

**Virginia Marine Resources Commission**  
**Finfish Management Advisory Committee (FMAC) Minutes**  
2600 Washington Avenue, Newport News, VA  
VMRC Commission Room, 4<sup>TH</sup> Floor  
Wednesday November 29, 2017 – 6:00 P.M.

**ATTENDANCE**

Members Present

Jeff Deem (Chairman)  
Jack Austin  
Ernest Bowden  
Wes Blow proxy for Hon. Ken Neill  
Scott MacDonald  
Skip Feller  
Tom Powers  
Mike Avery proxy for John Bello

VMRC Staff Present

Rob O'Reilly  
Joe Cimino  
Lewis Gillingham  
Ryan Jiorle  
Alex Aspinwall  
Sydney Alhale  
Sara Blachman  
Jeff Copperthite

Members Absent

Robert Weagley  
Meade Amory  
Andy Hall  
Walter Rogers

Others Present

Patrick Link  
Jonathan French  
Coleson Pokorny  
Zachery Hoffman  
Nick Burone  
Mike Lintzenicct  
Stan Simmerman  
Johnny Boys  
Stan Gold  
Bill Gorham  
Ken Neill  
John Green  
Kyle Lewis

**I. FMAC Introductions; Announcements**

The meeting was called to order at 6:00 pm.

**II. Approval of FMAC minutes from February 27, 2017, March 27, 2017 and August 28, 2017 meetings**

The Committee chose to review the minutes from February 27, 2017, March 27, 2017, and August 28, 2017 and approve them at a later date.

**III. New Business:**

**Updates from the ASMFC annual meeting (October 2017):**

- Black sea bass: Discussion of February recreational black sea bass fishery for 2018

Mr. Joe Cimino gave a brief overview of black sea bass management and how the species is managed jointly between the Mid-Atlantic Council and Atlantic States Marine Fisheries Commission (ASMFC). A motion has been approved by the Council to open the month of February for the 2018 fishing season. Any states that wish to take part in this Wave-1 fishery will have to pay back any harvest at a later date. Also, states will need to provide biological data and harvest projection estimates from their Wave-1 fishery. Mr. Cimino spoke to the committee on both issues, letting the committee know that the VMRC plans to have MRIP samplers on head boat trips and will utilize the carcass donation program for biological data needs. VMRC plans to implement a free black sea bass permit during the month of February, which will require all recreational anglers to report catch and trip-level data to the agency. After further discussion regarding paybacks, FMAC fully supported a February black sea bass fishery. Mr. Wes Blow supported this action as it would give more fishing opportunities to the public and our local charter captains. Mr. Tom Powers wants the public to have the opportunity to keep black sea bass in state waters if the federal season is open.

- Tautog: Approval of Amendment 1 to the FMP and discussion of future commercial tagging program

Ms. Sydney Alhale gave an overview from the ASMFC meeting regarding the passing of Amendment 1 to the tautog fishery management plan (FMP). Ms. Alhale explained how the 2015 stock assessment showed high site fidelity, or very little movement along the coast. Amendment 1 splits up the east coast into 4 regional populations, which would allow for a more localized management approach. Virginia will be grouped in a region with Maryland and Delaware

(Delmarva), where the recreational fishing season will run from January 1- May 15, 2018 and July 1- December 31, 2018. The Delmarva region will have a 16" size limit and a 4 fish possession limit, which will go into effect April 2018. The new season will give Virginia's recreational and commercial fishery an additional 15 days during May. New to Virginia's commercial tautog fishery will be mandatory tagging of commercially caught tautog, beginning in 2019. The purpose of the commercial harvest tagging program is to eliminate illegal fishing which has been a problem for more northern states. Commercially caught tautog are required to be tagged by the harvester at the time of harvest or prior to offloading. There would be standardized, single-use tags across states and all states would use the same vendor to obtain the strap tags. Mr. Scott MacDonald was concerned about commercial non-directed harvest and if our commercial watermen can legally possess tautog if they do not have the appropriate tags. Mr. Cimino replied that the issue is of concern to our agency and will be addressed.

- South Atlantic Board

- Cobia- Final options for the cobia FMP and specifications for 2018 fishery

Mr. Ryan Jiorle gave the committee an overview of complementary management between ASMFC and South Atlantic Fishery Management Commission (SAFMC) and the steps that were involved in developing the cobia fishery management plan. Mr. Jiorle briefed the committee on the specifications of the FMP, in regards to minimum requirements for the recreational season, size and vessel restrictions and how state specific quotas were established. Mr. Mike Avery expressed concern that Maryland does not currently have any regulations and believes that there are plenty of cobia being harvested in Maryland waters. Mr. Jiorle explained that under the Cobia FMP, Maryland will have to apply for de minimis status or adopt Virginia's set of regulations. Mr. Tom Powers wanted to know if the commercial quota (50,000 lbs) would be allocated to each state and how will VMRC be able to close the commercial fishery promptly prior to the commercial quota being met. There is no allocation of the commercial fishery quota, therefore it will be up to individual states to report commercial harvest of cobia.

Mr. Jonathan French asked Mr. Jiorle whether the three-year average, used to indicate any overages, would include 2018-2020 or the last three years of MRIP data. Mr. Jiorle explained that it is his understanding that the three-year average would begin in 2018 but he will be able to better clarify that information with upcoming discussions. The discussion switched from public comment to an overview of harvest projections from MRIP. Mr. Jiorle explained that the 2017 preliminary MRIP harvest estimates show that Virginia is slightly over the quota and assume that the average weight of recreationally caught cobia is 39 pounds. However, if VMRC applied average weights (30 pounds) from our carcass donation program, Virginia would be slightly under the quota. As the technical committee representative for Virginia, Mr. Jiorle plans to develop multiple methodologies to bring to technical committee meetings so that harvest estimates

are representative of what staff sees in their programs. Concerning the 2018 cobia fishing season, Mr. Avery made a suggestion to protect Memorial Day to Labor Day.

Mr. Cimino discussed potential FMP requirements that may change Virginia regulations for the commercial cobia fishery. Currently, the cobia FMP states that the possession limit is no more than 2 fish per person and no more than 6 fish per vessel. VMRC regulations match that of the Cobia FMP, however the commission made an exemption for commercial hook and line permit holders who can possess 6 fish even if they are the only one on that vessel. Mr. Zach Hoffman expressed his concerns about the difficulty of finding commercial card holders for commercial trips and that reducing the possession limit would increase illegal harvest. Staff will bring this matter to public hearing before the Commission in January.

- Black Drum- Reopening of the commercial black drum fishery in

#### Maryland

Mr. Jiorle gave a brief update on Maryland wanting to open up what once was a historical commercial pound net fishery for black drum. From 1973 to 1997, Maryland had a commercial pound net fishery that averaged around 11,000 pounds annually. Maryland wants to allow the pound net fishery to open once again. As of 2017, the coast-wide harvest target and threshold have not been exceeded and new regulations put in place are likely to be more conservative than what was put in place historically.

### **Discussion of the Blueline tilefish federal closure**

Mr. Rob O'Reilly briefed the committee on the blueline tilefish federal closure. The NMFS proposed to close federal waters to recreational harvest on November 1, 2017. The VMRC met for a public hearing to address the closed season on October 24, 2017 because the Commission would not be able to meet again until December 12, 2017, well after the November 1 closure. However, there was an unforeseen delay in the federal announcement and the federal season did not close until December 15, 2017. Mr. Skip Feller expressed dismay with the decision to not have a special meeting of the Commission to open up the blueline tilefish season. Mr. Avery wants staff to decouple blueline from golden tilefish and allow an 8 fish possession to stay consistent with the federal limit. Mr. Blow does not want sector separation to occur for blueline tilefish and believes that the results would create a bad situation. Mr. O'Reilly stated that the Commission can decouple Golden tilefish by January with a public hearing.

### **Discussion of the 2017 striped bass charter survey results**

Ms. Sara Blachman gave a presentation to the committee on the background of charter boat reporting and the results from the striped bass charter survey. Charter reporting was made mandatory as a precautionary step if ever the charter fishery were to push for their own allocation. However, compliance has been extremely poor and results from the striped bass charter survey suggest that charter captains prefer to not continue with required reports. Based on historically low compliance and survey results, staff would like to make striped bass reporting optional outside the spring trophy season. Mr. Avery and Mr. Powers believe that striped bass reporting should not be made mandatory outside of the spring trophy season. Mr. Blow believes that if the data is not useful then the data should not be collected.

### **Update from the ASFMC Menhaden meeting (November 2017)**

Mr. O'Reilly gave an update on the ASMFC Atlantic Menhaden meeting. The Atlantic Menhaden Management Board decided to continue using menhaden-specific reference points and move to ecological reference points when they are developed. The Board chose a fixed minimum approach which would allow a share to be given to each state prior to allocation. Virginia received a 0.43% reduction while other states received enough quota to meet their bait fishery needs.

Mr. O'Reilly briefed the committee on a proposal from Maryland to reduce their recreational striped bass size limit from 20" to 18" during a few select months in the summer. Virginia does not currently have a summer fishery for striped bass and asked FMAC for guidance as to whether Virginia should support Maryland's proposal. Mr. Avery does not believe that Virginia should support Maryland's proposal to lower the size limit because they already have a longer season and this would result in more harvest. Mr. Avery and Mr. Jack Austin believe that if Maryland goes down to an 18" size limit then Virginia should adopt the same size limit. Mr. Jeff Deem would like staff to share the number of fish Maryland would save if they went down to a smaller size limit with FMAC members. Mr. O'Reilly said he would provide this information to the committee once it becomes available.

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

#### **V. Adjournment**

The meeting adjourned at 9:30pm.