

**Virginia Marine Resources Commission
Finfish Management Advisory Committee Meeting
VMRC Conference Room**

October 15, 2007

Members Present

Hon. Ernest Bowden
David Agee (for Dr. Ken Neil)
Jeff Deem
Tom Powers
Hon. William Laine, Jr.
Andy Hall
Douglas F. Jenkins, Sr.
Robert Weagley
Russell Gaskins
Walter Rogers
Samuel Swift

Members Absent

Wynston Holbrook
Peter Nixon
Chris Vaughan
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VMRC Staff

Jack Travelstead
Joe Grist
Mike Johnson
Sonya Davis
Stephanie Iverson
Lewis Gillingham

I. Announcements

Mr. Bowden introduced a new FMAC member, Andy Hall.

Mr. Travelstead stated that an update on 2007 recreational harvest of flounder would be added to the New Business part of the meeting.

II. Approval of the minutes

Mr. Powers stated that from the minutes of the last meeting there was an error regarding a statement made by him. He requested that this be corrected to show that that the reductions to the 2008 tautog fishery reductions should be applied to both the recreational and commercial fisheries.

Mr. Travelstead added an item to new business regarding an update of the current recreational flounder harvest for 2007.

Minutes were approved by members present with the noted correction.

III. Old Business

A. Discussion of the Hampton Roads and Eastern Shore Management Areas

Mr. Travelstead noted that none of the interested parties regarding changes to the Hampton Roads Management area or the Eastern Shore Management Area were present at the meeting.

Mr. Bowden indicated that FMAC should go ahead and move forward with this issue.

Mr. Travelstead stated that the Hampton Roads Management Area has a summertime closure to gill netting. He was approached by a single gill netter earlier this year who requested that the boundary of the management area around Hampton Creek be redrawn to facilitate limited gill netting. Mr. Rick Robbins contacted some of the local sailing groups about this issue and they stated they were concerned that any changes to the management area could cause problems.

Mr. Deem put forth a motion to leave the Hampton Roads Management Area as is. Mr. Hall seconded the motion. The motion passed unanimously with Mr. Bowden abstaining.

Mr. Travelstead described the Eastern Shore Management Area as one that was set up to prevent gear conflicts between commercial gill netters and recreational anglers fishing for black drum. However, people commercial gill netting for croaker would like to see regulation changes to allow them to fish. He went on to say that the previous FMAC meeting discussion on this issue centered on the management area being too large for the intended purpose, and that a possible remedy could be to change gill net mesh sizes.

Mr. Bowden said that to stay within the original intent of the Eastern Shore Management Plan a gill net mesh restriction is needed, and to not decrease the size of the area.

Mr. Travelstead asked where most of the recreational fishing for black drum occurs.

Mr. Bowden responded that the shoal, marked on the map provided, is the most popular. He went on to state that people gill netting for croaker fish in channels and deeper water. Creating a mesh size restriction large enough to allow for gill netting for croaker would still be too small for black drum fishing and would allow the management area to perform its original intended function.

Mr. Travelstead asked what this gill net mesh size would be.

Mr. Bowden responded that excluding six inches and above would be sufficient.

Mr. Powers asked about a smaller size mesh restriction, 4 ¼ inches.

Mr. Bowden said we could go smaller than six inches.

Mr. Travelstead asked if we should exclude 5 inches and up, to allow some flexibility, and to keep the boundaries of the management area the same.

Mr. Powers stated he is still concerned about gear conflict between gill netters and people recreational fishing for croaker.

Mr. Bowden responded that, during that time of the year, croaker are not feeding a lot, and the bite for recreational fishermen would be slow. He also stated that a inch-based mesh size limit would prevent gear conflicts with people recreational fishing for cobia.

Mr. Swift made a motion to exclude mesh sizes five inch mesh size and up and keep the management dates and boundaries the same. Mr. Jenkins seconded the motion. The motion passed unanimously with three abstentions.

Mr. Travelstead stated this would be brought before the VMRC for advertisement during their November meeting.

B. Discussion of Overnight Soak of Gillnets on Seaside Eastern Share

Mr. Bowden stated the ban on overnight soaks of gillnets on the Seaside Eastern Shore should only apply to nets in the surf zone.

Mr. Bowden then displayed some pictures showing spot and other species of fish that had been caught in those nets. He stated these fish are in very poor shape because they do not live long in these nets, and that there is infrequent fishing of these nets due to rough water. These poor quality fish may damage the reputation of Virginia commercial fisheries because people may consider them to be diseased. Fish that escape or are discarded also tend to have a high mortality rate and will wash up on the beach.

Mr. Travelstead asked if fish buyers take fish in this type of condition.

Mr. Bowden stated that a large percentage of the fish caught at this time of the year are frozen. While some get culled out before freezing, some still do make it to market.

Mr. Powers asked if this poor condition of landed fish occurs during other gill netting operations.

Mr. Bowden responded that the damage to the fish comes from the action of the net in the surf, washing back and forth. Suspended sand also gets into the gills of

the fish, killing them and allowing them to spoil in the nets. There is not this kind of wave environment in most parts of the Bay.

Mr. Travelstead asked how close these nets are to shore.

Mr. Bowden stated they were within a few hundred yards of the beach.

Mr. Powers stated that in Virginia Beach there is a law that does not allow nets within 400 feet of the shoreline.

Mr. Bowden recommended nets not to be set closer than 500 yards to the shore.

Mr. Jenkins said he was surprised that a buyer would be able to sell a product that is in poor condition.

Mr. Swift said that sometimes he has to do a lot of culling of catches when people try to sell him poor quality fish. They cut off fishermen who try to do this too often.

Mr. Bowden responded that sometimes these fish are sent to out of state buyers and that these poor quality fish can hurt all Virginia commercial harvesters.

Mr. Travelstead stated that the Virginia State Code establishes the minimum distance of nets from the Virginia Beach Shore to be 400 feet; from Dam Neck Bridge to the NC State line, during the period of Memorial Day to September 15.

Mr. Bowden stated that this proposed regulation should apply only to unattended nets.

Mr. Deem asked what the best way to handle this problem is, making fishermen tend their nets or minimum distances from shore.

Mr. Bowden responded that any nets fished, within 500 yards of the beach, should be tended with the harvester within 1 mile of the net. The dates of this should be June 1 to October 15th.

Mr. Jenkins warned that this regulation should be worded carefully to reflect that this is a particular area.

Mr. Powers makes the motion that there should be no unattended commercial gill nets within 500 yards of the shore, from Smith Point Light north, during the period of June 1 till October 15th. An unattended net is defined as the harvester being further than one mile from the net. The motion was seconded by Mr. Deem.

Mr. Weagley thinks the issue of quality fish should be between the buyer and the harvester and shouldn't be regulated by the Commission.

Motioned passed seven to zero with four abstentions.

IV. New Business

A. 2007 Update on Recreational Flounder Harvest

Mr. Travelstead started by saying the July through August 2007 data, for recreational harvest of flounder, has just come in with 180,000 fish landed. To date for 2007 there have been 356,000 fish landed. The total 2007 recreational harvest quota is 407,000 fish. He also said that the number of fish released alive has increased over last years numbers.

Mr. Powers asked if we were looking at a cut for recreational harvest again next year.

Mr. Travelstead responded that the quota for the East Coast has not been set as of yet. The current quota for 2007 is 407,000 fish. The quota being considered by ASFMC and NMFS could reduce our 2008 quota to 285,000 to 375,000 fish landed. This large of a cut could require lengthy closures and potential increases in minimum size limits.

Mr. Travelstead reiterated that this information is being given as a "heads-up" as to where our fishery currently is and what Virginia faces in terms of future recreational flounder harvest cuts so that no one is caught by surprise.

Mr. Powers stated that it looks like we will be facing further cuts again next year.

Dr. Agee asked Mr. Gillingham about the number of citations issued this year compared to last year.

Mr. Gillingham responded that citations issued do not tell the whole story. Anecdotal evidence does point to people using different methods to catch the larger fish.

Mr. Weagley stated that these numbers indicate that there are more fish out there and that another stock assessment is needed.

Mr. Travelstead replied that this issue is being debated by governmental agencies and congress.

Mr. Powers stated that some groups feel that the target number for this species is too high.

Mr. Travelstead stated that we should know in the December what the quota will be for 2008.

IV. Next Meeting Date

There will not be a meeting of FMAC in November. The December meeting date is to be determined.

V. Adjournment

Meeting was adjourned at 6:52 PM.