

**VIRGINIA MARINE RESOURCES COMMISSION**  
**FINFISH MANAGEMENT ADVISORY COMMITTEE**  
**2600 WASHINGTON AVENUE, NEWPORT NEWS, VA**  
**VMRC COMMISSION ROOM, 4<sup>TH</sup> FLOOR**  
**MONDAY SEPTEMBER 24, 2018 – 6:00 P.M.**

Members Present

Jeff Deem (Chairman)  
Meade Amory  
John Bello  
Ernest Bowden  
Chris Ludford (proxy for Scott  
MacDonald)  
Tom Powers  
Bob Sinclair

Skip Feller  
Andy Hall  
Walter Rogers  
Robert Weagley

VMRC Staff Present

Rob O'Reilly  
Pat Geer  
Sydney Alhale  
Alex Aspinwall  
Sara Blachman  
Lewis Gillingham

Members Absent

Hon. Ken Neill  
Hon. James Minor  
Jack Austin

Others Present

I. **FMAC Introductions; Announcements**

The meeting was called to order at 6:05pm.

II. **Approval of minutes for the May 2018 meeting**

Minutes from the May 2018 FMAC meeting were unanimously approved without objection.

III. **New Business**

- A. New MRIP vs. old MRIP: Fisheries Management staff member Lewis Gillingham provided an overview of the history of MRIP and its methodology for surveying effort in saltwater recreational fisheries. Mr. Gillingham reviewed changes to the methodology used by the MRIP to estimate recreational catch and effort. A mail-based Fishing Effort Survey has fully replaced the Coastal Household Telephone Survey as of January 2018, after eight years of testing and two independent reviews. The new methodology was implemented to reduce potential sources of bias in the sampling process. Historical catch-estimates have subsequently been re-estimated resulting in considerable changes that will need to be incorporated

into future stock assessments. Mr. Powers expressed concern about how the estimates are calculated. Specifically, that the survey may not capture differences between recreational anglers who fish sporadically or only during certain times of the year versus those who fish regularly. He requested that staff provide the committee with wave-by-wave estimates of average trip-per-recreational angler. Mr. Bello inquired about who has access to a list of recreational licensees? That information is available to anyone who requests it through the Freedom of Information Act.

Fisheries Management staff Alex Aspinwall provided a comparison of the new versus old estimates for a variety of species. Striped bass recreational harvest increased by a factor of up to three using the new estimates, while black sea bass catch estimates doubled. Chairman Jeff Deem asked if this would mean we would need to go back and revise all past biological reference points. Staff responded affirmatively. Ernest Bowden asked if this would result in stricter management. Mr. Aspinwall said that it could, but pointed out that if there is an upward adjustment in the stock size for a species, its management could be liberalized. Staff stressed that there is not a consistent trend in the magnitude of the change in the estimates of recreational catch and effort across species and that the new estimates will not be used for management until they have been incorporated into revised stock assessments. Fisheries Management Chief Rob O'Reilly pointed out that summer flounder and striped bass stock assessments would be done in November, so staff would know by February of 2019 what management actions can be expected from this change. Staff will provide updates on how the MRIP changes affect Virginia's recreational harvest estimates

- B. Briefing on ASMFC-MAFMC summer flounder commercial amendment: Fisheries Management staff member Sydney Alhale updated the committee on the ASMFC-MAFMC summer flounder commercial amendment, which concerns four potential changes to the FMP, including a modification of the commercial quota allocation. The current allocation was established in 1993 and is based on landings data from 1980 through 1989; some states in the ASMFC believe these estimates are outdated due to perceived shifts in the population center. Virginia's public hearing on these issues is scheduled for Wednesday, September 26 at 7pm, and ASMFC will be accepting written public comment until October 12. Staff emphasized the need for feedback from Virginia stakeholders on the proposed actions. Committee member Meade Amory articulated that he is not convinced that there has been a shift in the distribution of the stock northwards but rather an overall expansion in the stock distribution and that the proposed modification to commercial quota allocation is a result of increasing effort by northern states as the fishery becomes more valuable. It is unlikely that the allocation will remain at status quo due to the threat of lawsuits by the state of New York.

C. Briefing on recent ASMFC, MAFMC, SAFMC (Cobia) Meeting Results

- Black sea bass, summer flounder, scup: Ms. Alhale reported that the

ASMFC has been discussing recreational management options for summer flounder and black sea bass for the 2019 season and beyond. States have expressed interest in a regional management approach. The FMAC unanimously voted to hold a combined ASMFC public hearing on draft Addenda XXXI and XXXII. Ms. Alhale informed the committee that the 2019 commercial quotas and recreational harvest limits set by the MAFMC for summer flounder, black sea bass, and scup may be revised in early 2019 pending the results of the upcoming stock assessment updates incorporating the revised MRIP estimates. For now, Virginia's commercial quota and recreational harvest limit (RHL) for 2019 increased by 16% increase for summer flounder. The commercial quota and RHL for scup did not change from 2018, and the commercial quota and RHL for black sea bass slightly decreased from 2018.

Ms. Alhale also presented on the new MRIP estimates for summer flounder, which resulted in Virginia's recreational harvest estimates being adjusted upwards. Generally, recreational harvest of this species is decreasing in Virginia, but remains the highest harvester in the DELMARVA region. Mr. Powers asked if the new estimates would mean a change to 60-40 split between the commercial and recreational fisheries or if the recreational harvest would be cut? Chief O'Reilly reiterate that the potential outcomes are unknown at this time.

- American eel: Chief O'Reilly informed the committee that Addendum V to the American eel FMP was finalized in August with an implementation date of January 1, 2019. The coast-wide quota will be maintained, but if a management trigger is fired, the states who exceeded more than 1% of the coast-wide landings must collectively make the appropriate reduction measures.
- Coastal sharks: Mr. Gillingham reported that draft Addendum V to the coastal sharks FMP was approved for public comment, it includes three options designed to streamline state implementation of federal shark regulations so that complementary measures are implemented at the state and federal level. Fisheries Management staff sought feedback from the committee on the addendum options. Committee member John Bello expressed his support for option two, which would give the Board authority to annually change certain management measures during their fall specifications meeting.
- Striped bass: Chief O'Reilly informed the committee that any changes in striped bass management have been put on hold until there is a better understanding of how the new MRIP estimates will affect the stock assessment. As soon as there is an update to share Chief O'Reilly will provide it to Chairman Deem to distribute.

- South Atlantic: Fisheries Management Deputy Chief Pat Geer provided an update on the South Atlantic Board. The transition of cobia management from the SAFMC to ASMFC should be completed by 2020. Mr. Sinclair asked why this was occurring and Deputy Chief Geer responded that it is because 84% of the catch is occurring in state waters. Public comments are being sought by the ASMFC on a Public Information Document for Amendment I to the Cobia FMP. Comment are due by October 10.

Regional management for croaker and spot is being proposed which would allow new surveys to be incorporated into management of the stock. The VMRC will hold a scoping meeting in the coming months to get feedback from stakeholders on this issue. Committee members pointed out that environmental factors can greatly influence these fisheries and their stock abundances, and that they don't want the VMRC to be unable to respond to interannual variability through management actions.

- D. Update on wind energy project: Chairman Deem provided a short update on the coastal Virginia offshore wind energy project. Surveys for unexploded ordinances have been completed for sections one, two, and three of the export cable route. The remainder of the preliminary surveys should be completed in the next week. Mr. Bello inquired as to whether fishing would be allowed in waters near the turbines. Chairman Deem responded that it would be, but that vessels would not be allowed to moor to the turbine platforms.

Mr. Powers asked if the VMRC would ever consider coming up with a protocol to permit people to set duck blinds up in the Plum Island area if they take on the responsibility of having the area surveyed for unexploded ordinances. Mr. Powers said he would speak with someone in the Habitat division.

At the end of the meeting Mr. Ludford asked for clarification about what the Commercial Hook and Line request for public hearing at the next Commission meeting was concerning. Chief O'Reilly responded that it was about clarifying language rather than making regulatory changes. Mr. Ludford stated that he felt restrictions that apply only to this particular gear-type are unfair.

#### IV. Old Business

#### V. Adjournment

The meeting adjourned at 8:48 pm.