

VIRGINIA MARINE RESOURCES COMMISSION

FINFISH ADVISORY COMMITTEE MEETING

VMRC CONFERENCE ROOM

December 8, 2003 Minutes

MEMBERS PRESENT

Peter Nixon
Robert Weagley
Wynston Holbrook
Ken Neill
Hon. Gordon Birkett
Douglas Jenkins
Tom Powers
Chris Vaughan
Sam Swift
Jeff Deem
Lyell Jett
Hon. William Laine, Jr.

VMRC STAFF

Jack Travelstead
Rob O'Reilly
Steve Pope
Lewis Gillingham

I. Introductions, Announcements

Vice-chair, the Hon. Gordon Birkett, called the meeting to order at 7:05 P.M.

II. Approval of the minutes from the November 17, 2003 meeting

The minutes were approved without modification.

III. Old Business

A. 2004 Striped Bass Regulations --continued discussion

Last month, this Committee requested staff determine the feasibility of changing the commercial striped bass fishery from a tag-based system to a direct poundage system. Jack Travelstead said Fisheries Management (FM) and Law Enforcement (LE) met and discussed what provisions would need to be established in order to

effectively administer and enforce a strict poundage ITQ for the commercial striped bass fishery. Mr. Travelstead circulated a handout containing nine items that FM and LE had identified. Mr. Travelstead briefly reviewed each of the nine proposed requirements. The framework of the proposed system is similar to what Maryland has for its commercial striped bass fishery, utilizing check-in stations and additional tags until the quota is caught. The proposed system also attempts to address shortcomings identified in the Maryland system, by requiring additional verification of individual tag numbers from each batch of fish. Other modifications from the Maryland system are needed to allow Virginia's ITQ system to remain in place (Maryland does not have individual quotas for fishermen). Because over 500 individual fishermen quotas will need to be tracked simultaneously, Virginia's system will require a high degree of automation or additional staff. "Bottom line, the system cannot be implemented by January 1, 2004," stated Mr. Travelstead, and staff was recommending an implementation date of January 1, 2005.

Pete Nixon asked if the commercial season could begin January 1, instead of February 1. Mr. Travelstead responded that under the tag system, the February 1 date was needed for administrative paperwork. With a poundage system, the season may be able to start sooner (sometime in January) but some time would be needed to separate the closing (December 31) in one year from the start-up of the next season, as even an automated system will need some time for verification of landings.

Tom Powers suggested using bar coded tags to speed the verification process and provide a more detailed audit system.

Ernest Bowden was concerned that many of the smaller buyers would be unable to participate because they did not own a computer or know how to operate them. Mr. Bowden questioned why individual tag numbers were required, reasoning fishermen will be required to turn-in all their unused tags, and from this, staff could deduce what tags had been used and which had not be used. Speaking to the point of computer literacy, Mr. Travelstead reiterated that if the system were not highly automated, then additional staff would be required to track the quota.

Doug Jenkins suggested a less complicated means of achieving greater equity under the existing system and proposed a maximum mesh size (6 or 7 inches for the Bay and 8 inches for the ocean) for gill nets. It was stated that an 8-inch net will "gill" 15 to 18-pound striped bass on average but much larger fish will become entangled.

Rob O'Reilly cautioned the FMAC, suggesting it was in the commercial fishery's best interest to focus on smaller fish. Mr. O'Reilly reminded the Committee the Bay quota (Maryland, PRFC and Virginia combined) is calculated based upon resident fish. The ASMFC has determined that resident fish are 28 inches or less. The direct enumeration of the fishing mortality rate, a component of the Harvest

Control Model, which determines the amount of available striped bass (and hence the Bay quota), is likewise based upon fish 28 inches or less. The overall Bay quota allotment has remained high in recent years based upon the harvest of resident striped bass.

After further review of the nine-point program proposed by staff, Mr. Bowden stated items 1 and 9 were problematic. Mr. Bowden felt the recording of each tag serial number by the fishermen and dealer (item 1) was too time consuming. Further, requiring mandatory computer automation, especially for the smaller buyers, was unjust. Mr. Bowden stated the other seven options "are not a problem." Mr. Bowden presented chairman Birkett with a list of options, which had the support of several fishermen and requested Mr. Birkett read the list aloud. Mr. Bowden's proposals included daily dealer call-ins to include the fishermen, date weight and number of fish. Each fisherman would possess a log with the total number of pounds of quota and the remaining number of pounds. Each fisherman would continue to complete daily reports and send this information to VMRC, under the existing Mandatory Reporting System. At the end of the season, fishermen would be required to return unused tags to VMRC or have them deducted from next season. Finally, failure to comply would result in a one-year suspension from the striped bass fishery.

Walter Coles Burroughs suggested fishermen should be penalized when they exceed their poundage quota. The penalty would be double their overage, with half of the penalty then distributed to fishermen in the fishery.

Doug Jenkins indicated concern about "being locked-in" to a particular weigh station for selling a catch. Mr. Travelstead said under the system developed by staff, fishermen would check-in to a weigh station, to document their catch, but could sell their striped bass to whomever they choose.

Tom Powers stated he was convinced that staff would be unable to implement a poundage based quota system for the commercial striped bass fishery for 2004.

Mr. Powers made the following **motion**:

If the Commission takes any action to establish a poundage quota, the implementation date should be no earlier than January 2005.

The motion was seconded by Jeff Deem and a brief discussion ensued. Pete Nixon was concerned that the motion suggested FMAC support of a poundage based quota system and asked if the maker of the motion would accept a friendly amendment. Mr. Powers indicated his motion was not meant to suggest support of a poundage based quota system for striped bass. The motion was meant as a caution to the Commission, regarding the time involved to effectively establish a pound based system, if that is what the Commission chooses.

With the approval of Jeff Deem (who seconded the original motion), Mr. Powers amended the original motion and read the following:

Motion: "If the Commission were to implement a poundage-based system, that they do so with an implementation date no sooner than January 1, 2005."

Ken Neill seconded the amended motion, and the motion carried unanimously.

IV. New Business

Staff was asked about American shad bycatch allowed in the Potomac River. How will a Virginia fishermen working in the Potomac River be able to land catch in Virginia, where no bycatch is allowed? Mr. Travelstead stated that as long as the shad were legally harvested they could be landed in Virginia. Mr. Travelstead indicated the American Shad Technical Committee supported the Potomac River request but not the Virginia request for bycatch allowance. Mr. Travelstead said the ASMFC American Shad Management Board will vote on the Virginia bycatch request (10% by weight) and Potomac River (two bushels) next week via conference call.

V. Next Meeting Date

The next meeting date will be Tuesday, January 20, 2004, at 6 PM.

VI. Adjournment

Vice-chairman Birkett adjourned the meeting at 7:55 P.M.

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