

Virginia Marine Resources Commission
Finfish Management Advisory Committee (FMAC) Meeting
2600 Washington Avenue, Newport News, VA
VMRC Commission Room, Fourth Floor
Tuesday, March 11, 2014, 6:00 p.m.

ATTENDANCE

Members Present

Jeff Deem (Chairman)
Ernest Bowden
Skip Feller
Russell Gaskins
Doug Jenkins (for G. Wayne France)
Richard Lockhart
Scott MacDonald
Tom Powers
Walter Rogers
Beth Synowiec
Steve Tyree (for Jack Austin)

VMRC Staff Present

Robert O'Reilly
Joe Grist
Joe Cimino
Ande Ehlen
Lewis Gillingham
Stephanie Iverson
Adam Kenyon
Kelsey Rooks
Jason Schaffler

Members Absent

Meade Amory
Andy Hall
Hon. Dr. Ken Neill
Robert Weagley

Others Present

Stephen Friedman
Louis Glaser
Bruce Graham
Steve Harding
Marvin Hardisty
Mike Langowski
Chriss Lawrence
Ed Lawrence
Jon Lucy
Keith Nuttall
Chris Pritchard
Otis Ricks
Ned Smith
William Tice
Dailey H. Vandergriff

A quorum was present with 11 members in attendance. Minutes were recorded by Ande Ehlen.

I. Introductions; Announcements

Chairman Jeff Deem provided a brief overview of the National Ocean Policy established by a 2010 Presidential Executive Order, which gave the federal government control over activity in the ocean. Virginia is included in the Mid-Atlantic Regional Planning Body (MidA RPB) and the Mid-Atlantic Regional Council on the Ocean (MARCO), which work together to carry out studies of various uses of the ocean and to address shared regional priorities and provide a collective voice. Chairman Deem will be attending the MidA RPB meeting in Norfolk on March 20, 2014, and more information regarding the meeting is available on the MidA RPB website for anyone who would like to attend.

Ms. Kelsey Rooks presented information on how to use the MARCO website and data portal to visualize data, such as commercial shipping traffic, and where to find recreational data (once it becomes available). Chairman Deem encouraged recreational anglers to contribute data to MARCO to help make it more effective.

II. Approval of minutes from February 19, 2014 meeting

Minutes from the previous meeting were approved unanimously.

III. Review recreational speckled trout measures and recommend commercial management measures

Mr. Rob O'Reilly gave a brief overview on how the timeline of an emergency regulation works. There will be a public hearing for speckled trout at the March 25, 2014 Commission meeting. The Commission will decide whether they would like to adopt the emergency amendments as permanent or adopt other amendments to Chapter 4VAC20-280-10 et seq. "Pertaining to Red Drum and Speckled Trout".

Dr. Jason Schaffler presented commercial speckled trout data to the committee. He provided a brief review of decisions from the previous FMAC meeting and the February 25th, 2014 Commission meeting. Dr. Schaffler's presentation included historical data from the past 20 years for both the commercial and recreational speckled trout fisheries.

Dr. Schaffler noted that September through November account for 80% of the seasonal commercial landings in most years. The non-biological commercial quota was only exceeded once since it was established. The 2012-2013 commercial speckled trout season closed early because the quota had been reached. Dr. Schaffler showed that haul seine is the major gear type used to harvest speckled trout, and showed that for nearly all trips speckled trout appears to be non-targeted. However, when speckled trout are harvested by commercial hook and line, they account for most of the catch for that day (75-80% on average). Data also indicated that recreational speckled trout harvest peaks in the fall months as well.

Mr. Tom Powers commented on a potential method used by harvesters using haul seines that may have contributed to the increase in harvest of speckled trout in the 2012-2013 season.

Mr. O'Reilly received a letter stating that the emergency closure may not be helpful because the majority of the speckled trout harvest occurs during the fall months. In his response, he addressed that the closure will help with the spawning season, as it will allow the remaining population time to spawn without added pressure from the recreational fishery.

The committee then discussed one of the proposed management measures for the commercial speckled trout fishery. This proposed management measure states that when 80% of the quota has been obtained, the trigger point is met and buyers would be required to report their speckled trout purchases weekly. Chairman Deem asked if it would be a problem to get all speckled trout buyers to participate, and Mr. Scott MacDonald stated that it would be easier if buyers are only required to report for the weeks when they have purchased speckled trout.

Mr. Richard Lockhart had concerns that the commercial speckled trout fishery has not been reported properly this season. He also expressed concern that there was little response to the proposal of closing both commercial and recreational speckled trout.

Mr. Powers provided support for a commercial fishery management trigger that would switch to a bycatch speckled trout fishery, with a 100-pound daily vessel limit, after the trigger was hit.

Mr. Keith Nuttall, from the public, spoke on concerns over the speckled trout population remaining this season. He would like to see both the commercial and recreational speckled trout fisheries closed. Mr. O'Reilly provided comment that allowing the commercial fishery to remain open for the remainder of the season would help prevent waste, as it would allow bycatch to be kept rather than discarded.

Mr. O'Reilly gave insight on joining Virginia data with North Carolina data to gain a better knowledge of the status of the speckled trout population. This could help to monitor exploitation, effort, and other important management data. Mr. John Lucy, from the public, supported sharing data between North Carolina and Virginia and shared his previous experience with the tagging program. He observed many speckled trout tagged in North Carolina being recaptured in the Chesapeake Bay, and vice versa.

Mr. Mike Langowski, from the public, would like to see a larger allocation of speckled trout quota for the commercial sector. Mr. Louis Glaser, from the public, stated that the 2013-2014 speckled trout season has been the best season yet from his experience. He is upset that the recreational speckled trout season has been closed. He observed that some local tackle shops and marinas have experienced negative impacts from the emergency recreational closure. Mr. Bruce Graham, from the public, would like to see the recreational season remain closed through July 31, 2014, and allow a possession limit of 10 fish once the recreational fishery reopens. Mr. Bill Tise, from the public, does not support closing the fishery or reducing the possession limit for recreational fishermen.

Mr. Powers made a motion to recommend establishing a 100-pound vessel limit for the commercial fishery when the quota reaches 80%, and to close the commercial hook-and-line fishery through July 31, 2014. The motion was seconded by Mr. MacDonald. A substitute motion was made by Mr. Ernest Bowden to establish a non-directed bycatch fishery with up to a 100-pound vessel limit once the 80% trigger is reached, and to remove the clause on the commercial hook-and-line closure. The substitute motion was seconded by Mr. McDonald, and the motion carried unanimously.

Mr. Powers made a motion to recommend that buyers who purchase speckled trout shall have a weekly reporting system, and only be required to report for the weeks where speckled trout are purchased, beginning August 1st through December 31st. The motion was seconded by Mr. Bowden. A substitute motion was made by Mr. MacDonald to have the weekly reporting period last from August 1st through November 30th. The substitute motion was approved, and the motion carried unanimously.

Ms. Synowiec made a motion to have a sunset clause placed on the recreational recommendation as a management measure option for the Commission to consider at

the March 25, 2014 public hearing for speckled trout. The motion was seconded by Mr. Doug Jenkins, and the motion carried unanimously.

IV. Review FMAC recommendations on cobia

Mr. Joe Cimino reminded the committee that at the previous FMAC meeting, the committee recommended establishing a daily commercial possession limit of 6 cobia, for any commercial vessel operated by at least one legal commercial hook-and-line licensee, regardless of crew size. Mr. Cimino presented on potential management measures that will be considered at the March 25, 2014 public hearing.

Mr. Lockhart made a motion to not recommend options 4 or 5 of the management options. Management option 4 stated, “Establish a daily commercial possession limit of two cobia, for any person onboard a commercial vessel operated by a legal commercial hook and line licensee, with a maximum daily vessel commercial possession limit of 6 cobia for that vessel”, and management option 5 stated, “Establish a daily commercial possession limit of two cobia, for any person onboard a commercial vessel operated by a legal commercial hook and line licensee, with a maximum daily vessel commercial possession limit of 8 cobia for that commercial vessel.” The motion was seconded by Mr. Powers, and the motion passed with a vote of 10-0-1.

V. Discussion: Minimum recreational size limits

Mr. Lewis Gillingham provided a brief presentation on stock status, life history, and possession limits for Virginia and neighboring states for bluefish, sheepshead, and spadefish.

a. Bluefish

Stock status is in good condition, and bluefish is neither overfished nor experiencing overfishing. The Virginia recreational possession limit is currently 10 fish, with no closed season or size limit. A size limit does not exist because the fish are often used for bait.

b. Sheepshead

The stock status on sheepshead is unknown. States from South Carolina through Florida believe that sheepshead are non-migratory, and have adopted a 10-fish possession limit and 14in size limit. The Virginia recreational possession limit is 4 fish, with no closed season or size limit.

c. Spadefish

The stock status of spadefish is unknown. The Virginia recreational possession limit is 4 fish, with no closed season or size limit.

Mr. Lockart provided support for wanting to establish size limits for these species. In addition, Mr. Powers stated he has received support from the public for placing a size limit on spadefish. Mr. Powers requested from staff a list of species that are under management of the ASMFC, and a list of species under management of the VMRC.

VI. New Business

Mr. Jenkins stated that he would be in favor of a size limit of 6 inches being placed on the spot fishery, based on his observations of a lack of spot in the upper east area of the Chesapeake Bay. He also recommended restricting the use of eel as bait. Mr.

Walter Rogers expressed concern with how this would impact pound net fishermen who may miss some small spot in a large catch. Mr. Joe Grist stated that spot and croaker are being reviewed this year by the ASMFC South Atlantic Board to establish new management trigger methods, so there is already a good chance a size limit recommendation will be recommended coast wide. It would be beneficial to wait until information from ASMFC is released before making any recommendations for a regulation amendment for Virginia to establish a size limit. The next update Mr. Grist will receive is in May of this year.

VII. Adjournment

The meeting was adjourned at 9:00pm.