

# **VIRGINIA MARINE RESOURCES COMMISSION**

## **FINFISH MANAGEMENT ADVISORY COMMITTEE**

**October 21, 2003 - 7:00 PM**

### **MEMBERS PRESENT**

Hon. Gordon Birkett  
Hon. Russell Garrison  
Jeff Deem  
Dr. Ken Neill  
Samuel P. Swift  
William E. Laine  
James C. Kellum  
Tom Powers  
Lyell Jett  
Douglas F. Jenkins Sr.  
Robert Weagley  
Pete Nixon  
Wynston D. Holbrook  
Chris Vaughan

### **VMRC STAFF**

Jack Travelstead  
Rob O'Reilly  
Ellen Cosby  
Steve Pope

#### **I. Introductions; Announcements**

The meeting was called to order at 7:00 PM by Chairman Gordon Birkett. It was noted that Pete Nixon would be late, because he was coming from the Seafood Council's Seafest.

#### **II. Approval of minutes from the August 19, 2003 meeting**

The minutes were approved as written.

#### **III. Old Business**

##### **A. Review of Black Sea Bass Options for 2004**

Jack Travelstead distributed copies of the draft Fisheries Management Division Evaluation (10/28/03) that was being finalized for the October Commission meeting. He reminded members that a public hearing on black sea bass was held at the last VMRC meeting (Oct. 7, 2003), but the decision was delayed until the Oct. 28 meeting. There was no consensus from industry on the proposed options. FMAC may have additional comments. Mr. Travelstead informed members that staff believes some of the options make sense for clarification, such as #1-3, which are basically technical amendments. The fourth option refers to allowing transfers

and there are only 42 boats in the fishery.

The last four options are all provisions that could change a person's allocation. Mr. Travelstead explained the rationale for increasing the bycatch quota as well as establishing a reasonable trip limit. He expressed concern about the hook & line fishery developing into a directed fishery. A medical hardship process was discussed briefly. It was indicated that there was no industry support for option #7. The last option was to penalize sea bass potters for soak time. It was explained that during closed seasons, potters were allowed to keep pots in the water and they kept fishing. Therefore the potters harvested more fish and got more quota. If a penalty is to be imposed, staff suggests that the potters don't get any of the additional quota.

There was some discussion on allowing new people into the directed fishery. Staff supports continuing with the waiting list and lowering the qualifying harvest level to 7500 pounds, which would add ten new vessels to the fishery and would provide each of them a share of the ITQ based upon their fishing history. This proposal doesn't discriminate on age. An alternative that has been suggested is a lottery for the 194 boats in the bycatch fishery. It was noted that the fishery is not recovered but it is improving.

Tom Powers had a question on the bycatch fishery. He commented that in the flounder fishery, you would see the sea bass bycatch.

Pete Nixon asked about eliminating the requirement for the permittee to be on board, since it has to be on a federally permitted vessel.

Mr. Powers asked about transfers, and stated they must have a cap on shares. Mr. Travelstead responded that the highest boat has about 15% of the quota now, so where do we set the cap? Mr. Nixon added that the cap should only apply to this amount of quota, then be re-examined if more quota becomes available. He inquired why the transfers were only allowed at the beginning of the season? Mr. Travelstead replied that it was an administrative problem.

Commission member, Russell Garrison had a question on hardship cases which might need a transfer in mid-season. Mr. Nixon suggested that the decision be at the discretion of the Commissioner. Jeff Deem noted that by allowing the transfer of quota, it would allow new people into the fishery. Mr. Nixon commented that fishermen work out deals in the striped bass fishery, which allows transfers.

**Mr. Garrison made a motion to support options #1-6 and 8; in #5, include the 10% bycatch; add ten new people to the directed fishery; and staff to study the transfer process. The motion was seconded and passed by a vote of 7:4.**

Three of the four people who voted in opposition to the motion did so because they opposed #8.

## **B. Other Old Business**

Bobby Weagley asked about the status of the shad bycatch issue. Mr. Travelstead responded that the ASMFC Shad Technical Committee will meet and review Virginia's request tomorrow.

Mr. Powers asked that the menhaden/Rappahannock River issue be placed on the agenda of the next meeting.

Commission member, Ernie Bowden asked how many trawlers were in the black sea bass bycatch fishery? On the medical hardship issue, how would the allocation be based?

## **IV. NEW BUSINESS**

### **A. Discussion of Striped Bass Harvest Regulations for 2004**

Rob O'Reilly presented a report to members on the potential changes in the striped bass regulation for 2004. He explained that the striped bass quota has been 1,701,748 pounds since 1997. There will be a 20% reduction in quota for 2004. The commercial Bay quota will be 1,364,153 pounds (19.8% reduction from 2003). The commercial coastal quota will not change. There will be a 21.6% reduction for the recreational fishery in the Bay. In 2005, we anticipate that the quota will go back up; however, everything is preliminary and we are working on finalizing details. The recreational trophy season (May 1-15) will not be affected.

Mr. O'Reilly provided background information with charts and graphs. He pointed out that the majority of the recreational Bay fishing takes place in November and December. Consequently, we need to make the size or possession limit changes throughout the year. The average size (total length) was 25 1/2" in 2002. Possible recreational regulatory scenarios with size and season changes were presented.

The Harvest Control Model, developed by Maryland in 1989, was thoroughly explained by Mr. O'Reilly. Projections of the quota were provided through 2009. However, members were cautioned that the model feeds off good Juvenile Abundance Indices, so projections could change.

A Recreational Striped Bass Subcommittee was formed: Ken Neill, Wyn Holbrook, Chris Vaughan, Tom Powers, and Jeff Deem. Sam Swift was asked to locate a recreational representative from the Eastern Shore.

Mr. Bowden suggested that we need to discuss a pounds per commercial fisherman scenario as a discussion item on the next agenda.

Doug Jenkins asked if he could send an alternate to the next meeting. Mr. Travelstead replied that it was acceptable.

**V. Next Meeting Date**

The next meeting was scheduled for November 18, 2003 at **6:00** pm.

**VI. Adjournment**

The meeting was adjourned at 9:20 pm.