

**Virginia Marine Resources Commission**  
**Finfish Management Advisory Committee (FMAC)**  
380 Fenwick Road, Fort Monroe, VA  
VMRC Commission Room,  
Monday, May 17, 2021 – 5:00 P.M.

**ATTENDANCE**

Members Present

Jeff Deem  
John Bello  
Ernest Bowden  
Dr. P. Milton Cook  
Michael Lightfoot  
Scott MacDonald  
Tom Powers  
Ed Sarfan  
Bob Sinclair  
Robert Weagley

VMRC Staff Present

Pat Geer  
Shanna Madsen  
Adam Kenyon  
Jennifer Farmer  
Alexa Galvan  
Lewis Gillingham  
Jill Ramsey  
Olivia Siegal  
Somers Smott

Members Absent

Honorable James Minor  
Honorable Dr. Ken Neill  
Meade Amory  
Skip Feller

Others Present

John Balderson  
Tracey Bauer  
Charlie Church  
Hayden Davis  
Charles Dryden  
Todd Elder  
Corrin Flora  
Charles Ghent  
James Hudgins  
Matthew Hulce  
Andrew Mitchell  
Ronald Roderick  
Mark Sanford  
George Trice

Minutes were prepared by Alexa Galvan

**I. FMAC Announcements – J. Deem**

Due to the COVID-19 office closure, this meeting was conducted via electronic communication means (WebEx). Chairman Jeff Deem called the meeting of the Finfish Management Advisory Committee to order at 5:02pm.

**II. Approval of minutes from the October 14, 2020 meeting**

The minutes from the October 14, 2020 meeting were approved by consent.

**III. New Business**

**A. Discussion and evaluation of the speckled trout commercial fishery**

Deputy Chief Shanna Madsen introduced this meeting as a response to industry concerns about dead discards in the speckled trout commercial fishery. Speckled trout's self-imposed quota and bycatch allowance system need updating to match the current fishery dynamics.

Ms. Olivia Siegal, Fisheries Management Scientist, presented a history of commercial speckled trout management in Virginia. The current quota of 51,104 pounds was established in 1995 as the average of 1993-1994's landings plus 25%. Ms. Siegal showed commercial speckled trout landings for all fishing years beginning in 1995, and explained that landings were below the self-imposed quota for most fishing years within the time series until 2012. The commercial speckled trout fishery was closed on October 18 in the 2012 fishing year. Although the fishery was not closed in 2013 or 2014, the quota was surpassed in both years. In response, in 2014, mandatory weekly buyer reporting was added during the time frame of August 1 through November 30, as well as a trigger when the quota reached 80%. The 80% trigger allowed for a bycatch of 100 pounds of speckled trout until the quota was projected to reach 100%. Since then, the 100 pound bycatch was triggered in the 2017 fishing year. In the 2019 fishing year, landings occurred too quickly to impose the trigger so the quota was met and exceeded before the fishery could be closed on October 16. In response, the buyer reporting requirement was updated in 2020 to daily buyer reporting during the same time period.

Ms. Siegal also characterized the current fishery performance: (1) landings during years in which the fishery did not close show that landings are highest in the fall, reaching a peak in October, and then decline into the winter and spring, rising again in the summer months; (2) the primary gear types in the fishery are haul seine (73%) and gill net (24%); (3) most landings by the primary gear types occur in the fall months followed by fewer landings throughout the rest of the fishing year; (4) catch per trip for haul seine is highest in the fall (range from 50 pounds per trip to 1400 pounds per trip in September and October during 2012 to 2020), but gill net harvest is about 50 pounds per trip during the entire fishing year; and (5) on average about 80 harvesters participate in the fishery and most of those harvesters use gill nets. Mr. Michael Lightfoot asked if haul seines target speckled trout. Mr. Scott MacDonald explained that haul seines tend to catch whatever is most abundant at the given time, namely speckled trout, spot, or croaker.

Deputy Chief Madsen explained that the main issue with the current commercial speckled trout fishery is that the quota is reached rapidly in fall, which results in season closures for the rest of the fishing year. The early closures require that any speckled trout caught as bycatch in other fisheries during the year must be discarded dead. Industry members brought this issue to staff and now to FMAC because they feel that releasing fish as dead discards is wasteful and does not promote conservation, overall. Deputy Chief Madsen presented three options for changes to the commercial speckled trout management and invited FMAC and the public to provide staff with any additional ideas. Deputy Chief Madsen also explained that staff does not recommend changing the quota at this time, as North Carolina is currently working on a stock assessment for the North Carolina-Virginia stock. One recommendation is to establish quotas for each gear, as is done in the menhaden fishery. This would allow more access to non-targeting gears, but some quotas would be reached very quickly and would be difficult to monitor. Another recommendation is to adjust the season, changing the season start date from September 1 to January 1. An adjusted season would allow more non-targeted landings before the fall spike, but could incentivize more directed fishing in the spring and could have unintended consequences on the performance of the fishery. Staff's preferred recommendation is to create a 50 pounds

bycatch allowance after 100% of the quota is landed. This would not incentivize any new directed fishing and would allow dead discards to be utilized and captured in mandatory reporting.

Mr. MacDonald supported the staff recommendation for a landing limit after the quota but suggested taking out the wording “bycatch”, as some harvesters will land “trash fish” to justify landing non-targeted speckled trout. He also said 50 pounds might not be enough in fall and it might be better to have a higher limit seasonally. Mr. Ernest Bowden said the quota should increase if the stock has increased, but having a small landing limit after the quota was landed would address the immediate problem of dead discards. Mr. John Bello asked if the 50 pounds would be per person or per vessel. Deputy Chief Madsen said it would be per commercial licensee. Mr. Tom Powers recommended also including the season change to be more equitable to the smaller gears. Mr. MacDonald said if the season changed, it would create a more directed fishery in the spring. He also supports the landing limit being per commercial licensee. Mr. Charlie Church, recreational angler, said any increase in allowed landings should be conservative due to annual fluctuations in the population. Mr. Mark Sanford, commercial harvester, supports the landing limit after the quota was landed but would prefer a 100 pound limit and no bycatch requirement. Mr. Charles Dryden, commercial harvester, supports the landing limit after reaching the quota with a higher limit in fall. He does not recommend changing the season, because March and April could support a directed fishery with the increased abundance. Mr. George Trice, commercial harvester, supports a landing limit after the quota has been reached, but recommends a higher limit. He also recommended that staff look at catch per trip in years the quota was reached to better characterize a season in which it appears that abundance is clearly higher. Mr. Powers agreed. Mr. Trice asked if the landing limit would still come in when 80% of the quota is reached. Deputy Chief Madsen said the 80% trigger would be eliminated and the landing limit would go into effect when 100% of the quota is reached. Deputy Chief Madsen recommended a landing limit of 50 pounds to start conservatively; and stated that it can be adjusted later. **Mr. MacDonald made a motion to support the staff recommendation but to change “bycatch limit” to “catch limit”. Mr. Bowden seconded. Motion passed 7-0-3.** Deputy Chief Madsen said staff would present FMAC’s recommendation to the Commission and would decide internally if staff recommendation would remove the bycatch requirement to match FMAC.

#### **IV. Other Business**

##### **A. Commercial Spearfishing**

Chief of Fisheries Pat Geer said the commission was approached by someone wanting to spearfish commercially. Chief Geer is recommending issuing an experimental gear permit, similar to shrimp, so staff has more flexibility and oversight on the fishery. Commercial size limits will apply, there will be restrictions on the weekend to reduce user conflicts, and the spearfish harvester will be unable to take species such as striped bass or black sea bass unless he has the appropriate permits. Mr. Powers recommends restricted areas, including recreational reefs and around the Chesapeake Bay Bridge Tunnel, to reduce user conflicts. Mr. Bob Sinclair supports commercial spearfishing as it’s a very selective gear and supports the experimental permit. He is, however, concerned with allowing full commercial possession limits.

## **B. COVID Relief Funding**

Chief Geer explained that all CARES Act funding for Virginia was distributed as of February 2021, but \$3.7 million more was allocated to Virginia this year. This time, amounts issued to individuals will be proportional to losses, rather than a flat amount for everyone. He does not know when the application period will open, but Virginia's spending plan will be submitted in the next few weeks and then need to be approved by NOAA. Chairman Deem asked if tackle shops and restaurants would be included in this round. Chief Geer said no, eligibility has not changed.

## **V. Adjournment**

The meeting was adjourned at 6:51 pm.