

**Virginia Marine Resources Commission
Finfish Management Advisory Committee (FMAC)**

380 Fenwick Road, Fort Monroe, VA

(Virtual meeting)

Thursday, March 28th, 2024

ATTENDANCE

Members Present

Jeffrey Deem (Chairman)

Alex Aspinwall

Alexander Perez

John Bello

Ernest Bowden

George Trice

Skip Feller

Michael Lightfoot

Tom Powers

Will Bransom

Mark Sanford

Scott MacDonald

Chris Ludford

Members Absent

Meade Amory

Marcus Simes

Pat Geer

Shanna Madsen

Joshua McGilly

Alexa Galván

Jill Ramsey

Somers Smott

Lewis Gillingham

Brooke Lowman

Joseph Grist

Jennifer Farmer

Others Present

Wayne Young

Wayne Lumsden

Rob Allen

Susanna Musick

Wes Blow

James Moseley

Craig Conover

Brent Hunsinger

Don Pirro

Charlie Laurens

Dave Gedra

Latoynia "LT"

Lee

Madeline Pitsenbarger

VMRC Staff Present

Minutes prepared by Joshua McGilly.

I. FMAC Announcements

This meeting was conducted via electronic communication (WebEx). Deputy Chief Shanna Madsen called the meeting to order at 5:01 pm.

II. Approval of minutes from the January 11th, 2024, meeting

The January 11th, 2024, meeting minutes were approved by consent.

III. February black sea bass landings and the main season payback

Ms. Alexa Galván informed the committee that 63 licensees reported 105 trips landing 24,179 pounds of black sea bass during in 2024 February season. Four proposed closures were presented to the committee to pay back the February season ranging from 9 to 36 days depending on the time of year the closure would take place. Payback of February landings is required by the National Marine Fisheries Service for states to participate in the February fishery.

Several members of the committee were not in favor of option 1 with the later start date in May due to the recent change in the blueline tilefish season to align with the start of the recreational black sea bass season. Many members of the committee were in favor of option 3 with the shortest number of days closed. Mr. Wes Blow, a member of the public, also voiced his approval for option 3. The committee voted unanimously to suggest option 3 (8-day closure for the February season payback) for consideration by the Commission, with the remaining 2024 black sea bass season being 5/15-7/15, 8/4-12/31.

IV. Hickory shad recreational bag limits

Mr. Wayne Young, a volunteer from the Northern Virginia chapter of the Coastal Conservation Association (CCA), presented to the committee suggested changes to the recreational hickory shad fishery. This issue is being brought to the committee after several CCA members have seen large quantities of hickory shad being taken on Virginia tidal rivers. Currently, there are no daily possession limits or gear restrictions in this fishery below the fall lines of tidal rivers, though inland waters do have a 10 fish daily bag limit imposed by DWR. Mr. Young presented changes that imposed a daily bag limit, gear restrictions, and a limited entry recreational fishery that allowed anglers to catch hickory shad that are intended for bait.

Committee members asked clarifying questions about neighboring states and their regulations on the recreational hickory shad fishery. Maryland and PRFC have a moratorium on hickory shad and North Carolina and select rivers in Virginia have a 10-fish daily bag limit but no gear restrictions. Several committee members pointed out that they are not in favor of a gear restriction limiting the recreational fishery to only rod and reel. Members of the committee wanted to know about the number of hickory shad being used specifically in the bait fishery to set a limited entry bait fishery. Mr. Michael Lightfoot brought up that the commercial fishery is

very limited and many tackle shops will not take hickory shad to sell and any commercial fishery for them is very small specifically for their eggs. Mr. Will Bransom discussed this topic with fishermen before the meeting and let the committee know that anglers are taking some shad for bait and some small amount taken for their eggs. Mr. Don Pirro, a member of the public, said he is seeing some people taking large quantities of hickory shad on the river he fishes and suggested adding a maximum size limit to protect larger spawning hickory shad and limit the accidental take of American shad which are normally larger. Mr. Scott MacDonald asked for some clarification on how a maximum size limit would eliminate taking of American shad, Mr. Pirro feels that a maximum size limit would force the angler to release any larger shad likely including the American shad.

Chief Patrick Geer presented some follow-up slides regarding the petition process, staff recommendations for the recreational hickory shad fishery, and available data on Virginia hickory shad landings. Chief Geer said staff believes a daily bag limit will address all issues regarding the recreational hickory shad fishery. Staff recommends a 10-fish bag limit that aligns with the regulations already in place by DWR for select inland Virginia waters. Chief Geer said there is very limited data for this species and recreational and commercial landings are low. Chief Geer brought up placing some regulations on any data-poor species as a precaution that can be done and is a method that has been used. Mr. Tom Powers had some clarifying questions regarding the use of cast nets in the recreational fishery and is concerned with creating a permit for a recreational bait fishery. Mr. Bransom asked if these proposed measures have been discussed with anyone at DWR. Chief Geer said DWR staff supports mirroring their 10-fish bag limit for areas that are managed by VMRC.

Mr. Powers put forth a motion to recommend the 10-fish daily bag limit and no other restrictions. This motion was seconded by Mr. John Bello. This motion passed with 12 committee members voting yes, 1 member voting no, and 1 member abstaining. Mr. Chris Ludford said he could not vote to approve a 10-fish bag limit because he feels this is putting an unnecessary measure in place. Mr. Rob Allen, a member of the public, wanted to thank the committee for hearing this proposal and taking measures to put some restrictions on the recreational hickory shad fishery. Chief Geer let the committee know that this recommendation will be presented to the Commission in May. Mr. Powers said he would like a maximum size limit considered for the hickory shad fishery to protect larger spawning females. Several other committee members were opposed to this suggestion.

V. Species updates

a. Striped bass

Mr. Joshua McGilly informed the committee that changes to the striped bass regulations which were required by ASMFC's Addendum II to Amendment 7 went in front of the Commission on

March 26th. The Commission voted to implement the new Bay recreational striped bass slot size of 19-24 inches for the Spring and Fall seasons and to reduce the ocean striped bass commercial quota by 7 percent. The recreational striped bass ocean slot limit would remain the same 28–31-inch slot limit in effect for 2023. The 7 percent commercial quota reduction for the Bay will go in front of the Commission in December, since tags for the bay quota had already been distributed to quota holders. Mr. McGilly also informed the committee of the changes to the striped bass aquaculture permit and the removal of approved gear types for commercial striped bass harvesters that were also approved by the commission.

Mr. Lightfoot asked a clarifying question about the bag and size limits for the recreational and commercial Bay fisheries. Mr. McGilly explained that the recreational Bay fisheries for Virginia, Maryland, and PRFC are now uniform in slot limit and bag limit, but their seasons do still differ.

b. Summer flounder

Ms. Galván updated the committee on the recreational summer flounder season and size limit that will be implemented in Virginia, Maryland, and Delaware. Effective April 1, 2024, the recreational summer flounder season will be Jan 1 – May 31 with a 16” minimum size and a 4 fish bag limit and from June 1 – December 31 a 17.5” minimum size and a 4 fish bag limit will be in effect. These measures will be in effect for 2024 and 2025. Ms. Galván said these measures will accommodate all the different areas in Virginia where the size and availability of summer flounder can differ. The Commission voted to approve these measures during their March 26th meeting.

c. Blue catfish

Chief Geer gave a short update on the progress made for blue catfish recommendations. The recommendations will be discussed further by leadership at VMRC and DWR. Mr. Lightfoot let staff and committee members know that he recently met with a local congresswoman to discuss the blue catfish fishery and liberalizing the commercial measures.

d. Spanish mackerel

Chief Geer discussed the experimental drift gillnet fishery for Spanish mackerel. This has been an ongoing program but the number of participants for the 2024 fishing year will be increased. At the time of the meeting, 21 commercial harvesters had submitted applications to take part in this experimental fishery. This experimental permit allows commercial harvesters to fish up to 6,000 feet of gill net in one piece. Chief Geer explained the requirements harvesters must abide by to take part in this experimental fishery, including daily logs, recording all harvest and bycatch, and allowing members of the VMRC’s observer program onboard during trips.

Mr. Powers asked about bycatch species seen while fishing these longer drift gillnets and is concerned that this can become a workaround for the 1200-foot gillnet regulation. Chief Geer showed that the main bycatch species scene in this fishery is undersized Spanish mackerel and shark species and that commercial harvesters are required to fish at night deterring harvesters from using this gear for other fisheries. Mr. Mark Sanford asked if this type of gear would become open to all commercial gillnet harvesters and noted that this exact gear is used and open to all commercial harvesters in North Carolina. Chief Geer discussed that the aim for all experimental permits is to see if they are viable before opening the gear type to all commercial harvesters and this fishery will be assessed again after the 2024 season. Deputy Chief Madsen said all future shrimp fishery changes will be brought to FMAC.

VI. Public comment on items not on the agenda

No members of the public had comments on species not already discussed.

VII. Adjourn

The meeting was adjourned at 6:50 pm.