

# 2026 SESSION

INTRODUCED

26103931D

1 **HOUSE BILL NO. 1049**

2 Offered January 14, 2026

3 Prefiled January 14, 2026

4 *A BILL to amend the Code of Virginia by adding in Article 2 of Chapter 4 of Title 28.2 a section numbered*  
5 *28.2-412, relating to Marine Resources Commission; Chesapeake Bay; menhaden reduction fishery;*  
6 *quota periods; observers.*

7 Patron—Carr

8  
9 Committee Referral Pending

10  
11 Be it enacted by the General Assembly of Virginia:

12 1. That the Code of Virginia is amended by adding in Article 2 of Chapter 4 of Title 28.2 a section  
13 numbered 28.2-412 as follows:

14 § 28.2-412. *Quota period management system for the menhaden reduction fishery; observers.*

15 A. For the purposes of this section, "Bay Cap" means the annual total allowable commercial landings by  
16 volume from the Chesapeake Bay by the purse seine menhaden reduction fishery.

17 B. The Commission shall develop and maintain a quota period management system for the Bay Cap that is  
18 designed to ensure that the removal of menhaden from the Chesapeake Bay is more evenly distributed  
19 throughout the harvest season and to mitigate the negative impacts of concentrated, high volume menhaden  
20 removals from the Bay. In developing such system, the Commission shall limit the Bay Cap to either (i) a  
21 maximum monthly quota not to exceed 15 percent of the total annual harvest in a monthly-based system or  
22 (ii) a maximum quota not to exceed one-third of the total annual harvest per period in a trimester-based  
23 system. The Commission shall not allow any unused or underutilized portion of a quota period to be carried  
24 or rolled over into the following quota period.

25 C. The Commission shall ensure that (i) 10 percent of all trips for the menhaden reduction fishery carry at  
26 least one trained observer to document the composition and weight of the actual catch and (ii) such observers  
27 report such documentation to the Commission.

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