

**Virginia Marine Resources Commission**  
**Finfish Management Advisory Committee (FMAC) Meeting**  
2600 Washington Avenue, Newport News, VA  
VMRC Commission Room, Fourth Floor  
Monday, February 25, 2012, 6:00 p.m.

**ATTENDANCE**

Members Present

Jeff Deem (Chairman)  
David Agee for Dr. Ken Neill  
Ernest Bowden  
Glenn Wayne France  
Wynston Holbrook  
Frank Kearney for Tom Powers  
Scott MacDonald  
Hon. Joe Palmer (Vice-chair)  
Walter Rogers  
Robert Weagley  
Skip Feller  
Beth Synowiec

Members Absent

Percy Blackburn  
Jake Austin  
Russell Gaskins  
Andy Hall

Others Present

Bob Allen  
Mike Langowski  
Doug Jenkins  
Peter Nixon

VMRC Staff

Robert O'Reilly  
Joe Grist  
Joe Cimino  
Lewis Gillingham  
Renée Hoover  
Stephanie Iverson  
Adam Kenyon  
Sally Roman  
Allison Watts

A quorum was present with 12 members in attendance. Minutes recorded by Sally Roman. A full audio recording can be found at the MRC website.

**I. Introductions; Announcements**

Chairman Jeff Deem called the meeting to order at 6:00 pm.

**II. Approval of minutes from January 15, 2013 meeting**

Motion to accept minutes from last meeting approved by consent.

**III. Discussion: Spiny dogfish harvester activity**

Mr. Joe Cimino presented information to the committee on spiny dogfish harvester activity during the past three seasons and asked the FMAC for recommendations and discussion about the possibility of limiting licenses to address over capacity and transferability of licenses in the future in the fishery.

FMAC members had questions about the possibility of limiting eligibility based on the number of individuals that do not pick up permits, the number of individuals that pick up permits but have no activity, and the number of individuals with low activity. The FMAC wanted to know if these three groups were consistently not participating in the fishery across years.

The FMAC discussed that individuals that do not pick up permits should be the first to be removed from the fishery. Some FMAC members pointed out that the market situation for dogfish may be inhibiting productivity of permit holders now, and that the market may take care of harvester activity for the present. Mr. Peter Nixon publically commented the same sentiment and asked if people were not participating because of the market. He felt that market demand should be taken into account when looking at inactivity. Ms. Beth Synowiec stated that a letter could be sent out to permit holders to determine why they are not participating in the fishery.

Mr. Rob O'Reilly pointed out to FMAC that there were different levels to consider, permits and activity, because the issue should be to respond to the future for a sustainable product. Mr. Scott MacDonald felt that the fishery should move toward limiting permits with no more than 50 vessels active in the fishery. There was some disagreement about allowing new entrants into the fishery among FMAC members.

Other ideas discussed included having an indefinite waiting list to get back into the fishery instead of elimination (Mr. Peter Nixon, public comment), having inactive permit holders and limited activity permit holders be the first placed on a waiting list (Mr. Ernest Bowden). Mr. Jeff Deem asked Mr. O'Reilly if FMAC was legally allowed to consider using a waiting list. Mr. O'Reilly replied that using a waiting list is an option. He also asked what time frame staff was looking for in terms of a decision. He felt it would be more beneficial to look at additional data before making a decision. He asked staff to look at how many people would remain in the fishery after removing individuals with no participation, then individuals who did not pick up a permit, then individuals with no landings, and lastly individuals with less than 10,000 pounds in landings. The FMAC unanimously agreed to wait until the March meeting to have further discussions.

Mr. Scott MacDonald asked that the potential increase in the trip limit from 3,000 lbs to 4,000 lbs be discussed at next month's meeting.

#### **IV. Update: American shad bycatch fishery for 2013**

Mr. Adam Kenyon updated the committee on the American Shad Sustainable Bycatch Permit. Mr. Kenyon informed the committee that the staff and FMAC recommendation for the Commission were the same. The criteria would be that in order to be eligible for the permit, individuals within the last three years must have both held an American Shad Bycatch Permit and complied with all reporting requirements. Mr. Kenyon also stated that if the number of permits remained under the maximum of 30 permits, then permits would be issued as applications were received. If there were more applications than permits, a random drawing

would be used if necessary. Mr. Kenyon reminded FMAC that applications would be mailed out following the February Commission meeting, and they were due back to VMRC by March 15, 2013, however the deadline would be February 5<sup>th</sup> in subsequent years. Mr. Deem asked Mr. O'Reilly if FMAC had no further recommendations than the material discussed at the meeting would be presented to the Commission. Mr. O'Reilly replied yes.

**V. Update: Recreational summer flounder fishery options for 2013**

Ms. Allison Watts presented the recreational summer flounder fishery options that were approved by the Technical Committee. There was a discussion about the four recreational fishery options approved by FMAC at the last meeting and whether or not FMAC would like to endorse a single option for presentation to the Commission. There were three different motions brought to the table, which were seconded and voted on by FMAC to determine FMAC's recommendation to the Commission regarding recreational summer flounder fishery catch limits.

The first motion, made by Mr. Frank Kearney (proxy for Mr. Tom Powers) and seconded by Mr. Wynston Holbrook, was to endorse the 16.5 in, 5 fish bag limit. The motion failed: 2 in favor, 8 opposed, and 1 abstention.

The second motion was made by Mr. Scott MacDonald to endorse the 16 in, 4 fish bag limit. The motion was seconded by Ms. Beth Synowiec. The motion failed: 3 in favor, 6 opposed, and 2 abstentions.

The third motion was made by Mr. Skip Feller and seconded by Mr. Robert Weagley to endorse a 15.5 in, 4 bag limit. The motion carried with 5 in favor, 4 opposed, and 1 abstention as the FMAC recommendation to the Commission.

**VI. Update: Reconsideration of fisheries violations in terms of sanctions**

Ms. Renée Hoover gave an update of the survey that was distributed to all members of FMAC last month. She stated she had only received 5 surveys to date from the committee and reminded FMAC members to complete the survey.

**VII. Discussion: Recreational speckled trout possession limit.**

Mr. Lewis Gillingham updated the committee about recent management issued involving speckled trout, as well as how the current possession limits came about. There was a suggestion made by Mr. Skip Feller for a reduction in the possession limit for the recreational sector. There was also discussion about how the possession limits affect the commercial sector. The possession limit applies to all hook and line gear including commercial hook and line gear. There was a request to revisit a previous meeting vote on the issue. Mr. Joe Palmer made a motion for the status quo possession limit, seconded by Mr. Scott MacDonald. The motion carried 7 in favor, 1 opposed, and 3 abstentions.

**VIII. New Business**

Michael Langowski made public comments on several topics. He would like the speckled trout commercial quota increased. He also suggested changing the season begin in April instead of August for speckled trout to allow for the fishery to be assessed. He would also like to have the red drum commercial trip limit increased.

Mr. Rob O'Reilly asked FMAC to consider priorities for staff to address, and that maybe this could be discussed at the next meeting.

**IX. Next Meeting Date**

Meeting date was set for March 25<sup>th</sup>, 2013.

**X. Adjournment**

Meeting was adjourned at 8:25 pm.