

**VIRGINIA MARINE RESOURCES COMMISSION**

**FINFISH ADVISORY COMMITTEE MEETING**

**VMRC CONFERENCE ROOM**

May 17, 2005

**MEMBERS PRESENT**

Jeff Deem  
Robert Weagley  
Wynston Holbrook  
Hon. William Laine, Jr.  
Douglas Jenkins  
David Agee for Ken Neill  
Tom Powers  
Sam Swift  
Chris Vaughan  
Walter Rogers  
Pete Nixon  
Hon. Russell Garrison  
Hon. Ernest Bowden, Jr.

**VMRC STAFF**

Jack Travelstead  
Rob O'Reilly  
MPO Steve Pope  
Lewis Gillingham

**I. Introductions, Announcements**

Chairman Russell Garrison called the meeting to order at 6:05 P.M.

**II. Approval of the minutes from the April 19, 2005 meeting**

The minutes were approved as written.

**III. Old Business**

Rob O'Reilly reminded FMAC that the recreational fishery exceeded its full Chesapeake area quota in 2001 and 2002, by roughly 100,000 pounds. In 2003, the Virginia's recreational harvest exceeded its quota and in 2004, the recreational catch was nearly a million pounds over quota. Mr. O'Reilly identified one potential source of error in the post-stratified MRFSS data. Dockside interviewers ask the question, "Where did you spend most of your fishing time?" and not, "Where were these fish caught?" Therefore, it is possible some of the striped bass harvest counted as Bay harvest, was actually caught in the ocean.

Mr. O'Reilly evaluated the MRFSS data, using set criteria to identify possible ocean caught fish. The proximity of landing site to the ocean was also considered. Other staff members (Claude Bain and Lewis Gillingham) were enlisted to examine questionable catches but concluded there was not enough information to clearly show these catches had been made in the ocean. Mr. O'Reilly stated the agency had requested NMFS/MACRO consider adding an additional question to the dockside survey to determine where any striped bass had been caught (bay or ocean).

On a positive note, Mr. O'Reilly stated the 2004 overage would not be a compliance issue with the ASMFC because the total Bay quota was not exceeded. Mr. O'Reilly reminded the FMAC that Virginia, Maryland and the PRFC all operate under a Baywide quota, which has never been collectively exceeded. However, individual components of the fishery, such as Virginia's commercial and recreational fisheries, have at times exceeded their specific allotment. In every case of overage the Baywide quota was not exceeded and no penalty was incurred. As such, the 2004 overage was an internal event, but its severity would warrant some modification for the fall 2005 fishery.

Tom Powers had reviewed the questionable (ocean versus bay catch) data extensively and his review suggested 229,988 pounds of ocean caught striped bass from November and December of 2004 had been incorrectly charged as Bay quota.

Chairman Garrison asked staff how long (i.e., how many meetings) do we have before we need to bring this issue to the Commission?

Jack Travelstead responded and indicated no later than the August meeting for a request for public hearing.

David Agee suggested an ad-hoc committee, such as was used for flounder, would be the most efficient means to examine viable options.

Some members considered the severity of the overage as minimal, since the Bay quota had not been exceeded and ASMFC would not be involved, Mr. O'Reilly reminded FMAC the trend in the Virginia recreational harvest was clearly upward. A decision to "do nothing" at present would have severe ramifications if the Virginia recreational harvest continues to exceed its quota and the Bay quota is exceeded.

Mr. Travelstead stated Virginia's recreational harvest of striped bass has been up in each of the last four years and the likelihood of exceeding the Bay quota has increased. Once the Bay quota is exceeded the ASMFC will dictate how and what Virginia must do to come back into compliance.

Doug Jenkins said the problem was “not lack of fish (striped bass), we see more all the time.” Mr. Jenkins reasoned with the recreational catches over by some 900,000 pounds, “We need to do something.”

#### **IV. New Business**

##### **A. Preliminary discussion of options to reduce the Chesapeake Bay area recreational striped bass harvest in 2005**

Rob O’Reilly began the discussion with background terminology used by the Marine Recreational Fishery Statistical Survey (MRFSS). Mr. O’Reilly said the MRFSS has three categories of fish A, B1 and B2. Type A fish are those brought back to the dock and identified by the dockside interviewer. Type B1 fish are used for bait, released dead, filleted or otherwise killed but identified by the angler. Type B2 fish are those caught and released alive. Total harvest is A + B2. Total catch is A + B1 + B2. The MRFSS data is sorted by waves. Each wave contains two months worth of sampling. There are six waves. Wave 6 (November and December) drives the yearly catch of striped bass, usually accounting for 80% or greater. The PSE value is a measure of precision or scatter of the data. PSE values of 20 % or less (less is better) are considered adequate for management purposes. Striped bass estimates for the spring season usually have PSE values of over 20% but the yearly average PSE for striped bass is under 10%. Looking at the striped bass catch at size, “we’re still catching a lot of small fish,” noted O’Reilly. Sixty percent of the 2004 catch (in numbers) was less than 24 inches and 75% of the catch was of 8 year old fish or younger.

Chris Vaughn asked how Virginia could dispute the data.

Mr. O’Reilly responded tonight’s discussion was about options the Committee would want staff to explore and determine how much of a statistical saving would be achieved.

Mr. Garrison asked staff to determine the effect of a November 1 through December 31 season (closed in October) with either a 20, 21 or 22-inch minimum size limit and two fish.

David Agee asked staff to consider the savings of a November 1 through December 31 season, an 18 to 24-inch slot, where one fish of the two fish limit could be over 28 inches.

##### **B. Other New Business**

Tom Powers requested time to present his evaluation of the 2000-2004 MRFSS data. Mr. Powers distributed a 19-page handout, which suggested Virginia’s lower Bay area was “over-sampled” in 2004. Further, Mr. Powers contended the emphasis of sampling the lower Bay in November and December had inflated the MRFSS estimate of striped bass harvest.

Ernest Bowden briefed the FMAC on Monday evening's (May 16) meeting of the ad-hoc Commercial Striped Bass Committee. The Committee was formed by the VMRC Commission to determine a means of more equitably distributing the commercial catch among existing striped bass quota stakeholders. In the present system, each fisherman has a share of the quota that equates to a specific number of pounds of striped bass. However, the fishery is managed by a tag system, which allows fishermen a great amount of flexibility. Some fishermen utilize this flexibility to the extreme and routinely land more pounds of striped bass than their actual share should allow. This "overage" is a by-product of the "one-tag-one-fish" system, where fishermen target the largest striped bass. Compounding the situation, the original distribution of quota to individual fishermen was calculated using gear type. Since the ITQ system was implemented, nearly all striped bass are caught by gill net. The ad-hoc Committee had sought a means to adhere strictly to a poundage quota. Issues such as self marketing, selling only to designated buyers and additional costs associated with tracking an individual poundage quota in real time forced some members to withdraw support for the strict poundage based quota.

Mr. Bowden stated an alternative proposal was submitted at Monday night's meeting. Under the modified system, tags would still track the quota but a two-color tag system would reduce the catch of very large striped bass. The proposal calls for two sets of different colored tags for each fisherman. One color tag could only be used of fish less than 28 inches. The second color tag could be used on any size legal fish. Mr. Bowden stated the Committee generally supported the proposal and staff was reviewing the idea.

**V. Next Meeting Date**

The date and time for the next meeting was not discussed but has since been set. The next FMAC will be at **7 PM**, Tuesday, June 21.

**VI. Adjournment**

Chairman Russell Garrison adjourned the meeting at 8:10 P.M.