

Striped Bass Management Review Committee  
October 17, 2006  
Draft Minutes

Members Present:

Ernest Bowden (Chair)  
G.G. Crump  
Sam Swift  
Robert Weagley  
John C. Ludford  
John Wyatt  
Douglas Jenkins Sr.  
Jeff Deem  
Kelly Place proxy for Kenneth Williams

Others Present:

Russell Gaskins

Members Absent

Jeff Crockett  
Ronald Burroughs  
Eldridge Cook  
Chris Walker  
Cathy Davenport  
Lee Roy Carson III  
Pete Nixon

Staff Present

Jack Travelstead  
Joe Grist  
Joe Cimino  
Stephanie Iverson

**I. Introductions and Announcements**

Chairman Bowden opened the meeting at 6:02PM.

**II. Approval of minutes from the September 12, 2006 meeting**

Minutes were approved as presented.

**III. Old Business**

**a. Data updates**

Mr. Grist presented a comparison of the self-marketed data for the 2005 striped bass and blue crab fisheries. He explained that although the soft crab fishery had a significant amount of self marketing reported (52% of annual landings) to VMRC, the hard crab and striped bass fisheries were not as prominent (19% and 11% of annual landings respectively). It was shown that the majority of striped bass self-marketers were under harvesting. Mr. Grist also presented data on the length frequency distributions of striped bass sampled by VMRC's stock assessment program. The data presented was for February through August, 2004 through 2006. The 2006 data, under the new tag system, shows that there were fewer 18-22 inch fish sampled in 2006 compared to 2004 and 2005.

Mr. Travelstead stated he also believes that this may suggest that commercial fishermen are using the 18-28 inch slot tag predominantly on larger fish. After a brief discussion, Mr. Travelstead also noted that there may be more opportunity for high grading to occur in the bay.

### **b. A straw proposal for a “weight quota” with penalty schedule**

Mr. Grist began this presentation by noting that Maryland DNR has serious concerns with their current weight based program to manage the commercial striped bass fishery there. The concerns focus on inaccurate landing reports and the lack of daily reporting. Mr. Grist explained that the staff recommendations being presented to the Committee at this time were open to any changes the Committee may agree on. He stated that staff would like to use receipts to audit self-marketers. Fish that are sold to dealers are reported by the harvester to VMRC and a second record of the landing is received from the dealer. This provides staff with ability to double check the poundage landed per harvester. Using receipts from self-market sale transactions, staff would attempt to duplicate the ability to have a second check for the record. The harvest reports will provide the number of tags used as well as the total poundage harvested. This will allow an average size fish per tag to be calculated. Mr. Grist stated that if the average size of the fish for a particular harvester is significantly lower than the overall average size for the same area, it would alert staff to check if under-reporting is occurring.

Mr. Grist made it clear that the last part of staff’s proposal was very much open for discussion. A penalty system was presented for individuals who exceed their ITQ. The penalties would be based on the percentage of an individuals quota that was exceeded in a given year, and if there were repeat offenses.

### **c. Discussion and recommendations**

Mr. Crump said that providing receipts with the name and address of striped bass buyers, if the buyer is an individual who is a neighbor or at the dock, is very problematic.

Mr. Travelstead replied that the concern is not the small number of transactions that Mr. Crump was referring to. The monitoring of sales to restaurants, businesses and Maryland dealers is the intention of this stipulation.

Chairman Bowden stated that the purpose of the receipts is to address under-reporting. He explained the price paid for the fish does not need to be included.

Mr. Crump and Mr. Weagley held that there should be no problem with receipts for restaurants, but still held some concerns for sales of fish to individuals.

Mr. Deem suggested no receipt be required for a single sale that was less than 10 pounds of striped bass.

Mr. Weagley asked if it was required that tags needed to be turned in once an ITQ was caught.

Mr. Grist responded that staff was proposing, similar to the current regulation, that unused tags must be returned before the issuance of the following years tags can take place.

Mr. Weagley suggested that any unused tags be returned once an individual reaches their quota. He also advocated listing the ITQ amount on each permit, so harvesters know their exact ITQ.

Mr. Place asked what the procedure was for issuing additional tags, if the initial tag allocation is used.

Mr. Grist responded that once all of the initial tags issued were accounted for, the new tags could be issued.

Mr. Place asked if the quota for Virginia as a whole was not reached, could staff go before ASMFC and request a payback for the unused quota.

Mr. Travelstead responded that if the state wide underage was consistent for several years, then perhaps some request could be made to ASMFC.

Mr. Gaskins asked who is responsible for an overage if the ITQ has been transferred to a third party.

Chairman Bowden pointed out that if the third party was only in the fishery because of a temporary transfer of quota then there would be no way to penalize that individual. He said the original quota holder must be responsible.

Mr. Travelstead clarified that the penalty system being discussed would only be a guide for the Commission, which they would use when making decisions on how to handle overage cases.

Mr. Weagley mentioned that this is one of the few fisheries in Virginia where an agent is not allowed. Since the original quota holder would not be reporting the pounds landed and tags used, it is much more difficult to prevent an overage. In the case of a transfer, he stated, the original permit holder should not be responsible for an overage, unless that individual was allowed to act as an agent.

Mr. Gaskins also noted the main reason many people transfer tags is so they do not have to go out and fish.

Mr. Wyatt asked if staff could inform a quota holder that they are nearing their quota to warn them, prior to an overage.

Mr. Travelstead answered that there will be a lag time, where staff will not have the necessary landing reports to track an individuals quota in a timely fashion.

The Committee voted unanimously (8-0) to support a penalty system which:

- 0-3% over quota by weight, or a specific weight (to be determined by staff), whichever is lower, would receive a warning for the following year.
- 4-10% over quota by weight, or a specific weight (to be determined by staff), whichever is greater, would result in an overage deduction from next years ITQ. This would occur for the first two offenses with in 5 years, a third offense in 5 years would result in two times the overage being deducted from the following year's quota. A fourth offense in 5 years would result in a suspension from the striped bass fishery for the following year.
- 11-20% over quota by weight would result in two times the overage being deducted from the following year's quota. A second offense in two years would result in a suspension from the striped bass fishery for the following year. A third

offense in 5 years would also result in a suspension from the fishery for the following year, plus any overage would be permanently lost from the individual's ITQ. A fourth offense in 5 years would result in a revocation of the individual's Striped Bass permit and they would not be eligible to participate in Striped Bass fishery for 3 years.

- 21-30% over quota by weight would result in a suspension from the fishery for the following year, plus any overage would be permanently lost from the individual's ITQ. A second offense in 5 years would result in a revocation of the individual's Striped Bass permit and they would not be eligible to participate in Striped Bass fishery for 3 years.
- >30% over quota by weight would result in a revocation of the individual's Striped Bass permit and they would not be eligible to participate in the Striped Bass fishery for 3 years.
- Any permanent loss of quota from an individual's ITQ, will be redistributed into the overall quota for the fishery.

The Committee voted in favor (7), with one abstention, to require receipts for self-marketers for any individual sale over ten pounds. The receipt should include:

- Name and address of restaurant or buyer.
- Printed name and signature of buyer or representative for buyer.
- Date of transaction.
- Number and total estimated weight of striped bass sold.
- Name and signature of permittee.
- Buyer should also keep a copy of receipt for follow-up.

The Committee voted unanimously (8-0) to support reporting requirements which include:

- Record number of tags issued to each permittee.
- All Striped Bass landed must be tagged.
- No new tags will be issued for current year until all previously issued tags are accounted for.
- Unused tags must be returned within 30 days of quota being caught.

#### **IV. New Business**

There was no new business discussed.

#### **V. Next meeting**

The next meeting was not set.

#### **VI. Adjournment**

Mr. Bowden adjourned the meeting at 7:28 pm.