

VIRGINIA MARINE RESOURCES COMMISSION

FINFISH MANAGEMENT ADVISORY COMMITTEE MEETING

VMRC CONFERENCE ROOM

November 17, 2003

MEMBERS PRESENT

James Kellum
Robert Weagley
Wynston Holbrook
Hon. Gordon Birkett
Hon. Russell Garrison
Douglas Jenkins
Tom Powers
Chris Vaughan
Sam Swift
Jeff Deem
Bill Laine
Lyell Jett
Ken Niell

VMRC

Chad Boyce
Jack Travelstead
Rob O'Reilly
Roy Insley
Kenny Oliver
Paul Newman

I. Introductions, Announcements

The meeting was called to order at 6:05 P.M. by the Chair, Hon. Russell Garrison. Jack Travelstead told the committee the issue pertaining to menhaden and the Rappahannock River will be removed from the agenda. He stated that this item is removed from the agenda because the menhaden fishery is regulated by the Virginia Legislature, and not by VMRC. He told the committee that VMRC does not have regulatory authority in the menhaden fishery and further comments should be directed to the state Legislature.

II. Approval of minutes from the October 21, 2003 meeting

The minutes were approved as written.

III. Old Business

A. 2004 Striped Bass Regulation – continued discussion

a. Recreational fishing rules

Rob O'Reilly briefed the committee on the recreational striped bass fishery issues. He explained that Virginia will need to reduce the recreational harvest of Chesapeake Bay striped bass for the 2004 fishing year. He explained that Virginia will be facing a 21.6% reduction in quota for the 2004 recreational bay fishery because of an estimated lower stock biomass. Mr. O'Reilly referred to the harvest control model that is used to evaluate the recreational harvest. He stated the harvest control model relies on the annual juvenile abundance indices, so variability in the model projections can be expected in future years. Mr. O'Reilly told FMAC that a sub-committee had been assembled to address the various regulatory options that could be implemented to address the reduction in quota. The sub-committee produced fifteen options and unanimously recommended option #7. This option allows for a two fish bag limit, but one of the two fish must be between 18 and 28 inches. There was discussion about the various options, but a motion was made to recommend option 7 to the Commission. The motion was seconded and approved, 9 to 2.

b. Poundage quota versus tag quota

Jack Travelstead briefed the committee on this item. Hon. Ernest Bowden had asked for the committee to review the possibility of implementing a poundage quota for the 2004 commercial striped bass fishery, as opposed to the current tag system. Mr. Travelstead briefed the committee on the current tag system, and how it operates. He also listed some of the problems of the current tag system, such as high grading of large fish and other enforcement concerns. He informed the committee that a poundage quota option had been examined by VMRC before, but enforceability was the major concern. Mr. Bowden explained that he was the person who asked for this item to be brought to FMAC. Mr. Garrison referenced the current quota system for black sea bass was based on a poundage quota. Mr. Travelstead then handed out a report on the Maryland DNR's striped bass fishery. Discussion followed on the details of the MD DNR striped bass fishery. Mr. Bowden stated that a poundage quota would eliminate the need to high grade. Mr. Deem discussed the check points, and the feasibility of requiring fishermen to sell or check in their striped bass at these locations. Kelly Place spoke and recommended a five level tracking system. Mr. Swift asked if staff could see what each fisherman would receive in tags versus pounds for the 2004 year. Mr. O'Reilly responded that would be possible. Mr. Weagley made a motion to change the tag system to a poundage quota for the commercial bay striped bass fishery. The motion was seconded and approved, 8 to 1, 1 abstention.

c. Spring commercial fishery slot limit

Mr. Jenkins stated that he wanted to see the slot limit for the spring commercial fishery in the rivers changed from a maximum of twenty-eight inches to thirty inches. He stated that the maximum mesh requirement of six inches would catch a thirty-inch striped bass and he wanted to be able to keep those fish. He spoke of the release mortality of large striped bass caught in gill nets. Mr. Travelstead stated that the ASMFC would have to change that restriction, not VMRC. Mr. O'Reilly stated that Virginia is not adhering to the twenty-eight inch maximum. He said the VMRC stock assessment program had sampled striped bass in the spring that were over the maximum size limit of twenty-eight inches. A motion was made to increase the maximum size of striped bass in the spring bay fishery to thirty inches. The motion was seconded and approved, 6 to 3 with 2 abstentions.

Discussion followed on the enforcement problems of the coastal and bay striped bass fisheries. Kenny Oliver indicated that law enforcement was not able to enforce the fishery as needed last year due to Homeland Security responsibilities. He further stated that if he checked a fishermen in the ocean that had ocean and bay tags on board, he was not able to tell where the fish came from unless he witnessed someone putting bay tags on a striped bass in the ocean.

B. Update on Menhaden/ Rappahannock River Issue

Mr. Travelstead informed the committee at the beginning of the meeting that this item has been removed from the agenda.

C. Update on the Shad by-catch issue

Mr. Travelstead informed the committee of a decision by the ASMFC Shad technical committee. The technical committee voted to deny a previous request from Virginia to allow for an American shad by-catch fishery in the bay. However, he added, they approved a by-catch limit of one bushel of shad per day for those fishermen in the Potomac River using gears other than pound nets. Mr. Weagley asked if this was possible for Virginia. Mr. Travelstead responded that we didn't ask for a bushel limit, we asked for a 10% by-catch by volume of other catch. Mr. Weagley then made a motion for a one bushel by-catch limit in the bay. The motion was seconded and approved, 10 to 1.

IV. New Business

a. Harry Doernte: Changes in the 2004 Black Sea Bass Fishery

Mr. Doernte spoke to the committee and asked for the committee to recommend to the Commission that black sea bass be placed on the agenda for the December meeting. He stated that many “administrative” proposals were not addressed by the Commission in October and asked that these items be placed back on the agenda for consideration. Mr. Bowden addressed Mr. Doernte concerns, since he made the motion at the Commission meeting. He addressed each item on staff’s evaluation. Mr. Doernte discussed these issues with other committee members. Mr. Garrison then stated that Mr. Doernte should address the Commission with his concerns during the public comment period at the next Commission meeting.

V. Next Meeting Date

The next meeting date was set for **6:00 P.M.** Monday, December 8, 2003.

VI. Adjournment

Mr. Travelstead adjourned the meeting at 8:15 P.M.