

**Virginia Marine Resources Commission**  
**SPOT/CROAKER TASK FORCE MEETING**  
380 Fenwick Road, Fort Monroe, VA  
WebEx Online Meeting  
Tuesday, January 13, 2021 – 4:00 P.M.

**ATTENDANCE**

Members Present

Meade Amory  
Chris Ludford  
Scott MacDonald  
Tom Powers

VMRC Staff Present

Pat Geer  
Shanna Madsen  
Somers Smott  
Lewis Gillingham  
Alexa Galvan  
Jill Ramsey  
Ethan Simpson  
Olivia Phillips  
Andrew Button

Members Absent

Scott Bloxom  
Eddy Brady

Others Present

Ernest Bowden  
Scott Wivell  
John Bello  
Jason Lewis  
Bill Gorham  
Kara Everett  
James Glasco  
Mark Sanford  
Rob Lampson  
Charles Dryden

Minutes were prepared by Alexa Galvan

**I. Announcements – P. Geer**

Due to the COVID-19 office closure, this meeting was conducted via electronic communication means (WebEx). Chief of Fisheries Pat Geer presented a history of the task force, which met for the first time and most recently in April 2019, and a summary of reasons for the current meeting.

**II. Spot/Croaker Management Measures – S. Smott**

Ms. Somers Smott, Fisheries Management staff, presented the results of the traffic light analysis of spot and croaker. Abundance and harvest indices have declined for both species below a level that triggered management action from ASMFC. At the February 2020 meeting of ASMFC, Addenda were approved for each species' Fishery Management Plan (FMP) requiring states to place a maximum 50 fish recreational bag limit and a minimum 1% decrease from each states' 10-year average commercial harvest. Ms. Smott presented options for Virginia to achieve these cuts. Initial regulations by each state will need to stay in place for 3 years for croaker and 2 years for spot for the Technical Committee to assess if those measures resulted in the desired cuts or if the population has rebounded. Mr. Tom Powers believes the 10-year average is an overestimate of Virginia's performance, since both species saw declines in harvest over that period. Mr. Powers says a period of three to four years would be more representative of the current picture.

Deputy Chief of Fisheries Shanna Madsen said the FMP requires 10 years of data, but Virginia could propose a different time period to the technical committee if it resulted in more conservative savings. Mr. Scott MacDonald said the commercial fishery is currently fishing at a level greater than 1% below the 10-year average. He is concerned that if Virginia cuts the season and the population rebounds, boats will land in other states with open seasons. Mr. Meade Amory agreed, saying that both species' populations increase and decrease on a cycle. Mr. MacDonald and Mr. Amory agreed it would be better to stick with the 10-year average so more conservative regulations wouldn't hold the fishery back when the population rebounds.

Ms. Smott presented recreational bag limit options for the task force to choose from. According to the FMP, the state must set a bag limit of at most 50 fish. Mr. MacDonald asked if charter boats would also be limited to 50 fish. Deputy Chief Madsen explained that, if the state chooses, charter captains could keep live bait equivalent to 50 times the number of passengers allowed on the boat. Mr. MacDonald said 50 is fair for charters to keep fishing as the population rebounds. Mr. Chris Ludford and Mr. Amory agreed that a 50 fish bag limit is the best option. Mr. Ludford advised against being more conservative because Virginia has not gotten credit from ASMFC for additional savings in the past and made a motion to recommend a 50 fish bag limit for croaker and spot and to allow Virginia to negotiate for the best option for charter boats to keep live bait. All members agreed on the 50 fish bag limit. One member dissented on the charter limits. Mr. Powers recommended private boats have the same rules as charter boats with keeping live bait equal to 50 times the number of passengers. Mr. Amory argued that private fishermen are not the same as charter captains. Chief Geer said on a private boat each passenger would have to bring their own 50 fish for bait.

Ms. Smott asked the Task Force what percent cut they would recommend the commercial fishery take. A 1% cut is required by ASMFC but the recreational bag limit means that fishery is taking a 2.4% cut for croaker and a 9.3% cut for spot and the task force could recommend equitable cuts across the two sectors. Mr. Amory made a motion to recommend a 1% cut. There were no objections. The task force next discussed how to shorten the season- to take away days from the beginning or end of the season or fewer days from each end. Mr. MacDonald asked if closing the croaker fishery in November would hurt trawlers. Mr. Amory said trawlers used to catch in fall and winter but haven't been catching croaker lately. If croaker come back and Virginia can't adjust the regulation for three years, the boats may land in other states. Mr. MacDonald said opening the season in March would cut out gillnetters but they could tolerate that for now since most gillnetters are targeting spiny dogfish over winter. During mild winters, they can catch croaker as early as Valentine's Day. He also asked if there could be a bycatch allowance during the closed months. Ms. Smott said that would not be allowed. Mr. Amory said flounder fishermen catch croaker as bycatch and they're active in November and December so he would recommend opening March 2. Mr. Powers asked if opening in March would allow fish to grow and spawn. Mr. Ernest Bowden said croaker spawn in October when they're offshore. He used to catch in November but hasn't in a while. Croaker used to be caught off Virginia Beach in February and March, but the Eastern Shore doesn't catch many before April or May. He said a March opening would not hurt fishermen on the Eastern Shore. He said they do catch croaker in November with trout. Mr. MacDonald said if croaker spawn in fall, it would be better to close November 8. Mr. Bowden said it is better for the most fisheries to leave the spring open. Mr. Amory agreed with November 8, due to the spawn and with trawlers not catching much recently.

Mr. Amory made a motion to close the commercial croaker fishery November 8. There were no objections.

Mr. MacDonald recommended closing the commercial spot fishery November 29. Mr. Amory recommended the combination option opening April 15 and closing December 6, because spot are sometimes caught as late as Thanksgiving but he has never seen spot in December. Mr. Bowden said he seldom catches spot before April 15 and if he does, they are very small. Mr. Amory recommends the combination option or a May 2 opening, but Mr. MacDonald said he would prefer to open before May 2. Mr. Charles Dryden agreed the combination opening is best for spot and agreed with the November 8 croaker closure. Mr. Amory made a motion to recommend the combination option opening April 15 and closing December 6. There were no objections. Mr. Jason Lewis asked if sales of spot or croaker by commercial fish pot licensees to recreational fishermen would be limited. Deputy Chief Madsen said they would not be, as commercial fish pots would only be constrained by the commercial season. Mr. Powers asked if a private boat captain could buy 300 fish from a commercial harvester for a boat with six people. Deputy Chief Madsen said if buying live bait, a private vessel could carry 50 per person on the vessel but each private angler could only have 50 fish in their separate possession at one time.

Deputy Chief Madsen and Ms. Smott said VMRC staff will forward the task force's recommendations to FMAC and submit to ASMFC for approval. If approved, new regulations for spot and for croaker will be voted on by the Commission in March.

### **III. Adjournment**

The meeting was adjourned at 5:44 pm.