

LD3780127

HOUSE JOINT RESOLUTION NO. 609**FLOOR AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by Senator Barry)

on February 21, 1995

(Patron Prior to Substitute—Delegate Behm)

Requesting the Virginia delegation to the Chesapeake Bay Commission, the Virginia Marine Resources Commission, and representatives of the seafood industry to (i) study the possible effects of changing minimum size limits of blue crabs allowed to be taken, of requiring cull rings in peeler pots and of preventing the taking of peeler crabs too early in the molting stage and (ii) prepare a blue crab fishery management plan.

WHEREAS, the blue crab fishery is the most important commercial and recreational fishery in the Chesapeake Bay; and

WHEREAS, the blue crab population is now critically low; and

WHEREAS, factors such as the increased harvest pressure on the blue crab due in part to the decline of other Chesapeake Bay fisheries, particularly the oyster and rockfish fisheries, may prevent the blue crab population from recovering from its present low levels; and

WHEREAS, the blue crab population is also threatened by habitat loss due to the disappearance of submerged aquatic vegetation, which is particularly important for juveniles, and low oxygen levels in deep waters; and

WHEREAS, increased survival of juvenile crabs so that they may reproduce or be harvested at a larger size may contribute to the stability of the crab population; and

WHEREAS, a preliminary Virginia Institute of Marine Science investigation has concluded that the effect of the peeler crab harvest on the blue crab population is uncertain and requires study; and

WHEREAS, because large crabs produce more eggs than small crabs, and because there appears to be at least a partial genetic basis for blue crab size at maturity, the importance of increased survival of large female crabs to the stability of the crab population should be investigated; and

WHEREAS, the practice of capturing peeler crabs too early during the molting cycle may cause the crabs to die before they can be harvested as soft-shelled crabs; and

WHEREAS, the use of cull rings in peeler pots may have a positive impact on the crab population by preventing harvest of juvenile crabs; and

WHEREAS, it has been proposed that the minimum size of crabs allowed to be taken be changed from five inches in the transverse direction, which applies only to male crabs, to two and five-sixteenths inches in the longitudinal direction for male crabs in the Chesapeake Bay and its tributaries and two and three-sixteenths inches in the longitudinal direction for male crabs in other waters and for all female crabs; now, therefore, be it RESOLVED by the House of Delegates, the Senate concurring, That the Virginia delegation to the Chesapeake Bay Commission, the Virginia Marine Resources Commission, and six representatives of the seafood industry be requested to undertake a joint study of the blue crab population and ways to promote its growth. The seafood industry representatives shall be appointed as follows: one working waterman, one bulk crab buyer, and one crab processor appointed by the Speaker of the House and one working waterman, one bulk crab buyer, and one crab processor appointed by the Senate Committee on Privileges and Elections.

The study shall examine the proposed change in crab size limits, other possible changes in crab size limits, the inclusion of one or two cull rings in peeler pots, ways to prevent the capture of peeler crabs that are in an early stage of molting, and the effect of such measures. The Commissions and representatives shall consider and prepare a blue crab fishery management plan consistent with the standards for fishery conservation and management set out in Virginia Code § 28.2-203. The plan shall be designed so as to reverse any fishing practices, environmental stress and habitat deterioration negatively impacting the short- and long-term viability and sustainability of the crab stock in Virginia waters. At a minimum, the plan shall include, but not be limited to:

1. Measures to protect and enhance crab habitat and nursery areas;

2. Measures to maintain water quality conditions necessary for blue crab survival and reproduction, including identification of areas where water quality is such that onshore mechanisms for water quality protection are needed to protect and restore crab populations and habitat areas; and

3. A review of current and proposed regulations and restrictions relating to (i) winter dredging, (ii) commercial licensing, (iii) spawning stock, (iv) nursing sanctuaries, (v) submerged aquatic vegetation, (vi) peeler and soft shell crabs, (vii) size limits, (viii) the use of cull rings and the use of crab pots, and (ix) time-of-day restrictions and closed seasons.

The Commissions and representatives shall recommend such legislative and regulatory changes as may be necessary to limit the commercial and recreational taking of crabs and protect crab habitat, crab

60 nursery areas and water quality. The Commissions and representatives shall consider the economic
61 impact to Virginia of proposed legislative and regulatory changes in making their recommendations.

62 All agencies of the Commonwealth shall provide assistance to the Virginia delegation to the
63 Chesapeake Bay Commission and the Virginia Marine Resources Commission for this study, upon
64 request.

65 The Virginia delegation to the Chesapeake Bay Commission, the Virginia Marine Resources
66 Commission, and the representatives shall complete their work in time to submit their findings and
67 recommendations to the Governor and the 1996 Session of the General Assembly as provided in the
68 procedures of the Division of Legislative Automated Systems for the processing of legislative
69 documents.