

VIRGINIA MARINE RESOURCES COMMISSION

FINFISH ADVISORY COMMITTEE MEETING

VMRC CONFERENCE ROOM

January 21, 2003 – *FINAL MINUTES*

MEMBERS PRESENT

Robert Brumbaugh
Raymond Kellum
Raymond Spence
Hon. Gordon Birkett
Kelly Place
Hon. Russell Garrison
Ken Neill
Ernest Bowden
Tom Powers
G.G. Crump
Warren Cosby
John Wyatt
Robert Weagley
Douglas Jenkins
Kevin Seldon
David Agee for Bob Pride
Pete Nixon
Lionel Jenkins
Charles Williams

MEMBERS ABSENT

Warren Cook
Frank McLaughlin
Wayne France
Richard Young
Larry Snider

VMRC/VIMS

Chad Boyce
Jack Travelstead
Rob O'Reilly
Roy Insley
Dr. John Onley

I. Introductions, Announcements

The meeting was called to order at 7:10 P.M. by the Chair, Cathy Davenport.

II. Approval of minutes from the November 12, 2002 meeting

Rob O'Reilly reported that Hon. Kenneth Williams asked that the minutes be corrected to show that he did not bring the striped bass "high grading" issue to the attention of the FMAC. The minutes were then approved.

III. Old Business

a. Shad – VIMS report on status of stock

Jack Travelstead introduced Dr. John Onley of VIMS. Dr. Onley briefed the committee on the status of his shad research. He also discussed the current moratorium on shad harvest in Virginia. He then provided a report on the status of shad in the James and York rivers. He informed the committee that if they wanted to recommend to the Commission that a shad bycatch fishery be allowed in Virginia, then he would need to establish a population rebuilding target for shad stocks and then see if Virginia is at or below the target. If Virginia is already at the target biomass, then a bycatch fishery may be allowed. He reviewed the fisherman logbook analysis to estimate shad stocks by looking at historical and current catch rates. Dr. Onley went into detail on the gear used and protocol implemented when setting up the project design. Warren Cosby commented that all the shad caught in the project are being killed to collect samples and VIMS should not be killing all these shad. Mr. Cosby also asked Dr. Onley if VIMS has looked at the predation levels on shad by Blue and Flathead Catfish. G.G. Crump remarked that a lot of shad fry have been put back into the river and asked when could the season be re-opened. Kelly Place added that dams and water quality have had an effect on shad populations as well. Mr. Crump made a motion to allow for a shad bycatch season to be allowed this year in the bay and tributaries, with an allowance of 10% of shad, by weight, of the total catch for the day. The motion was seconded and passed, 14 in favor and 4 abstentions.

IV. New Business

a. Menhaden – Review and discussion of purse seining in the Rappahanock River

Mr. Garrison addressed the committee on the concerns over menhaden purse seining in the mouth of the Rappahanock River. He reviewed a letter that he recently sent to Omega Protein. Lyell Jett, general manager for the Omega Protein menhaden plant, addressed the committee. Mr. Jett's remarks were distributed verbatim to the committee members. Generally, he was not aware that a problem existed when portions of the menhaden fleet worked the mouth of the Rappahanock. He also stressed the importance of that area to his boats, especially during inclement weather, and that his boats were only in the river an average of one day per week during 2002.

Numerous speakers from the audience addressed the committee with concerns about the boats working the mouth of the Rappahanock River. Several captains from the Omega Protein fleet addressed the committee. All voiced their desire and need to continue to be able to fish the river. Charles Williams stated the problem seems to be perceived, since some of Omega's boats do work the mouth, people assume they work there everyday. Several charter boat captains argued that the menhaden boats fish in the river a lot more often than Omega claims they do, and the menhaden stocks are not what they used to be. A motion was made to examine the mandatory reports from the menhaden boats for this year, 2003 and recent years, and see what levels of fishing are actually occurring in the Rappahanock River. If a problem is found, then the FMAC may pursue authority from the Legislature for the VMRC to regulate the menhaden fishery. Motion carried, 14 in favor, 2 opposed, and 4 abstentions.

b. Weakfish – ASMFC Amendment #3, new rules for 2003

Rob O'Reilly informed the committee of the changes that will need to be made in regard to weakfish (Grey Trout). For the recreational fishery, the main changes will be that the size limits and possession limits will have to be continuous, no seasons with different size limits and possession limits. Mr. O'Reilly went through a list of options for the recreational fishery. He informed the committee that the commercial regulations would stay the same, except that the bycatch allowances would allow for up to 300 pounds of grey trout bycatch as long as at least the same quantity of other species were on board. Mr. Bowden proposed closure dates for commercial fishery, with a closed season from March 16 through May 13 and from October 20 through December. Mr. Bowden requested that this item is brought to the Commission as soon as possible. This motion passed, 16 in favor and 0 opposed, with 3 abstentions. Mr. O'Reilly stated the ASMFC is also allowing for a bycatch allowance for trawlers of 300 undersized trout per vessel, with the stipulation that these fish cannot be sold.

c. Black Sea Bass – Recreational rule changes for 2003

Mr. Travelstead informed the committee of the changes that will need to be made in the recreational black sea bass fishery to maintain compliance with the ASMFC black sea bass fishery management plan. The plan calls for an increase of the minimum size limit from 11 ½ inches to 12 inches, and a coastwide closed season from September 2 through September 15 and from December 1 through December 31.

d. Flounder – Recreational rule changes for 2003

Mr. O'Reilly addressed the committee about the recreational flounder fishery. He stated the Mid-Atlantic Fishery Management Council (MAFMC)

mandated that Virginia's recreational fishery needs to be changed to reflect an overage in the quota. He stated that Virginia was the only state with an overage for 2002, with an overage of approximately 5%. Mr. O'Reilly stated the NMFS is going to lower the harvest targets for the recreational fishery for 2003 and the actual reduction for the fishery will be 10.9%. Mr. O'Reilly told the committee that he would report back at their next meeting with more details.

e. Gill Nets – Citizen complaints of user conflicts

Mr. Travelstead informed the committee of a citizen complaint involving recreational and commercial fishermen, then introduced Mr. Diggs. Mr. Diggs addressed the committee on the conflicts between commercial fishing gear (gill nets) and recreational fishing activity in the lower bay. Mr. Diggs complained that gill netters were setting nets on schools of fish that were being actively fished by recreational fishermen. Mr. Diggs stated that schools of bait fish were getting harder and harder to find. He then presented seven proposals that would eliminate any future conflicts. These proposals can be found in the verbatim record of this meeting. Discussion followed, no motions were made.

V. Next Meeting Date

The next meeting date was set for February 18, 2003.

VI. Adjournment

Mr. Travelstead adjourned the meeting at 9:45 P.M.