

VIRGINIA MARINE RESOURCES COMMISSION

FINFISH ADVISORY COMMITTEE MEETING

VMRC CONFERENCE ROOM

October 19, 2004

MEMBERS PRESENT

Jeff Deem
Robert Weagley
Wynston Holbrook
Hon. William Laine, Jr.
Douglas Jenkins
David Agee for Ken Neill
Tom Powers
Sam Swift
Bill Burruss
Chris Vaughan
Walter Rogers
Hon. Russell Garrison

MEMBERS ABSENT

Pete Nixon

VMRC STAFF

Jack Travelstead
Rob O'Reilly
Roy Insley
Stephanie Iverson
Lewis Gillingham

I. Introductions, Announcements

Chairman Russell Garrison called the meeting to order at 6:05 P.M.

II. Approval of the minutes from the August 31, 2004 meeting

Chairman Russell Garrison requested modification regarding his comment under III. Old Business, A., concerning "sentiments out of Maryland," regarding a striped bass quota system based on pounds versus individual tags. Mr. Garrison requested the minutes read, "Maryland fishermen wished they had Virginia's tag based quota system" rather than Maryland's poundage based system. The minutes were approved subject to the aforementioned modifications.

III. Old Business

A. Continued discussion on establishing exception procedures for limited entry fisheries

Jack Travelstead stated the Commission remanded this issue back to staff and the FMAC for further review. Staff enumerated and evaluated (hand-out provided) all limited entry fisheries. Staff feels there is adequate means to allow new entrants into each of the state's limited entry fisheries except for two: the blue crab fishery and the offshore portion of the Summer Flounder fishery. In the case of the blue crab fishery, there is concern whether the blue crab stock can handle additional effort, as there is no cap or quota on landings. As for the Summer Flounder fishery, the stock is healthy and could support some additional effort. Staff will recommend the Commission adopt a hardship exception to obtain a Summer Flounder Endorsement License. The qualifying period for the Summer Flounder Endorsement License is 1993 through 1995 (must have landed in Virginia at least 500 pounds of Summer Flounder). Hardship exceptions from the 1993-1995 landing criteria will include active military service, a serious medical condition, significant vessel damage or other extenuating circumstances that prevented the landing of Summer Flounder during 1993-1995. The vessel will also be required to document that it participated in the fishery in years prior to 1993.

Tom Powers asked how many new vessels might qualify and expressed concern that a landslide of additional vessels would create new problems. Staff was unable to provide an exact number but expected the number of vessels able to qualify under the proposed hardship clause would be minimal.

Bill Culpeper (from the audience) spoke, detailing the "hardship" of one such vessel owner, "a divorce in 1993 and major vessel repairs in 1994 followed by engine repair in 1995."

It was this type of a situation that a set of hardship criteria would allow staff to evaluate.

Mr. Powers made the following motion:

The FMAC supports staff recommendations and requests they be forwarded to the Commission but cautioned that should the number of new entrants be excessive staff should revisit the exception criteria.

The motion was seconded and passed unanimously.

B. Update in issues related to establishing an individual weight quota system for commercial striped bass permittees

Mr. Travelstead said staff supports an individual weight quota but a revamped monitoring system would be necessary and expensive. The Commission has advertised an informational public hearing to determine the level of support among fishermen and industry. Letters have been sent to all striped bass permit

holders announcing this hearing, which will be held at the next Commission meeting (October 26).

Chairman Garrison asked how much the monitoring system would cost in order to track an individual weight quota.

Rob O'Reilly stated, "expensive," and presented three options. The first, an internet program using the NOAA electronic reporting dealer system created by ACCSP, was the most expensive but would be capable of handling many species—not just striped bass. The start-up cost was estimated at \$245,000 with a projected annual cost of \$116,000. The second method was a "stand alone" system, whereby the buyer would be provided with the necessary computer and software. The start up cost and annual cost would be less expensive but at least one full time employee would be needed. The third method was an Interactive Voice Recording System (IVR). This method was simple and the least expensive of the three but could only be applied to striped bass and was not very flexible.

Doug Jenkins offered a simple means of implementing a poundage quota. Staff would determine the number of pounds of striped bass landed for each fisherman from the Mandatory Reporting System. If fishermen reported more pounds of striped bass than his quota allowed, that amount of pounds would be deducted from the next year. Mr. Jenkins also suggested that gill net fishermen should be restricted to a maximum mesh size of 7 inches, "which would average about an 11-pound fish," according to Jenkins.

From the audience, Ernie Bowden stated the system staff was devising to track a poundage quota was more difficult than needed. Mr. Bowden suggested that hiring a single employee and dedicating this time to conduct weekly audits of permitted striped bass buyers could accomplish the task of timely and accurate monitoring of the striped bass quota. Mr. Bowden reasoned that of the 50 permitted striped bass buyers, 10 to 20 handle the majority of the fish. A single person could audit the bigger dealers once a week by merely visiting two or three dealers each day. The smaller dealers could be audited less often, as time permitted. Mr. Bowden volunteered he would support commercial license fee increases to create such a system.

A commercial striped bass fisherman from Poquoson stated, "I just don't see how you will be able to enforce a poundage quota." He reasoned there would be little incentive for the industry to accurately record landings, as fishermen make money catching striped bass and buyers make money from packing and selling striped bass.

From the audience, Eddie Gaskins asked what roles would the buyer be required to play? Will VMRC require check stations like Maryland? What economic incentive would a check station have if a fisherman did not sell his catch to the check station?

From the audience, Chris Ludford stated he would not be able to attend the Commission's Informational Hearing next week but felt strongly about this issue. Mr. Ludford agreed with Mr. Jenkins, feeling a poundage quota could be simply implemented by calculating a fishermen's average size striped bass from the Mandatory Reports. Mr. Ludford heard that if a poundage quota were adopted, staff would recommend that no striped bass could be harvested the month of August. This was to allow for a complete audit of striped bass landings. Mr. Ludford requested July as a closure period rather than August because the market was better (higher price per pound) in August than July.

Mr. Travelstead reminded all those in attendance of the informational hearing scheduled for the Commission's October meeting and urged all interested parties to attend and make their feelings known at that time. If the majority of the fishermen support the poundage quota and additional expenses the quota monitoring would require, then this issue will come back to this committee to advise on the exact framework of the system.

IV. New Business

A. Update on the 2005 Chesapeake area recreational and commercial striped bass quotas

As Rob O'Reilly prepared to provide the FMAC with updated specifications for the 2005 striped bass season, members of the FMAC and audience requested an update regarding the September/October recreational estimate for anglers in 2003. Mr. O'Reilly stated a conference call involving the NMFS, VMRC staff and Dr. Cynthia Jones had been conducted. The NMFS representative indicated something could have occurred in the intercept portion of the survey to skew the landings estimate. The NMFS indicated a response would be provided by January.

On to the 2005 update, Mr. O'Reilly stated the recreational and commercial quotas would be 1,504,927 pounds for each fishery. This represents an increase in quota of 10.3%. Alluding back to the 2003 recreational overage, Mr. O'Reilly reminded the FMAC that Virginia, Maryland and the PRFC all operate under a Baywide quota, which has never been collectively exceeded. However, individual components of the fishery, such as Virginia's commercial and recreational fisheries, have at times exceeded their specific allotment. In every case of overage the Baywide quota was not exceeded and no penalty was incurred. Mr. O'Reilly added, in Virginia's commercial fishery no overage has occurred since 2000, because some fishermen harvest striped bass well over the calculated average size while other fishermen harvest fish well below the average size used to determine the number of tags for each fishermen. Additionally, some fishermen, for a myriad of reasons, do not even use all their tags.

B. Other New Business

Tom Powers stated the recreational sheepshead fishery was expanding (more anglers catching and keeping more fish) and requested staff review this situation and recommend some bag limit.

V. Next Meeting Date

The date and time for the next meeting was not discussed.

VI. Adjournment

Chairman Russell Garrison adjourned the meeting at 8:10 P.M.