

VIRGINIA MARINE RESOURCES COMMISSION

FINFISH MANAGEMENT ADVISORY COMMITTEE

November 12, 2002 - 7:00 PM FINAL MINUTES

MEMBERS PRESENT

Cathy Davenport
Hon. Russell Garrison
Hon. Gordon Birkett
Ken Neill
Kelly Place
Barclay Shepard (for Bob Pride)
John Wyatt
Tom Powers
Kevin Seldon
Douglas Jenkins
Robert Weagley
G.G. Crump
Pete Nixon
Warren Cosby
Larry Snider

MEMBERS ABSENT

Ernest Bowden
Wayne France
Warren Cook
Greg Swift
Frank McLaughlin
Charles Williams
Lionel Jenkins
Raymond Kellum
Raymond Spence
Robert Brumbaugh
Richard Young

I. Introductions; Announcements

The meeting was called to order at 7:00 PM by Co-Chair Cathy Davenport. Rob O'Reilly announced that the ASMFC Annual Meeting will be held in Williamsburg during the week of November 17, 2002. Copies of the ASMFC meeting week agendas were handed out, and Mr. O'Reilly identified some of the more important meetings to attend.

II. Approval of minutes from the October 21, 2002 meeting

Minutes were approved as written.

III. Old Business

Resolution of Striped Bass "High Targeting" Issues

Mr. O' Reilly explained that this issue had been brought to the attention of the Commission, and it was then deferred to this committee. In addition, Tom Powers had expressed some concerns from the CCA. Mr. Powers stated that historically the commercial fishery in the Bay has

harvested striped bass, of which 90% were under 34 inches (data tables were provided to support this information). He noted that the issue of concern was if we wanted to see the Bay fishery shift to larger fish, or should we set restrictions to keep it as is. He pointed out that Maryland has a 36" maximum and questioned whether we need gill net mesh restrictions? He suggested that we change the economics of the fishery (value of the tags) or the maximum fish size or mesh restrictions. He suggested a 7-8" mesh in spring or late fall.

Committee members discussed gill net mesh restrictions for the Bay, but no consensus was developed. John Wyatt was concerned about the timing of this, because people have already hung gill nets in anticipation of the spring season. Mr. Wyatt indicated if there were to be any mesh changes, it should be for 2004.

The issue of using poundage controls instead of tags per fish was also discussed. Mr. O'Reilly pointed to several problems associated with monitoring a poundage quota, including self-marketing and diversity of landing sites. Steve Bowman talked about enforcement issues and indicated that he thought there would be difficulty realizing convictions. Mr. O'Reilly pointed out that the design of a new system, at the least, would take much effort and time, and could not be done quickly.

Russell Garrison had questions about the current tag transfer program. Ellen Cosby and Pete Nixon responded. Kelly Place predicted that temporary transfers will slow down, now that the ocean fishery has closed.

Mr. O'Reilly asked members if part of the problem was the spatial distribution of fishermen, especially around the CBBT, and will a gill net mesh size restriction help this?

Dusty Crump reminded members that 6" gill net restrictions were put in place in the rivers to protect shad, but they are still catching shad in 6" mesh. Further river restrictions include the closure of "spawning reaches" and a 28" maximum size limit in the spring.

Chris Ludford, from the audience, offered some comments as a lower Bay sink gill net fisherman. They are not catching striped bass right now with large mesh, so they will probably switch to smaller mesh voluntarily. It is different fishing in the Bay as opposed to the ocean. In the Bay, they have to deal with a lot of grass fouling the nets and strong tides; consequently, it will take longer to fish less gear. The grass problem and strong tides are comparable in February and March as to fall fishing. Mr. Ludford thinks that the average size of fish harvested will come down, and eventually level off.

Mr. O'Reilly asked members to consider that the size distribution of the harvest owes to available fish that are there. There were strong year classes in 1993, 1996 and 2001. The 1993 and 1996 year classes are showing up as coastal stock. There are biological considerations.

Mr. Nixon asked why there is a concern for high grading in the Bay. Is it the health of the spawning stock? Are too many large fish being caught? All of the fish are naturally continuing to grow and get bigger. The Massachusetts hook & line fishery mortality is a greater problem.

Robert Weagley suggested that we wait and see what the new split quota does.

IV. NEW BUSINESS

A. Use of License Agents

Mr. O'Reilly reported that Kenny Oliver had identified this issue for discussion, and asked what needed to be required in terms of agents. The agent system was originally designed for medical/hardship problems, where a designated proxy (agent) was given the licensee's CFRL and gear license in order to be allowed to fish. However, problems have occurred where this system is being abused.

Mr. Nixon provided a history of the CFRL program and the development of the use of agents. His concerns for not being allowed to use an agent included: fish would be wasted; an economic incentive; and keeping legal. He noted the problem of controlling the number of crab pots. He cited an example of not being able to use an agent, in the middle of a gill net fishing trip and the boat breaks down.

Mr. Crump said he didn't think the agent program should be changed. Mr. Place agreed that it was a worthwhile program, but it may have a few problems.

Colonel Bowman talked about problems that have occurred and how solutions could be worked out.

Mr. O'Reilly stated that he will try to work with the licensing agents and provide additional information to them regarding agent usage.

Chairperson Davenport set up an Agent Usage Subcommittee to work out details, which included Tom Powers, Pete Nixon, Kelly Place, Steve Bowman and Rob O'Reilly.

Mr. Garrison remarked that he has noticed a problem with recreational boaters and too many rockfish caught. Mr. Garrison also pointed out that no one keeps count of the mortality of the hook and release fishery of the winter months.

B. Limited Shad Fishery

Mr. O'Reilly provided background information on the shad fishery closure. He reminded members of the 1998 elaborate proposal that was developed; however, the Commission did not pass it. VIMS has been conducting a study for a number of years and has developed an

index of removal (spawning stock information). The biggest hurdle to opening a shad fishery in Virginia is that the ASMFC wants stock abundance information. It will also be an uphill struggle because of political aspects.

Warren Cosby asked how the northern states got their shad fisheries re-opened. He noted that Virginia is the only state that has not applied to the ASMFC to re-open their shad fishery.

Mr. O'Reilly responded that there were two classifications of shad fisheries. He stressed the importance of having Dr. Onley from VIMS present a report of his work in January.

Mr. Place noted that Virginia declared a moratorium one year before the ASMFC froze the shad restrictions.

Doug Jenkins stated that fishermen in Virginia need a bycatch allowance for dead fish.

Mr. Crump commented that this is a political issue, not scientific. He made a motion to open the shad season for March and April, on Thursdays and Fridays, for 100 pounds (about 20 fish). There was some discussion about this issue and the motion died for lack of a second.

Mr. O'Reilly pointed out that the by-catch fishery would be looked at by ASMFC different than an "experimental" fishery conducted by watermen who would sell the harvest.

Mr. Cosby requested that an item for discussion be added to the next meeting agenda regarding recreational highgrading of rockfish.

Mr. Place spoke for Joe Delcampo (who had to leave), pointing out that the commercial striped bass hook & line permittees were not given tags until 1995; therefore it was not fair to use a history of ocean fishing prior to 1995 to qualify people for the ocean tags.

Mr. Garrison asked members to investigate recreational catch and release of striped bass after December 31. He had concerns about mortality.

V. NEXT MEETING

The next meeting was scheduled for January 21, 2003 at 7:00 p.m.

VI. ADJOURNMENT

The meeting was adjourned at 9:00 p.m.