

**Virginia Marine Resources Commission**  
**Finfish Management Advisory Committee (FMAC) Minutes**  
2600 Washington Avenue, Newport News, VA  
VMRC Commission Room, 4<sup>TH</sup> Floor  
Monday August 28, 2017 – 6:00 P.M.

**ATTENDANCE**

Members Present

Jeff Deem (Chairman)  
Jack Austin  
John Bello  
Ernest Bowden  
Wes Blow proxy for Hon. Ken Neill  
Scott MacDonald  
Robert Weagley

VMRC Staff Present

Rob O'Reilly  
Lewis Gillingham  
Jill Ramsey  
Ryan Jiorle  
Alex Aspinwall  
Sydney Alhale  
Sara Blachman

Members Absent

Meade Amory  
Skip Feller  
Andy Hall  
Tom Powers  
Walter Rogers

Others Present

Robert Weagley Jr.

**I. FMAC Introductions; Announcements**

The meeting was called to order at 6:00 pm

**II. Approval of FMAC minutes from February 27, 2017 and March 27, 2017 meetings**

The minutes from the previous two meetings were not approved. Chairman Jeff Deem requested that additional copies of both sets of minutes be sent by email so the committee can review them prior to the next meeting.

**III. New Business:**

**Updates from the ASMFC and MAFMC August meetings:**

Fisheries management Chief Rob O'Reilly provided the committee with updates from the Atlantic States Marine Fisheries Commission (ASMFC) meeting and the Mid-Atlantic Fishery Management Council (MAFMC) that both took place in early August. Species specific updates are outlined in the sections below. Mr. O'Reilly mentioned that the next ASMFC annual meeting will be held nearby in Norfolk from October 15 to October 19. ASMFC will hold the final hearings concerning Amendment 3 to the Interstate Fishery Management Plan for Atlantic Menhaden on November 13 and 14 in the DC metro area.

Mr. O'Reilly introduced two new fisheries management staff members, Sydney Alhale and Sara Blachman, to the committee and mentioned that there are still vacancies in the department.

• **Black sea bass, scup, and summer flounder**

Regarding summer flounder, Mr. O'Reilly informed FMAC that the ASMFC/MAFMC amendment will not include a change in landings flexibility, a system where fishermen with Virginia permits could land in other states, for example. Although this option will still be included in the framework for the amendment.

At the joint ASMFC/MAFMC meeting there was discussion of a recreational wave one black sea bass fishery, although this will not occur in 2018, it is still possible for 2019. Mr. O'Reilly thinks that a wave one fishery will be popular in Virginia. Jack Austin asked what months this would involve. Mr. O'Reilly answered January and February, which only North Carolina has at the moment. Wes Blow commented that he would like Virginia to do whatever it can to get that fishery back, since its closure put charter boats out of business and in the meantime he has been throwing back five pound fish during those months. Mr. O'Reilly says the National Marine Fisheries Service's regional administrator is very positive about the potential for a wave one fishery.

The coastwide scup quota will go up to 20 million pounds.

- American eel

Mr. O'Reilly reported that the eel fishery is close to moving to a state-by-state quota allocation system.

- Cobia

Fisheries staff Ryan Jiorle told the committee that the South Atlantic Fishery Management Council (SAFMC) approved a draft fisheries management plan for Cobia to go out for public comment with options for different measures. ASMFC will hold public hearings. Virginia's hearing will be Tuesday, September 12 at 6 pm. Presentations in Hatteras and Morehead City, North Carolina will be held on September 19 and 20. This is the opportunity for members of the public to comment before a final decision is made, which will probably happen at the beginning of April 2018.

Mr. Blow mentioned the split of the quota heavily favors North Carolina over Virginia. Mr. Jiorle responded that he could not speak to the quality of technique used to determine allocation, but that it seems reasonable. He explained that Virginia may have been hurt due to the exclusion of 2016 data. That data was not included because some of the states were restricted from participating in the fishery that year. Mr. O'Reilly agreed that the allocation looked reasonable based on the time periods that they used, but he mentioned there might be a problem with conservation equivalency since we don't know what future effort may be. Mr. Jiorle also pointed out that North Carolina has steadily had a higher baseline harvest and will come out ahead of Virginia if three-year or five-year averages are used. Virginia only comes out ahead in the 10-year average because 2006 was Virginia's second-highest estimated cobia harvest on record.

- Spot & Atlantic Croaker

ASMFC attempted stock assessments for spot and Atlantic croaker, but they both failed peer review. So they conducted a traffic light analysis instead to determine if the croaker stock is above or below average trends. Although catch is low, offshore surveys do not indicate that the stock is low. Inshore surveying in the Chesapeake Bay indicated a slight drop in the population. It is possible the fish are staying offshore and not coming into the Bay but the situation is unclear. Members of the committee agreed that it seems as though croaker are harder to catch in the Bay than in the past. Jack Austin mentioned that anecdotally he did not think it was the abundance that is low, but that the size of the fish in the Bay are smaller. Mr. Jiorle mentioned that some croaker surveys are trying to split up population into age groups, and the same might be done for spot if there is enough data. He is hopeful this will provide more information on what, if any, problems there are.

Mr. Deem agreed he did not think the fish are not coming into the Bay. He wanted to know if anyone was looking into why and if the cleaner Bay could be scaring them off? Mr. Jiorle responded that although there are people are looking into changes in the migration of different populations of fish generally, he does not know of any looking at these species specifically. Ernest Bowden pointed out that the shrimping industry in North Carolina could be having an effect, and John Bello mentioned that global warming should also be considered since the warmer coastal and bay temperatures could be causing northwards migration.

Mr. Jiorle mentioned that at the end of 2016 John Hare from NOAA came to talk about what research is being done on warming temperatures, but that it is still unclear how that should be included in stock assessments. He also pointed out that ASMFC has a climate change working group. Mr. O'Reilly pointed out that climate predictions are only long term and that they can't be accurately applied in the short term (e.g. 10 years out).

Mr. Blow says he has heard reports of plenty of spot being caught. However, sharks are plentiful in the lower bay, and he wondered if they were responsible? Scott MacDonald stated that he believes that predator fish could be keeping stocks out of the Bay.

- Tautog

ASMFC may go from a state to a regional management approach for tautog. In which case Virginia would be part of the Delmarva region and the regulations could be liberalized.

- Other

Mr. O'Reilly briefly mentioned that the coastwide commercial bluefish quota will go down in 2018. Virginia only has a small commercial bluefish fishery, but we participate in transfers to other states.

### **Discussion of the 2017 Mandatory Recreational Reporting**

Fisheries staff Jill Ramsey gave a brief presentation of the mandatory reporting from the 2017 Virginia recreational trophy striped bass season. The percentage of recreational reports submitted was up slightly from last year, with a 46% compliance rate. There seems to be some confusion about reporting, and staff will work this fall to improve the reporting process for the recreational and charter fleet.

Mr. Jiorle gave a presentation on recreational cobia reporting. 2017 is the first year of mandatory reporting. Mr. Jiorle reviewed changes in cobia regulations and the mandatory reporting requirements and provided a summary of the permit and

reporting data. He pointed out that the numbers are not final yet, since the season does not end until September 15. He explained that letters and emails will be sent out at the end of the season and he expects reporting rates to go up at that point.

To ensure the accuracy of the data being reported staff plans to compare it to data from law enforcement stops to determine who is fishing without a permit and use data collected from stops to determine if it matches reporting data. They could also do the same with other VMRC data sets through the Virginia Game Fish Tagging Program or the citation program. The main goal of recreational reporting is to get better data for rarely intercepted species than is being collected through the Marine Recreational Information Program (MRIP). Staff is unsure what to do for permittees who report late or not at all and is seeking input from the committee. Mr. Bowden stated that he has heard that it has been a tremendous year for cobia fishing and the numbers being reported don't seem to reflect that. Mr. Austin thinks that a friendly letter to late reporters is the most appropriate step to take for the first year followed by tougher punishment for non-reporters in the future. He also said that thank you letters to timely reporters may be appropriate. Mr. Jiorle agreed and plans to write up a public report to show how that data that people are providing is being used by VMRC. Mr. O'Reilly brought up the fact that there is no charge for permits but that a lot of staff time is already going into this process.

Mr. Blow stated that he does not see the amount of trips and effort that he sees occurring being reflected in the data that has been reported. At the end of the discussion Mr. O'Reilly brought up that MRIP statistics are going to change by 2018, and that estimates of effort may be four to eight times higher, which will affect stock assessments. This is because MRIP is switching their effort surveys from phone to mail so as not to exclude cell phone users.

#### **IV. Old Business**

Robert Weagley asked about blue catfish, specifically what was happening with the experimental electrofishing program. Mr. O'Reilly responded that an earlier thought was to allow single electrofishing units in main rivers, but we are waiting for the final Virginia Tech report and other study results. Mr. Weagley brought up that there are many pieces to be considered regarding the blue catfish fishery. While there is no doubt that blue catfish has grown as a commodity in the Bay, he and others are concerned about what they are eating – valuable species like blue crab and rockfish. Mr. Weagley also pointed out that he hears concerns from people who can't catch anything other than blue catfish, and that there should be more consideration given to what catfish are doing to the environment and other fisheries. He asked if there is a permit yet for electrofishing. Mr. O'Reilly answered not yet, but that the time is approaching. Mr. Deem asked if the holdup is still the USDA inspections. Mr. O'Reilly said that is a factor, but is not the only consideration

Mr. O'Reilly thanked everyone for attending the meeting.

**V. Adjournment**

The meeting adjourned at 8:07 pm.

DRAFT