by-catch data along with interactions with marine mammals, sea turtles, and seabirds. VIMS shall also review the final report of the Atlantic States Marine Fisheries Commission titled "Evaluating Alternative Designs for a Combined Aerial-hydroacoustic Survey of Atlantic Menhaden Biomass in Chesapeake Bay" and make recommendations on its utility for the Virginia portion of the Chesapeake Bay and estimate necessary funding requirements to implement such an effort.

In conducting its study, VIMS shall collaborate with the Menhaden Management Advisory Committee established in § 28.2-208.2 of the Code of Virginia. Technical assistance shall be provided to VIMS by the Virginia Marine Resources Commission. All agencies of the Commonwealth shall provide assistance to VIMS for this study, upon request. VIMS shall, no later than December 1, 2024, provide a report on its findings to the Chairmen of the Senate Committee on Agriculture, Conservation and Natural Resources and the House Committee on Agriculture, Chesapeake and Natural Resources.

INTRODUCED

SB1388