

Virginia Marine Resources Commission
Finfish Management Advisory Committee (FMAC) Meeting
2600 Washington Avenue, Newport News, VA
VMRC Commission Room, Fourth Floor
Wednesday, February 19, 2014, 6:00 p.m.

ATTENDANCE

Members Present

Jeff Deem (Chairman)
Hon. Dr. Ken Neill
Doug Jenkins (for Russell Gaskins)
Tom Powers
Scott MacDonald
Beth Synowiec
Robert Weagley
G. Wayne France
Richard Lockhart

Members Absent

Andy Hall
C. Meade Amory
Ernest Bowden
Jack Austin
Skip Feller
Walter Rogers

VMRC Staff Present

Robert O'Reilly
Joe Cimino
Lewis Gillingham
Joe Grist
Samantha Hoover
Adam Kenyon
Ande Ehlen
Sally Roman
Dr. Jason Schaffler
Stephanie Iverson

Others Present

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| Douglas F. Jenkins Sr. | Randy Randolph | Tom Wivell |
| Doug Purrell | Jon A. Lucy | Marll Sanford |
| Richard Nostar | Brian Gebhardt | Craig Paige |
| Phil Hughes | Richard M. Foard | Robert L. Weagley Jr. |
| Robert Gammisch | James Riley | Gary Sink |
| Sam Hufy | Steven Fletcher | Bryan Kellum |
| Michael Ouadr | David Moss | Jim Lockwood |
| John Ludford | Keith Nuttall | Ed Lawrence |
| Mike Keys | Wayne L. Pollard | Marvin Hardisty |
| Joe Vedelli | John Roster | David J. Onester |

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| Jerry L. Foster | Jan McDowell | Kelly V. Place |
| Frank K. Kearney | P. Meillo | H. Paul Murray |
| Keith Heemm | Miles Wong | Jackson Murray |
| David McNew | Susan Musick | Salvatore Saporito |
| J.H. McGee | Rob Allen | J.H. McGee |
| Luke Saporito | John Dryer | Charles Dryer |
| Hon. James D. Close | Hon. S. Lynn Haynie | |

Eight other individuals signed in, but their signatures were not able to be deciphered.

A quorum was present with 9 members in attendance. Minutes were recorded by Sally Roman.

I. Introductions; Announcements

The meeting was started by Chairman Jeff Deem at 5:55 pm.

II. Approval of minutes from January 14, 2014 meeting

The meeting minutes from the January 14, 2014 were approved by a motion from Mr. Scott MacDonald and seconded by Mr. Robert Weagley. Motion passed: 7-0 with 1 abstention.

III. Discussion: Consideration to lower the speckled trout hook and line limit of 5 fish per person, year round, and other conversation measures.

This topic was moved to the top of the agenda.

Mr. Rob O'Reilly gave a brief overview of the meeting, how the Commission is informed, and read a letter from VIMS regarding the recent speckled trout cold stun events.

Mr. Joe Ciminio gave a presentation on the recent speckled trout cold stun events and general speckled trout information (i.e., biological information, recreational and commercial harvest data). Dr. Jason Schaffler presented catch data for recreational speckled trout. He also discussed five potential recreational management measures and savings in harvest that could be produced from the management measures. The potential management measures were:

- A. A five fish possession limit;
- B. A closure from March 1 through June 30, 2014;
- C. A closure from March 1 through July 31, 2014;
- D. A 121 day closure and a five fish possession limit; and,
- E. A 152 day closure and a five fish possession limit.

Mr. Tom Powers asked about requirements for obtaining a scientific collection permit. Mr. O'Reilly and Mr. Joe Grist explained the procedure and requirements.

Mr. Richard Lockhart made several comments including a statement about recreational speckled trout catch from 2003 through recent years. He feels that the cold stun event from 2003 should not be considered because of the change in the fishery. He also commented on the quality of MRIP data and mentioned the citations from the Virginia Saltwater Tagging (VSWT) program as proof of the poor data quality of MRIP. He supports a five fish possession limit for recreational speckled trout.

Dr. Ken Neill asked about the harvest compared to the quota for the commercial sector for the current year. He also asked a clarifying question about potential savings presented by Dr. Schaffler. Mr. O'Reilly responded to both questions.

Chairman Deem then opened up the meeting for public comments.

Mr. Keith Nuttall commented on speckled trout. Mr. Nuttall discussed a graph from Mr. Lewis Gillingham about citations from the VSWT program he handed out. He commented that most individuals at the meeting are in agreement that there should be some management change for speckled trout. He made a recommendation for option E, a 152 day closure and a five fish possession limit.

Mr. Craig Paige from Paige Two Charters stated he support a five fish possession limit, with one fish over 24 inches and no split season for the recreational sector. Chairmen Deem asked Mr. Paige if he felt there should be a closure because of the cold stun event and which management measure he supported. Mr. Paige said he supports option D, a 121 day closure and a five fish possession limit, and does not feel the need to have a closure to deal with the cold stun event.

Mr. John Lucy, a private citizen, gave a presentation on speckled trout. He supports management measure E for the recreational fishery.

Chairmen Deem asked the audience if anyone was in opposition to taking action as a result of the cold stun event. No one responded.

Mr. James Riley, resident of Gloucester County, spoke regarding the severity of the mortality of speckled trout as a result of the cold stun event.

Chairman Deem then brought the discussion back to the Committee.

Mr. Lockhart commented that the July closure date for speckled trout in North Carolina is to protect the first spawning event of the year. He said he was speaking for the Virginia Charter Boat Association. He made a motion to lower the possession limit to 5 fish and

have a closure through first major spawn, which was identified by Mr. O'Reilly as June. There was no second. Motion failed.

Mr. MacDonald stated that the commercial fishery sector operates under a quota based system to address audience concerns about equity among fishing sectors (i.e., recreational versus commercial). He suggested that if the commercial quota is projected to reach 80-85%, the fishery should become a bycatch fishery with a possession limit.

Ms. Synowiec had a question for Mr. Lockhart to clarify his motion about the possession limit and the closure. Mr. Lockhart stated the possession limit would be year round. The closure would be only for 2014.

Mr. Powers asked staff to mention Mr. MacDonald's suggestion for the commercial fishery to the Commission next week. He then made a motion. The motion is to have a 5 fish possession limit and an emergency closure from March 1 through July 31, 2014, with a sunset clause of August 1, 2014 for the recreational fishery. The motion was seconded by Ms. Synowiec. The motion passed: 7- 0 with 2 abstentions.

Chairman Deem made a friendly amendment to the motion to allow for one fish greater or equal to 24 inches in the five fish possession limit. Mr. Powers and Ms. Synowiec agreed to a friendly amendment.

Mr. Powers asked Mr. O'Reilly if the public would be able to speak at the February meeting. Mr. O'Reilly stated that the Commissioner could entertain public comments, but that the March meeting is when the public hearing will be.

Mr. Riley asked when the commercial quota had reached 85%. Mr. O'Reilly responded that it had occurred this week.

There was a discussion about the commercial fishery quota issue including the trigger, the timeline, communication, and bycatch limit. Mr. Weagley asked about how the commercial fishery would be notified if the potential commercial quota trigger was reached and the fishery was operating as a bycatch fishery. Several staff members provided examples of how harvesters could be notified. Mr. Powers and Mr. MacDonald also commented on the topic. Mr. O'Reilly asked Mr. Powers if he thought the commercial fishery should have a trigger this year. Chairman Deem thought it should occur now. Mr. Powers stated that the commercial issue should not be an emergency action.

Mr. Powers made a motion to have a public hearing at the March Commission meeting to have a commercial fishery management trigger to establish dealer reporting and trip limits when staff projects 80% of the commercial speckled trout quota has been caught. Seconded by Mr. MacDonald. Motion passed: 8 – 0 with 1 abstention.

IV. Update: Decisions from ASMFC Winter Board Meeting

Mr. O'Reilly discussed the new biological reference points for striped bass. Information will be presented in either May or June to the FMAC. Reductions are being considered for the recreational sector.

Mr. O'Reilly discussed the recent recreational management measures for summer flounder including regional management.

Mr. Power asked why the summer flounder recreational fishery is not monitored by biomass as supposed to numbers of fish. Mr. O'Reilly stated that the MRIP data make this difficult.

Mr. O'Reilly then discussed Atlantic menhaden, American eel, and spiny dogfish. Mr. Jenkins commented that Virginia used to have an eel fishery. Mr. Lockhart asked about the stock structure of eel. Mr. O'Reilly commented that eel migration is variable. Mr. O'Reilly also informed the FMAC that there will be an informational meeting about spiny dogfish at a later date.

Mr. Joe Grist discussed the South Atlantic Board potential management measures for Atlantic croaker and spot could be established. Also, Virginia's proposal to adjust commercial size limit and possession limit for red drum was approved.

V. Discussion: Recreational striped bass Chesapeake Bay season

Mr. Grist discussed Virginia's recreational striped bass and the potential to ask for an expansion of Virginia's recreational season in the Chesapeake Bay. Mr. Lockhart suggested having recreational possession limit starting May 1 that is the same as the fall. Mr. O'Reilly suggested it would be appropriate to wait until May to see what happens at the ASMFC. Mr. MacDonald asked if there would be a potential conflict between the recreational and commercial sectors if Mr. Lockhart's idea was approved. Mr. O'Reilly stated that both sectors of the fishery were operating at the same time already.

VI. New Business

Mr. Ludford pointed out that the comment he made about modified leaders for pound nets made at the last meeting when he was acting as a substitute on the FMAC was not included in the meeting minutes from January.

Mr. MacDonald asked about removing the required daily call in from buyers for commercial striped bass for the month of December since the commercial quota has not been reached in recent years.

Mr. Weagley discussed a diet study performed by the NOAA Chesapeake Bay Office on blue catfish. He stated that the study has no mention of striped bass being consumed and that the agency needs to address the blue catfish issue.

Mr. Lockhart asked for size limits for bluefish, spadefish and sheepshead for the recreational fisheries.

VII. Adjournment

Meeting adjourned at 8:58.