

VIRGINIA MARINE RESOURCES COMMISSION

FINFISH ADVISORY COMMITTEE MEETING

VMRC CONFERENCE ROOM

FINAL MINUTES, OCTOBER 21, 2002

MEMBERS PRESENT

Kevin Seldon
John Wyatt
Robert Weagley
Warren Cosby
Ken Neill
Hon. Gordon Birkett
Ernest Bowden
Tom Powers
G.G. Crump
Raymond Spence
Robert Brumbaugh
Douglas Jenkins
Kelly Place
Jim Hayden for Larry Snider

MEMBERS ABSENT

Richard Young
Warren Cook
Peter Nixon
Greg Swift
Cathy Davenport
Frank McLaughlin
Raymond Kellum
Lionel Jenkins
Bob Pride
Charles Williams
Hon. Russell Garrison

I. Introductions, Announcements

Ray Spence called the meeting to order at 7:05 P.M.

The minutes from the August 20, 2002 meeting were amended, in IV. New Business; B. 2003 Recreational Striped Bass Measures. The third line, which read "only one fish over 27 inches," was changed to read; "only one fish over 34 inches."

II. Approval of minutes from the August 20, 2002 meeting

Minutes were approved as amended.

III. Old Business

A. Review of staff proposal for striped bass ocean fishery ITQ Program

Rob O'Reilly distributed a handout that ranked 78 fishermen who had documented landings of ocean striped bass from 1993 through 1997 by pounds and included

participation (number of years) from 1993 through 1997 and 2000 and 2001. The coastal area quota in 2003 is 98,000 pounds, which equals 6,119 tags. One option calculated by staff was to limit the offering of ocean quota to fishermen who had ocean harvest in three years from 1993 through 1997. This scenario selects twenty-two fishermen as participants, whose individual share would be 278 tags. A second option calculated by staff included fishermen who had coastal area harvest in three years from 1993 through 1997 and landed coastal area catch in 2000 or 2001. This scenario would limit the number of fishermen to eighteen, whose individual share would be 340 tags. In both options, fishermen receiving coastal area quota would be required to turn-in an equal number of Bay quota tags (which would benefit all the Bay fishermen by an increase in the number of tags). However, fishermen would not be required to accept the coastal area quota. Should the initial group of fishermen selected by either option elect to forego the coastal area quota, the remaining shares of coastal area quota would be offered to the next ranked fishermen within the 78 individuals with documented ocean harvest.

Ernie Bowden asked how coastal area quota would be distributed to a fishermen whose Bay quota amounted to fewer tags than a full ocean quota share (for example, in 2002, a full gill net share was 200 tags and in both scenarios presented by staff, a share of ocean quota was a greater number of tags). Jack Travelstead stated one option would be one full share for one full share, even if the two numbers were not equivalent. Further, Mr. Travelstead said the number of tags per individual with Bay quota will increase significantly in 2003, since the much larger, ocean caught fish will no longer be part of the calculation for average fish size in the Bay.

Kelly Place did not feel the one-to-one trade-in was fair, since one ocean tag represented more pounds of fish than one Bay tag. Mr. Place suggested Mandatory Reports could be used to calculate a more appropriate ratio.

Mr. Bowden said traditional ocean fishermen had already been penalized because of the shift in effort by Bay fishermen to the ocean.

Doug Jenkins thought no system was going to be completely fair but the fishermen need to realize the 98,000 pounds of ocean quota is additional quota and nobody will lose quota.

Rob O'Reilly explained that all Bay ITQ holders will receive an equal percent increase, based upon their percentage of Bay quota, for the 6,119 tags not used by coastal area ITQ holders.

Warren Cosby suggested giving all striped bass permit holders an equal share (which would amount to 12 tags) and let the fishermen determine who uses the ocean tags.

Chris Ludford said the ocean fishery is a winter fishery. Those fishermen that rigged-up for this fishery and fished it should have the first option for ocean quota.

At the request of Chairman Raymond Spence, the Committee agreed by consensus to recommend both options to the Commission for public hearing (three years of participation, 1993-1997 and three years of participation 1993-1997 plus harvest in 2000 or 2001).

Warren Cosby made the following **motion**:

Divide the ocean quota tags equally among all current striped bass permit holders (everyone would gain 12 coastal area tags). After the motion was seconded, a discussion ensued, during which the Committee determined that voting for this motion (adding an additional option for the Commission to consider) did not represent support for this option. A vote was taken and the motion carried.

The Committee did not reach a consensus regarding the ratio of ocean tags to Bay tags to be relinquished; though staff preferred a one-to-one ratio.

B. Other striped bass concerns: continued "highgrading"; user conflicts

The Committee and staff quickly agreed that "high-targeting" was a better term than "highgrading," since it was more a method of fishing than actually culling through smaller fish in most cases.

Kelly Place stated that as long as the fishermen were issued a set number of tags the fishermen would high-target. The fishermen should be tied to a precise number of pounds, regardless of the size of the fish.

John Wyatt agreed, saying the only way to eliminate high targeting is to have the ITQ in pounds.

Ernie Bowden said the same situation exists in the recreational fishery--anglers high-target.

Warren Cosby asked where the high targeting was occurring, "in the ocean or the Bay?"

Tom Powers responded that most of the activity (now that a distinct, ocean quota has been created) would occur just inside the Bay, near the CBBT.

Ernie Bowden agreed that high-targeting was occurring, in part because fishermen were receiving fewer tags each year, and would likely cause future problems in the fishery without changes. Mr. Bowden suggested gear restrictions (such as

mesh size for gill nets) or short seasonal closures for the commercial fishery and a slot limit (such as only one fish over 28 inches) for the recreational fishery.

This issue will be further discussed at the next Finfish meeting.

Jack Travelstead asked the Committee to consider how much of the ocean quota any individual should control. Rob O'Reilly stated that the Bay cap was 2% but that was a ten-time increase over the initial share. For the ocean quota, the options staff had worked-up would allocate 4.5 to 5.5 % as the initial share, so clearly 2% was an unreasonable cap for the ocean.

A brief discussion followed regarding the smaller group of initial participants and quota in the ocean fishery versus the Bay fishery. Mr. Bowden made a motion to allow for a three-time increase over the initial share. More discussion followed. Mr. Bowden withdrew his motion. **Kelly Place made the following motion:**

The cap for the ocean quota should be two-times the initial share. The motion was seconded and passed 10-0.

C. ASMFC Tautog requirements, 2003

Jack Travelstead informed the Committee that Rob O'Reilly and John Hoenig (VIMS) attended the ASMFC Tautog Technical Committee meeting and presented a catch curve analysis using ODU aged fish from Virginia for 1997-2001. This analysis showed Virginia is already fishing at or below the necessary fishing mortality rate. The Technical Committee voted to accept this information as valid. If the ASMFC Tautog Management Board agrees with the Technical Committee's finding, Virginia will not be required to add any new restrictions for tautog next year.

D. ASMFC Red Drum requirements, 2003

Jack Travelstead informed the Committee that a small, ad-hoc committee of recreational fishermen had been formed to review a list of options called for in 2003 by the ASMFC Red Drum Management Plan. This group selected two options for public hearing. Option 1: a possession limit of five fish and slot size of 20 to 27 inches, and Option 2: a possession limit of three fish and a slot size of 18 to 26 inches. Since that group met, Maryland and PRFC have discussed this issue and tentatively selected a possession limit of five fish and a slot of 18 to 25 inches. All three options meet the mandates of the ASMFC Red Drum Plan. After a brief discussion, **the Committee agreed by consensus to support Option 1: a possession limit of five fish and slot size of 20 to 27 inches and the option for a possession limit of five fish and a slot of 18 to 25 inches (which Maryland and PRFC have agreed upon).**

E. Gill Net Marking requirements, identical color of flags issue

The Committee was informed this issue was raised by a fishermen who contended that the requirement to maintain "identical" colored flags on both ends of a gill net or an "identical" colored ball and a flag on each end of a gill net was nearly impossible due to weathering effects on different materials. The Committee felt the wording should be changed from "identical" to either "similar" or "same hue."

At this time MPO Oliver raised an issue regarding the use of agents and when such use was appropriate. This item will be discussed at the next Finfish Management Advisory Committee (FMAC) meeting.

F. Black Sea Bass requirements, 2003

Jack Travelstead informed the Committee that Black Sea Bass will be managed by an individual state-by-state quota in 2003 and 2004, rather than a coastwide quota, as in prior years. Virginia and New Jersey were allocated the highest percent of the quota, 20% each, which is 666,000 pounds for each state. Staff contacted Federal Black Sea Bass permit holders, who had a history (one-pound or more) of landing Black Sea Bass in Virginia plus industry members and has held two meetings to determine how to carve-up the quota. Approximately 200 different vessels have landed Black Sea Bass in Virginia in the last five years but many of these landings were very small and likely a by-catch of another fishery. Conversely, just 40 vessels had 93% of the landings. Two widely divergent scenarios evolved from those who attended these meetings. One, an Individual Fishing Quota (IFQ) based upon the vessels landing history and coupled with some minimum qualifying landing level (2,500 to 11,000 pounds). The second was to maintain a quarterly quota system with possession limits and triggers and allow all, or nearly all, with a landing history to participate.

IV. New Business

A. A request was made to examine the possibility of a limited, commercial American shad fishery next spring. This item will be discussed at the next Finfish meeting.

B. Ernie Bowden requested that when major items come before the Commission for a public hearing, such as the Black Sea Bass issue, that a public hearing also be held on the Eastern Shore.

V. Next Meeting Date

The next meeting will be Tuesday, November 12, 2002, 7PM.

VI. Adjournment

Mr. Spence adjourned the meeting at 9:20 P.M.