

Office of Regulatory Management
Economic Review Form

Agency name	Virginia Marine Resources Commission
Virginia Administrative Code (VAC) Chapter citation(s)	4VAC20-252
VAC Chapter title(s)	Pertaining to Atlantic Striped Bass
Action title	To change management measures to comply with ASMFC Addendum II to Amendment 7 for striped bass, to change the recreational season for Potomac River tributaries summer/fall striped bass season, to streamline the aquaculture of striped bass process, and remove all gear restrictions for commercial harvesters that hold striped bass quota.
Date this document prepared	2024
Regulatory Stage (including Issuance of Guidance Documents)	Final

Cost Benefit Analysis

Complete Tables 1a and 1b for all regulatory actions. You do not need to complete Table 1c if the regulatory action is required by state statute or federal statute or regulation and leaves no discretion in its implementation.

Table 1a should provide analysis for the regulatory approach you are taking. Table 1b should provide analysis for the approach of leaving the current regulations intact (i.e., no further change is implemented). Table 1c should provide analysis for at least one alternative approach. You should not limit yourself to one alternative, however, and can add additional charts as needed.

Report both direct and indirect costs and benefits that can be monetized in Boxes 1 and 2. Report direct and indirect costs and benefits that cannot be monetized in Box 4. See the ORM Regulatory Economic Analysis Manual for additional guidance.

Table 1a: Costs and Benefits of the Proposed Changes (Primary Option)

<p>(1) Direct & Indirect Costs & Benefits (Monetized)</p>	<p>Mandatory</p> <p>Direct Costs: Addendum II approved by the Atlantic States Marine Fisheries Commission (ASMFC) Atlantic Striped Bass Board implements this new recreational slot limit for the Chesapeake Bay and decreases all commercial striped bass quotas by 7%. The regulation change to adjust the Chesapeake Bay recreational striped bass slot limit will have no direct cost as the fishery will remain open to recreational anglers. The 7% reduction in 2024 to the commercial ocean striped bass quota will have a direct cost by decreasing the individual quotas for all commercial harvesters in this fishery. However, the commercial fishery rarely utilizes the full quota (~80%), so the mandatory reduction may not impact the fishery the full 7% given that buffer. Additionally, ASMFC requires Virginia to implement the new recreational slot limit and adjust the commercial ocean quota by May 1st, 2024. If these changes are not made by the deadline, the state will be found out of compliance.</p> <p>If Virginia were to be found out of compliance the recreational and commercial striped bass fisheries may be closed by ASMFC. NOAA’s 2019 Fisheries Economics of the United States Report estimated that the striped bass fishery brought 4,581,000 dollars in revenue to Virginia and the ocean commercial quota is valued at nearly half a million dollars per year. A complete closure of the recreational and commercial fisheries due to being out of compliance would be a large financial cost to the state.</p> <p>Changes to the recreational Potomac River tributaries summer/fall season striped bass season will have no direct costs.</p> <p>Indirect Costs: Changes to the recreational slot limit and ocean commercial quota have no indirect cost. Changes to the recreational Potomac River tributaries summer/fall season striped bass season will have no indirect costs.</p> <p>Direct Benefits: Addendum II is building upon the emergency action the ASMFC Atlantic Striped Bass Board passed in May 2023 that implemented a 31-inch maximum to all recreational striped bass fisheries. Addendum II was developed to lower fishing mortality and increase the probability that the striped bass spawning stock biomass (SSB) will rebuild to the target level by 2029.</p>
---	--

Changes to the recreational Potomac River tributaries summer/fall striped bass season will benefit law enforcement as they perform routine checks on the main stem and tributaries of the Potomac River. The entire Potomac River and its tributaries will have the same recreational striped bass seasons and law enforcement will not have to determine if a harvested striped bass was caught in an area where it was legal. Aligning the seasons will also eliminate any confusion for recreational striped bass anglers fishing and navigating the Potomac River and its tributaries.

Indirect Benefits: Changes to the recreational slot limit and ocean commercial quota have no indirect benefits. Changes to the recreational Potomac River tributaries summer/fall season striped bass season will have no indirect benefits.

Discretionary

Direct Costs: Changes to the striped bass regulation to remove the aquaculture requirements and the gear restrictions will have no direct costs.

Indirect Costs: Changes to the striped bass regulation to remove the aquaculture requirements and the gear restrictions will have no indirect costs.

Direct Benefits: Removing the approved gears from the regulation will allow all commercial striped bass quota holders to harvest any striped bass regardless of the gear used. This will increase the landings for some striped bass quota holders that indirectly catch striped bass with unapproved gears while targeting other species. Removing the aquaculture sections from the regulation will streamline the application process and better outline requirements for raising and selling aquaculture striped bass.

Indirect Benefits: Removing the approved gears from the regulation will lower the discard morality of striped bass caught using unapproved gears.

(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) \$0	(b) An increase of \$95,005 will result from allowing commercial striped bass quota holders to harvest any striped bass regardless of the gear used.

(3) Net Monetized Benefit	\$ 95,005
(4) Other Costs & Benefits (Non-Monetized)	This change in regulation will allow commercial striped bass quota holders to harvest any striped bass regardless of the gear used.
(5) Information Sources	VMRC's mandatory harvest reporting NOAA's 2019 Fisheries Economics of the United States Report NOAA-funded recreation data collection programs, the Access Point Angler Intercept Survey (APAIS), Fishing Effort Survey, and For-Hire Survey

Table 1b: Costs and Benefits under the Status Quo (No change to the regulation)

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Mandatory</p> <p>Direct Costs: Leaving the recreational slot limit size and commercial ocean quota status quo will result in Virginia being found out of compliance and the recreational and commercial fisheries may be shut down by ASMFC. This will result in millions of dollars in lost revenue.</p> <p>Leaving the Potomac River tributaries summer/fall season striped bass season status quo will keep the striped bass seasons for the Potomac River and the Virginia tributaries different confusing recreational anglers and law enforcement on where it is legal and illegal to harvest and possess a striped bass.</p> <p>Indirect Costs: Leaving the recreational slot limit size and commercial ocean quota status quo will result in lost revenue for many tackle shops and companies that sell supplies to commercial and recreational fishermen.</p> <p>Leaving the Potomac River tributaries summer/fall season striped bass season status quo will have no indirect costs.</p> <p>Keeping these regulations status quo will have no direct or indirect benefit.</p> <p>Discretionary</p> <p>Direct Costs: Leaving the regulation status quo and keeping the gear restrictions in place will result in commercial striped bass quota holders releasing any striped bass caught using unapproved gears. Releasing these fish will result in lost revenue. Leaving the regulation status quo and</p>
--	--

	<p>keeping the aquaculture sections in the regulation will keep the more complicated process for receiving a permit in place.</p> <p>Indirect Costs: Leaving the regulation status quo and keeping the gear restrictions in place will result in increased striped bass dead discards. Leaving the aquaculture sections of the regulation in place will have no indirect costs.</p> <p>Keeping this regulation status quo will have no direct or indirect benefit.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) Over 5 million dollars in lost revenue will result by keeping the regulation status quo and not changing the recreational slot limit in the Bay or leaving the ocean commercial quota unchanged	(b) \$0
(3) Net Monetized Benefit	\$0	
(4) Other Costs & Benefits (Non-Monetized)		
(5) Information Sources		

Table 1c: Costs and Benefits under Alternative Approach(es)

(1) Direct & Indirect Costs & Benefits (Monetized)	There were no alternative options considered other than the status quo (listed above).	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a)	(b)
(3) Net Monetized Benefit		
(4) Other Costs & Benefits (Non-Monetized)		

(5) Information Sources	
-------------------------	--

Impact on Local Partners

Use this chart to describe impacts on local partners. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 2: Impact on Local Partners

(1) Direct & Indirect Costs & Benefits (Monetized)	None of these regulatory changes will have any direct or indirect costs to local partners. None of these regulatory changes will have any direct or indirect benefits to local partners.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) \$0	(b) \$0
(3) Other Costs & Benefits (Non-Monetized)	None	
(4) Assistance		
(5) Information Sources		

Impacts on Families

Use this chart to describe impacts on families. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 3: Impact on Families

(1) Direct & Indirect Costs & Benefits (Monetized)	None of these regulatory changes will have any direct or indirect costs for families. None of these regulatory changes will have any direct or indirect benefits for families.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a)	(b)
(3) Other Costs & Benefits (Non-Monetized)		

(4) Information Sources	
-------------------------	--

Impacts on Small Businesses

Use this chart to describe impacts on small businesses. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 4: Impact on Small Businesses

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Mandatory</p> <p>Direct cost: The 7 percent reduction to the commercial ocean quota will result in a small revenue loss for the commercial harvesters in this fishery. The change to the recreational slot limit will have no direct cost to small businesses. Changing the Potomac River tributaries summer/fall season striped bass will have no direct cost to small businesses.</p> <p>These regulatory changes will have no indirect cost to small businesses.</p> <p>These regulatory changes will have no direct or indirect benefits to small businesses.</p> <p>Discretionary</p> <p>Direct Benefits: Removing the approved gears from the regulation will allow all commercial striped bass quota holders to harvest any striped bass regardless of the gear used. This will increase the landings for some striped bass quota holders that indirectly catch striped bass with unapproved gears while targeting other species. Removing the aquaculture sections from the regulation will streamline the application process and better outline requirements for raising and selling aquaculture striped bass.</p> <p>Indirect Benefits: Removing the gear restrictions and aquaculture sections from the regulation will have no indirect benefits.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) \$0	(b) An increase of \$95,005 will result from allowing commercial striped bass quota holders to harvest any striped bass regardless of the gear used.
(3) Other Costs & Benefits (Non-Monetized)		
(4) Alternatives		

(5) Information Sources	
-------------------------	--

Changes to Number of Regulatory Requirements

Table 5: Regulatory Reduction

For each individual action, please fill out the appropriate chart to reflect any change in regulatory requirements, costs, regulatory stringency, or the overall length of any guidance documents.

Change in Regulatory Requirements

VAC Section(s) Involved*	Authority of Change	Initial Count	Additions	Subtractions	Total Net Change in Requirements
4 VAC 20-252-100	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	4	0	-1	-1
	(D/R):	0	0	0	0
				Grand Total of Changes in Requirements:	(M/A):0 (D/A):0 (M/R):-1 (D/R):0

Change in Regulatory Requirements

VAC Section(s) Involved*	Authority of Change	Initial Count	Additions	Subtractions	Total Net Change in Requirements
4 VAC 20-252-120	(M/A):	0	0	0	0
	(D/A):	1	0	0	0
	(M/R):	5	0	0	0
	(D/R):	3	0	-1 D/R line (5.7% * 79 D/R lines = -4.3 D/R)	-5.3
				Grand Total of Changes in Requirements:	(M/A):0 (D/A):0 (M/R):0 (D/R):-5.3

Change in Regulatory Requirements

VAC Section(s) Involved*	Authority of Change	Initial Count	Additions	Subtractions	Total Net Change in Requirements

4 VAC 20-252-170	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	0	0	0	0
	(D/R):	3	0	-2 D/R lines	-2
				Grand Total of Changes in Requirements:	(M/A):0 (D/A):0 (M/R):0 (D/R):-2

Change in Regulatory Requirements

VAC Section(s) Involved*	Authority of Change	Initial Count	Additions	Subtractions	Total Net Change in Requirements
4 VAC 20-252-180	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	0	0	0	0
	(D/R):	5	0	-5 D/R lines	-5
				Grand Total of Changes in Requirements:	(M/A):0 (D/A):0 (M/R):0 (D/R):-5

Change in Regulatory Requirements

VAC Section(s) Involved*	Authority of Change	Initial Count	Additions	Subtractions	Total Net Change in Requirements
4 VAC 20-252-190	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	3	0	0	0
	(D/R):	0	0	-3 D/R lines	-3
				Grand Total of Changes in Requirements:	(M/A):0 (D/A):0 (M/R):0 (D/R):-3

Change in Regulatory Requirements

VAC Section(s) Involved*	Authority of Change	Initial Count	Additions	Subtractions	Total Net Change in Requirements
4 VAC 20-252-200	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	0	0	0	0

(D/R):	3	0	-3 D/R lines	-3
			Grand Total of Changes in Requirements:	(M/A):0
				(D/A):0
				(M/R):0
				(D/R):-3

Change in Regulatory Requirements

VAC Section(s) Involved*	Authority of Change	Initial Count	Additions	Subtractions	Total Net Change in Requirements
4 VAC 20-252-210	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	0	0	0	0
	(D/R):	6	0	-6 D/R lines	-6
			Grand Total of Changes in Requirements:	(M/A):0	(D/A):0
				(M/R):0	(D/R):-6

Key:

Please use the following coding if change is mandatory or discretionary and whether it affects externally regulated parties or only the agency itself:

(M/A): Mandatory requirements mandated by federal and/or state statute affecting the agency itself

(D/A): Discretionary requirements affecting agency itself

(M/R): Mandatory requirements mandated by federal and/or state statute affecting external parties, including other agencies

(D/R): Discretionary requirements affecting external parties, including other agencies

Cost Reductions or Increases (if applicable)

VAC Section(s) Involved	Description of Regulatory Requirement	Initial Cost	New Cost	Overall Cost Savings/Increases

Other Decreases or Increases in Regulatory Stringency (if applicable)

VAC Section(s) Involved	Description of Regulatory Change	Overview of How It Reduces or Increases Regulatory Burden
4 VAC 20-252-120	Removing all gear restrictions for commercial harvesters to catch striped bass.	Changes to this regulation will decrease the regulatory burden and increase the revenue for commercial striped bass quota holders by not limiting the gear

		harvesters can use to land striped bass.
--	--	--