

VIRGINIA MARINE RESOURCES COMMISSION

FINFISH ADVISORY COMMITTEE MEETING

VMRC CONFERENCE ROOM

July 15, 2003

MEMBERS PRESENT

Peter Nixon
James Kellum
Robert Weagley
Wynston Holbrook
Dave Agee for Ken Neill
Hon. Gordon Birkett
Hon. Russell Garrison
Douglas Jenkins
Tom Powers
Chris Vaughan
Sam Swift
Jeff Deem

VMRC

Chad Boyce
Jack Travelstead
Rob O'Reilly
Roy Insley

I. Introductions, Announcements

The meeting was called to order at 7:05 P.M. by the Chair, Hon. Russell Garrison.

II. Approval of minutes from the June 16, 2003 meeting

Mr. Garrison amended the minutes to show there are numerous fisheries that require a "call-in". This comment referred to the section about black sea bass regulations. Mr. Travelstead agreed and referenced the relay clam fishery and the black sea bass fishery both required a "call-in". Mr. Garrison also stated the VMRC need more representation on the ASMFC. The minutes were then approved.

III. Old Business

a. Discussion: Update on the Haul Seine Issues

Mr. Travelstead stated this item was on the agenda to bring FMAC up to date with the issues concerning the haul seine fishery. He stated the Commission decided

not to make a decision at the June meeting but will accept written comments on this issue and make a decision in August. Mr. Travelstead added that staff has scheduled a meeting on August 11, 2003 to meet with haul seine industry, recreational fishermen and members of the public. He referenced Dr. Orth's presentation and possible recommendations for closures of certain portions of the grass beds. Mr. Nixon asked if the committee could see aerial photographs of the scars from 2001 or 2002, just the current scars. Kelly Place asked if he could give a presentation on his findings regarding scarring by recreational boating. Computer problems prevented the showing of his presentation. He did state that he felt Dr. Orth's (VIMS) boat scarring project was oriented towards a "pre-conceived agenda." Mr. Jenkins asked about the definition of a vessel in the draft regulation. Discussion followed on this topic. Mr. Powers discussed his prepared drawings, stated that a haul seine was a drag net or trawl, and said trawling in Virginia waters was prohibited in Virginia Code.

Mr. Nixon and Mr. Powers discussed trawl nets and drag nets. Mr. Nixon stated a drag net was simply a term to help to define colloquial terms associated with trawls, and a drag net was not a haul seine. Mr. Insley further described a haul seine and its usage and referenced other commercial gear types. Mr. Travelstead discussed the idea regarding the length or distance the net could be pulled or dragged through the water. There was more general discussion on this topic. No votes were taken, nor were any motions made.

IV. New Business

a. Discussion: Consideration of Amendments to the 2003 Regulation for the Black Sea Bass Fishery

Mr. Travelstead briefed the committee on the history of the black sea bass fishery and the Individual Fishery Quotas (IFQ). He stated there seemed to be three schools of thought on the IFQ: 1) those who liked the current system and do not want any changes to be made, 2) those who like the IFQs but feel changes should be made concerning the percentage of quota allocated to each fisherman, 3) those who want to revert back to some sort of quarterly quota system, and do away with the IFQs altogether. He went through the staff evaluation that was presented to the Commission in December of 2002. He stated that many fishermen are not satisfied with the regulation and they feel changes need to be made for the 2004 fishing year. He also added that staff had some changes they felt should be made to the regulation. Mr. Travelstead stated that a meeting with the sea bass industry has been scheduled for August 13, 2003. At that time, industry will try to generate a list of regulation changes they feel need to be made. Those proposed changes will be brought back to FMAC for review before going to the Commission in September or October. Mr. Powers suggested that a single violation of the regulation should constitute a loss of the permit. Mr. Doernte spoke and listed the problems that he and others have with the current regulation. He is in favor of a cap for the maximum amount of quota that can be held by one person. He feels pots had an unfair advantage over other active fishing gear when

allocating the quota, and that VMRC violated the Magnuson-Stephenson Act when they distributed certain reports that reflected harvest on a vessel by vessel basis, even though individual vessel names were not disclosed. Discussion followed on the setting and fishing of sea bass pots.

Mr. Garrison stated that Virginia needed more representation on the ASMFC, and that it was “up to us” to try to get the Governor to appoint more representatives for Virginia on the ASMFC.

Mr. Jenkins asked what other species of fish are captured in sea bass pots. Mr. Doernte replied the pots catch a few tautog, lingcod, and conger eels. Mr. Deem asked how long a sea bass can survive in a pot. Mark Hodges replied, sea bass can easily live in a pot for a month. Mr. Hodges said Virginia’s quota wouldn’t be as large as it is had the pot fishermen not landed the large numbers of sea bass. He stated that he sets about 1000 pots and that he is the top person on the list of Directed Fishery permit holders. He was in favor of the current regulation. He stated that IFQs are the best way to allow those persons that historically participated in the fishery to remain active in the fishery. Mr. Travelstead reminded everyone of the meeting on August 13, 2003. No votes were taken, nor were any motions made.

b. Pound Net Leader Ban

Mr. Travelstead informed the committee of the notice that he received indicating the NMFS will institute a ban on the setting of pound net leaders, beginning on July 16, 2003 and ending July 30, 2003. This ban is in response to a high number of sea turtle strandings and interactions with pound nets. Rob O’Reilly gave the committee an update on the numbers of stranded sea turtles from last year and compared that number to this year’s total. Mr. Travelstead stated this is a federally endangered species issue and is being handled by the NMFS. Mr. Kellum asked who would enforce the ban. Mr. Travelstead was not certain if the Virginia Marine Police would enforce this regulation but he did give those interested a phone number to call for further questions.

V. Next Meeting Date

The next meeting date was set for Tuesday, August 19, 2003.

VI. Adjournment

Mr. Travelstead adjourned the meeting at 9:00 P.M.