

Maryland DNR

***Winter Meeting of the
Sport Fisheries Advisory Commission***

Tuesday,
January 26, 2016

Held at the

Maryland Department of Natural Resources
Tawes State Office Building
C-1 Conference Room
Annapolis, Maryland

***Maryland DNR
Sport Fisheries Advisory Commission Meeting***

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SFAC Members Present:

William Goldsborough, Chair
David Sikorski, Vice Chair

Micah Dammeyer
Rachel Dean
Mark De Hoff
Robert Hardy
Beverly Fleming
Phil Langle
Valentine Lynch
John Neely
Captain Edward O'Brien
Grant Soukup, *(proxy for Dr. Raymond Morgan II) via Telephone*
Roger Trageser
Frank Tuma, *(proxy for Tim Smith)*

SFAC Members Absent:

Samuel Leonard
Dr. Raymond Morgan, II
Tim Smith
James Wommack (Mack)

Maryland DNR Fisheries Service

Michael Luisi
Lieutenant Aaron Parker
Sara Widman
Tony Prochaska
George O'Donnell

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KEYNOTE: "----" indicates inaudible in the transcript.

A F T E R N O O N S E S S I O N

(2:00 p.m.)

Call to Order

by Bill Goldsborough, Chair, SFAC

MR. GOLDSBOROUGH: Thank you Paul, that was some talent there to bring this unruly crowd into this quiet state. Right on time too, even though the clock is a little crooked, it is 2:00. So let's convene the Sport Fish Advisory Commission. I am Bill Goldsborough, chairman. Welcome everybody. I think most people or proxies are here today. We have Frank is here for Tim Smith, Frank Tuma. I will come back to the new guys, we got Mark, Phil. Is Micah coming do we know?

MR. GENOVESE: He is on his way and Robby's -- and we have Grant, he is on the phone.

MR. GOLDSBOROUGH: Oh Grant is on the phone?

MR. GENOVESE: He is a proxy for Ray Morgan.

MR. GOLDSBOROUGH: Okay, Grant welcome.

MR. SOUKUP: Thank you, nice to hear from you guys.

MR. GOLDSBOROUGH: And we have Rachel who is here. Jim and I will go ahead and introduce John Neely, Rob Hardy both new members of the commission along with Bobby Leonard who couldn't be here. And then we have Val and I can't see who is next to you, Val.

MR. LYNCH: Beverly.

1 MR. GOLDSBOROUGH: Oh Beverly. Do we know if
2 Beverly is coming?

3 MR. GENOVESE: She didn't say she wasn't.

4 MR. GOLDSBOROUGH: So we are still hoping that
5 Beverly will arrive. We got Ed, Roger, Dave and Mac was maybe
6 going to send his proxy, Leonard Greer and we will see if
7 Leonard makes it. Otherwise -- so welcome everybody and
8 especially to our new members. John and Rob. Bobby in
9 absentia. So we are starting a new commission as it were.
10 With a lot of interesting things on our plate. Lot of striped
11 bass stuff today especially but some other things too.

12 I guess Dave, I will give you a second to say
13 something up front if you would like.

14 MR. BLAZER: That is all I need is really a second.
15 Welcome everybody. It is great to see you all on this snowy
16 miserable day. I am a warm water person so it gets a little
17 cold. But glad you all could make it out. Except for the one
18 person who kind of got snowed in, who is on the phone. Grant,
19 thanks. And I also want a special welcome to the two new
20 folks, I look forward to working with you and glad you are
21 here and look forward to your participation. So thank you.

22 MR. GOLDSBOROUGH: Okay, so this is great. We will
23 move right along with the agenda, except Lieutenant Parker is
24 not in the room. So we are going to put that on hold for now.
25 The NRP report. And maybe he will join us shortly and we will

1 come back to that. But Mike, that means you are up on the
2 striped bass stuff.

3 ***2016 Striped Bass Recreational Measures***

4 ***by Mike Luisi***

5 MR. LUISI: So before we restart here on the
6 discussion regarding the recreational measures, Paul sent an
7 e-mail out last week which included the options that we have
8 been kind of beating around a little bit as a possibility for
9 some regulation changes for the recreational fishery in 2016.
10 So, what I would like to do here and I am going to give
11 everybody just a little -- a little bit of background as to
12 where we currently sit with the Atlantic States Marine
13 Fisheries Commission. And then talk to you about kind of
14 where we might be going in 2016 and beyond.

15 I just want everybody to get the same page as far as
16 what it is and where we are in striped bass management with
17 the ASMFC Board and then we can look at the possibility of
18 selecting options for the 2016 Trophy Fishery and the summer
19 fall fishery. So with all of that said, we can kind of start
20 at the last Atlantic States Marine Fisheries Commission
21 meeting. We the commissioners from our -- they met -- the
22 ASMFC met in Florida back in November.

23 And at the time the bay jurisdictions, Virginia,
24 Maryland and Potomac River Fisheries Commission were urging
25 the board and kind of what we -- the impact that was felt in

1 2015, what we heard about the reductions that we were under
2 and the regulations that we put in place were really
3 impactful. They -- the charter boat industry suffered at the
4 hand of those restrictions that came down through the
5 Atlantic States Commission as well as the commercial fishery
6 which was cut -- their quota was cut by 20 percent.

7 So an assessment update was conducted last year and
8 the results of that update showed some promise as far as the
9 health of the spawning stock biomass which is the indicator to
10 managers as to whether or not the population is healthy. And
11 so when we looked at the assessment update, we started to kind
12 of question as to whether or not those restrictions that we
13 were put under in 2015 were as necessary as they were --
14 thought they were at the time.

15 So we made the point that maybe we should revisit
16 those restrictions that we were under, 20 and a half percent
17 cut back in the bay. And the 25 percent cut back along the
18 coast and the spring trophy fishery this last year. So we
19 made the push. We urged the board to consider revisiting
20 those reductions however, we were not successful in getting
21 the board to do that. We were unsuccessful in getting the
22 board far enough along to reconsider those options. But what
23 we were successful in doing is to get the board to redo the
24 analysis or the assessment.

25 Redo an assessment update this coming summer, which

1 would provide managers again another means to making decisions
2 as to whether or not the striped bass stock is what we
3 consider healthy and whether or not we need to maintain these
4 levels of reductions that we are currently under. So, looking
5 ahead to 2016, we really don't have -- we haven't been given
6 any type of relief from the restrictions that we were under.

7 So in 2015, the bay fishery in the summer and the
8 fall was restricted by 20 and a half percent. We had to -- we
9 went to two fish at 20 inches as far as the regulations that
10 we put in place. And the spring trophy fishery was cut back
11 by 25 percent and you guys all remember, we had the no take
12 slot limit between 36 and 40 inches.

13 (Slide)

14 And so while the board did not give us any relief,
15 they didn't tell us that we could restrict less, the fishery
16 for 2016, what they -- what the plan allows for is something
17 called conservation equivalency. And so there are a couple of
18 questions that the Department wants to ask the commission
19 today to get some feedback on. And one of them is do we want
20 to go forward with implementing a conservationally equivalent
21 approach for 2016. By that what I mean is the different
22 regulations that we could put forth, they have reductions to
23 similar to one another.

24 So two fish limit at 20 inch minimum size carries
25 with it the same level of reduction from previous years

1 harvest as a one fish limit at 18 inches. So they are
2 equivalent to one another. And the plan, the ASMFC's striped
3 bass plan allows states to implement measures that are
4 equivalent. So while we are at the two fish and 20 inches
5 right now, that is what we would go forward with if we decided
6 not to change anything.

7 We could change those regulations for this summer to
8 something else that is equivalent. So the note that I sent
9 you guys last week had a couple of different options in it
10 regarding the equivalency in different measures that we could
11 apply for in the 2016 fishery. With all of that said, some of
12 the options that you saw in the memo that I sent dealt with
13 the private angler and the charter boat fleet differently.

14 So essentially what that means is that the charter
15 boat fleet would be managed under a different set of rules
16 than the private angler or the - if you are not a charter boat
17 captain. And while the math on that works and we can
18 implement different rules for the different fisheries, it
19 brings up an issue of allocation to those different sections.
20 The term that we have been using to refer to this is called
21 Section Separation.

22 So the charter boat and the private anglers have
23 always been managed together. The rules that we put in place
24 are there for both sectors. However, if the charter fleet and
25 the private angler fleet if you want to call them, want to go

1 in different directions and you want to have different rules
2 for the charter boat fleet than you do for the private fleet,
3 you are now separating those -- that sector to two different
4 units.

5 And because that separation carries with it an
6 allocation of some kind of the resource to those two sectors,
7 because we are applying different rules to the different
8 groups, we think that if in order to go down that road, we
9 would have to really sit down and think about how that
10 allocation plays out. The department has an allocation policy
11 that we would refer to in this case if the decision was to
12 move forward with the idea of the sector separation.

13 However, for 2016, I think it would be awfully
14 challenging to select an option that would allow for this
15 section separation only because the fishery is just around the
16 corner and any type of allocation decision on a species like
17 stripe bass between user groups is going to require a lot of
18 work, a lot of time.

19 We want to make sure that that discussion is a
20 public and transparent discussion. And so without having put
21 that framework together on how that would all come together
22 between now and April 18 I believe is when the charter -- the
23 spring trophy fishery starts. It may be a very difficult
24 challenge to try to separate those sections for this upcoming
25 year.

1 Now the one thing that we could do and I have
2 mentioned this to some of you who have I have spoken with on
3 this issue, if it is -- if the commission would like the
4 Department to explore what that would look like, having
5 separated those sectors out, and looking at the pros and cons
6 and the benefits of one group over the other, you know if we
7 wanted the Department to sit down with some folks and really
8 explore this issue, we can certainly do that. We can explore
9 it with the -- with what is in mind that we don't have to
10 implement section separation at any point in time, it would
11 just be an exploration.

12 So that when this issue is debated and brought up,
13 there is some context to it, it is not just theoretical. We
14 can actually put some numbers to it and do that. So you know,
15 as far as the questions that we want to get feedback from the
16 commission on today is do we want to consider a
17 conservationally equivalent approach to the regulations that
18 we set for 2016's recreational fishery.

19 And this whole concept of section separation is this
20 something that sports fish commission would like the
21 Department get some feed back on that. Is this something that
22 you want us to be looking into a little bit more. Potentially
23 more so for the 2017 fishing year. Okay.

24 (Slide)

25 So two of the options that we have. For the spring

1 trophy fishery, currently the status quo if we were to remain
2 on the status quo would be to go with the same thing we had
3 last year, one fish per person per day between 28 and 36
4 inches or greater than or equal to 40 inches. That was the --
5 those were the provisions from last year.

6 When we go back and look at coming up with
7 conservationally equivalent measures to that same measure, to
8 meet the 25 percent reduction which was mandated by the ASMFC,
9 we could also move forward with option number 2 which is a one
10 fish per person per day at a 35 inch minimum. And that would
11 across the board for both the private and the charter boat
12 fleet, everybody would be fishing under the same rule if we
13 went forward with the 35 inch minimum.

14 Another option that was brought to us and we were
15 asked to look into was one of the options that would be
16 classified under these concept of section separation. Okay,
17 the third option is to go with the one fish per person per day
18 at 36 inches for everyone. That would be for the private
19 anglers and the charter boat fleet. However the charter boat
20 fleet could get one -- could have one fish which would be
21 inclusive of their creel limit for that day. One of those
22 fish on the boat could be between 28 and 36 inches.

23 We just kind of calling this the boat fish option
24 where the charter boat fleet and only the charter boat fleet
25 would be able to keep one of the smaller fish below 36 inches.

1 So where you have two options there that are for the full user
2 group, everybody private and charter, this third option would
3 be one of these that would be under this concept of section
4 separation and we need to get some feedback as to whether or
5 not that is something you know, that we should be thinking
6 about.

7 While the challenge is the allocation and the
8 difficulties of it, we still wanted to put it up here for the
9 purposes of discussion.

10 (Slide)

11 And for the summer/fall fishery options, we have the
12 status quo if we were to keep everything the same as last
13 year, we would have a two fish per person per day, the 20 inch
14 minimum size limit with one of those fish being over 28
15 inches. The other option that is equivalent would be a one
16 fish per person per day at an 18 inch minimum. Something that
17 was brought to us, was specifically asked by the charter boat
18 fleet -- asked that we look into what we are calling the
19 captain's choice option.

20 So the captain's choice option would work like this.
21 Each and every day, the angler or an anger -- of I guess it
22 would be more so, focused to the vessel. So whether you are
23 on a charter boat or you are on your private vessel, you would
24 have an option whether to fish at one fish at 18 inches that
25 day or you could fish for two fish over 20 inches. So you

1 would have an -- you would have two regulations and you get to
2 choose which one of those rules that you would follow for that
3 day.

4 There is two ways of looking at this. One of them
5 is to apply that over across the board for all private anglers
6 and charter boat anglers -- charter fleet. Or consider doing
7 the captain's choice options for just the charter boat fleet.
8 As a way to provide some flexibility to the fleet during the
9 spring trophy fishery.

10 The last option there, was kind of a hybrid between
11 number 1 and number 2 and essentially the way that that option
12 would work is that we could start out the season on May 16 at
13 one fish at 18 inches let's say. And sometime later in the
14 year, whatever the day might be, we can switch those rules to
15 allow for two fish at 20 inches.

16 So it is not that each of them is going to be --
17 you couldn't do both. It is not the captain's choice but some
18 portion of the time during the summer, you can switch over
19 from the 18 inch minimum at one fish to two fish at 20
20 inches. So those are the options that you had in front of you
21 in the memo that I sent you or that Paul sent over.

22 This is what we can go both and forth on this, if
23 you want to see those. We are really looking for some
24 feedback from the commission and you know, Dave and I had
25 talked about this and Bill as well. You know, it is great to

1 get 15 or 20 opinions but it would be really nice if this
2 commission could formalize a motion as to what preferred
3 options that you would like the Department to take to the
4 commission. Because these options that are up here, still
5 need to be vetted through the Atlantic States Marine Fisheries
6 Commission which they meet on February 4, so next week.

7 Whatever it is that comes from this meeting, we
8 need to take to the board and ask the board for their approval
9 of us using one of these conservationally equivalent
10 measures. And with that said, I do want to point out while we
11 are -- while the plan allows for these conservation
12 equivalent measures to be implemented, changing rules -- once
13 you have an established regulation, bouncing around and
14 changing the rules, it kind of detracts a little bit from the
15 ability of the assessment to really pinpoint what is working
16 and what is not.

17 So, while I am saying that we are certainly -- these
18 things are -- these are options for us to consider, the board
19 may not look completely favorable on states. I think we might
20 be -- right now I think Maryland is the only state that is
21 putting something like that forward to the board. But it
22 might take a little massaging to try to get the board to
23 approve us changing these rules.

24 So the less we change and the less we have to
25 consider changing, I think the easier that sell will be to the

1 board. And I will leave it at that and take any questions,
2 Mr. Chairman, if anyone has any questions, I will certainly
3 try to answer them.

4 MR. : Mike, inform them about postal.

5 MR. LUISI: Oh yes, yes, I am sorry. So folks along
6 the coast had reached out to us and asked us to consider a
7 conservational equivalent measure for the coastal fishery out
8 of Ocean City. Delaware has currently a two fish limit with
9 a no take slot. So their coastal fishery looks a lot like
10 what we had for our spring trophy fishery last year.

11 And so Larry Jock and a couple of the recreational
12 folks down on the coast had asked that we consider
13 implementing the same rules that Delaware has in Maryland so
14 that it reduces the conflict -- the social issue of all of the
15 boats fishing all together and one boat is fishing under a one
16 fish limit and the other boats are fishing under a two fish
17 limit.

18 Because right now along the coast, we have a one
19 fish limit of 28 inches. It used to be two fish and we just
20 simply reduced the number -- the creel. We just kept the
21 minimum size the same. It was interesting. I got some
22 feedback from my counter part and I guess the agency in
23 Delaware. And there were a lot of complaints from Delaware
24 anglers about all of the fish being in the no take slot limit
25 which was very similar to what we heard from our Chesapeake

1 anglers last year during trophy fishery.

2 So you know, in moving forward, we would like -- we
3 have been -- we have been given approval by the technical
4 committee to implement Delaware's measures on our coast but we
5 still need to get the board to approve that. And because this
6 group is so much -- it is a lot typically more focused on the
7 bay, I think we need to reach out to our coastal guys again,
8 maybe have a meeting down there to explore this and make sure
9 they understand what they are asking for and then take it from
10 there and see where it goes.

11 But again, it is like anything else. Anything worth
12 changing is going to detract a little bit from that
13 assessment.

14 MR. LYNCH: I don't want to spend too much time on
15 this because the bay is more important but in terms of
16 Delaware, very often the boats are fishing in the same waters.
17 Either they are going over the Delaware line or ---. So if
18 Delaware has a preference for Maryland rules, perhaps you and
19 your Delaware counterpart could reconcile that first. And see
20 if that might be the way to pursue it as opposed to the --

21 MR. LUISI: Well, I have asked, they are not going
22 to -- they would not want to change to what we have. They
23 have already -- they have decided that they are not changing.
24 They are going to just stay status quo this year.

25 MR. LYNCH: My experience that the Maryland anglers

1 would prefer the Delaware rules.

2 MR. LUISI: Okay, that is good feedback.

3 MR. GOLDSBOROUGH: All right, thank you, Mike. So
4 we have -- you heard Mike. He would like to get some advice
5 from the commission, hopefully a motion passed to provide
6 some guidance to the Department for next week at ASMFC. We
7 have got a spring fishery options that are up there right now.
8 We have got the summer/fall fishery as described as well and
9 you also want feedback then on the coast or we are saying that
10 you need further deliberation on that?

11 MR. LUISI: I think we can probably reach out. We
12 have a pretty good little hub of guys down there that we can
13 reach out to and get the feedback, I think that we would need.
14 I mean, we certainly --

15 MR. : --- February 4?

16 MR. LUISI: Well, I -- so the plan I believe would
17 be to put forth that Delaware option for the coast to the
18 board. And if we get approval for it then we can have that
19 meeting down on the coast and make the decision. It doesn't
20 mean that if the board approves it, we have to do it. It just
21 provides the option for us to do it.

22 MR. GOLDSBOROUGH: Okay, so let's take them in order
23 and start with the spring fishery and ask any questions of
24 Mike, make any comments you like and once we get a little bit
25 of dialogue going then maybe somebody might want to offer a

1 motion. But let's have a little dialogue first. And before I
2 do that -- open that up and I see Mark's hand first, I just
3 give you a little reflection from my standpoint being one of
4 your representatives on ASMFC and I will be there next week
5 and was there at the annual meeting in Florida last fall,
6 where the Maryland team, especially the Department
7 representatives, made a really, really strong pitch for under
8 the new science that came out.

9 The updated assessment that was recently done that
10 showed things were -- the stock was a little better off than
11 they had thought a year before that when the cut backs were
12 decided, a strong case was made for some relief for Maryland.
13 Which many believe, especially in the charter industry,
14 suffered much stronger cut backs than the 20.5 that was
15 described in 2015.

16 And we did not meet success on getting that relief
17 for this year but one of the things that did come out of it
18 was a success was just to reiterate was some of it was getting
19 agreement that we would do -- that they ASMFC would do another
20 update assessment this year for striped bass which would give
21 us up to the minute information as it were late this year on
22 how well the stock is doing.

23 And with that being -- with an eye toward possible
24 relief for 2017, if the pattern continues as it did in the
25 last one and what might be expected. So that is the kind of

1 mode that we are in right now at ASMFC. Is that we have had
2 that success of getting that update assessment granted which
3 is not insignificant because it takes staff time and they have
4 a whole calendar going out for many years for when they do
5 assessment work.

6 So, we want to be sure to put sufficient weight on
7 that going forward in 2017 as well. So I am going to start
8 with Mark and then we will take other questions.

9 ***Questions and Answers***

10 MR. DeHOFF: We went through out of Northwest
11 Chapter, I am just going to say that we had our secretary send
12 out an e-mail blast with these same questions and got a pretty
13 good response from them, being that it is about 95 percent
14 recreational guys. On the responses that we received was to
15 stay status quo on what they had. But we do feel that there
16 is a need to address the charter needs and they did feel that
17 a choice of either two or three that would help the charter
18 guys out would be acceptable and they felt that that would be
19 pretty good.

20 One of the questions that they did have and it was
21 kind of a science based question is, that you know, they don't
22 know if it is coincidence or what it is, but here we have a
23 slot limit where there weren't -- theoretically there weren't
24 any fish between 36 and 40 inches taken and we had a very good
25 young year.

1 Them being not necessarily scientific and only
2 seeing anecdotal evidence to this stuff, is there any way that
3 that is related, are we seeing something that is -- did we
4 finally make a change that had a substantial impact on what we
5 are doing. Or was it just kind of you know, coincidental that
6 these kind of things happen. So they did have that question.

7 And the other question they had was, was the slot
8 difficult to enforce or not? Because that was some of the
9 questions they came up with. But for most of them, they were
10 interested in staying status quo with the option to allow
11 possibly two or three to help the charter guys out.

12 MR. LUISI: Okay, so they wanted to keep the slot
13 but then have an extra fish or something for the charter --

14 MR. DeHOFF: Right, they understand that for you
15 know, in their mind, the best thing for the fish is what?
16 They see anecdotally or however it is, they see this cut,
17 large young in the year. You know, things like that. Good
18 fall season. But they understand the need that we have to
19 keep all of the user groups happy and they would be willing to
20 change for that and give something where you give -- where you
21 can help the charter guys out with option three or something
22 like that.

23 Or go back to the way it had been previously with
24 your one fish with a mid 30s limit. But they were, like I
25 said, if it was up to them and for what they are looking at,

1 they liked the status quo and thought that it worked well for
2 them.

3 MR. LUISI: And to your point about the -- whether
4 or not the regulation was the cause of a strong year class, I
5 would say that it is more likely just the variation over time
6 that produced the year class. That the savings of a few --
7 you know, the fish between 36 and 40 inches that were thrown
8 back you know wasn't what triggered the -- we just had good
9 environmental conditions last year. Everything -- all the
10 moons lined up just right and you know, we had a really strong
11 year class.

12 Regarding enforcement, I can't really -- I am not an
13 agent. I am not a law enforcement and we can maybe ask our
14 folks here from NRP, but you know, I did get some reports from
15 staff that were out conducting their -- doing their survey
16 work and they were noticing that -- kind of holding back
17 without saying anything to anybody but there were fish within
18 the slot limit that were hitting their measuring boards as
19 they were measuring fish.

20 And you know, because of the compliance issue of
21 understanding a regulation that the more complicated it gets,
22 the harder it is to be compliant with. So, how it was
23 enforced, you know, it is regulation that you know, it is
24 about how compliant people are to those rules.

25 MR. GOLDSBOROUGH: I will make a nod at Jim and then

1 Frank but first I will make a note that Lieutenant Parker is
2 here now if we need his consult. Lieutenant Parker we jumped
3 over your report for now but we will be coming back to you
4 okay?

5 LT. PARKER: Okay, no problem.

6 MR. GOLDSBOROUGH: Jim?

7 MR. GRACIE: You started this conversation with a
8 discussion about allocation. Do any of these represent a
9 change in the allocation and if so what?

10 MR. LUISI: Well, I would -- so the third option
11 there that allows the charter fleet access to a portion of the
12 resource that is held off limits to the rest of the anglers in
13 my opinion, that is a -- I think it is clear that that is an
14 allocation issue. So by allowing the charter fleet access to
15 those smaller fish, you have a resource that we are protecting
16 a certain portion of that resource that all fisherman with the
17 exception of one smaller sector that has access to that. And
18 to me that is an allocation issue.

19 MR. GRACIE: What would it take to put a number on
20 that? To quantify it?

21 MR. LUISI: I am not sure I can follow what you
22 are --

23 MR. GRACIE: Well, in other words, how many more
24 fish would they charter? What is the percentage or some kind
25 of a magnitude of that impact? I mean, you are asking us to

1 express something that we like here and I am not sure that we
2 have enough information.

3 MR. LUISI: I could maybe ask Alexei or Angela. If
4 we -- essentially we would have to assume that each charter
5 trip that is taken is going to catch one of those smaller
6 fish. So a few couple thousand, is there that many trips.
7 Angela do you --

8 MS. GUILIANO: I am guessing somewhere around 3,000
9 to 4,000.

10 MR. LUISI: 3,000 to 4,000 trips. And if you are
11 assuming that 3,000 to 4,000 trips are going to have access to
12 that -- that smaller group of fish, that is what we would be
13 looking at.

14 MR. GRACIE: What percentage of the harvest is that?

15 MR. LUISI: It is a small percentage of the total
16 harvest. Even Maryland's trophy fishery is very small
17 compared to the coastal fishery.

18 MR. GRACIE: No, I am talking about our marine
19 fishery --

20 MR. LUISI: Yes, it is a couple of percent.

21 MR. GRACIE: See I am looking at that as not a major
22 allocation given the --- like to hear that from you?

23 MR. LUISI: Well, you know, I don't think -- so it
24 is not -- what I have been saying to folks that I have been
25 talking to about this, there really is no gray area. It is

1 black or white. It is either the resources managed together
2 or apart. And when you are providing -- I will say it again,
3 when you are providing access to a smaller user group to -- a
4 group of fish that are unavailable to the other fishermen,
5 that in my mind is a clear black and white allocation issue.

6 Now how severe or how important that small
7 difference is is to be discussed, but it is an allocation
8 issue and we have an allocation policy that we would need to
9 refer to if we were to move forward with an option like that.

10 MR. GOLDSBOROUGH: Frank -- on that point though,
11 Val, if you wanted to respond that would be okay.

12 MR. LYNCH: Yes, thank you. I think what you would
13 have to add to that equation, Mike, is not just mathematical
14 allocation but a perception issue on behalf of the
15 recreationalists.

16 MR. GOLDSBOROUGH: Okay, Frank.

17 MR. TUMA: Mike, I got a question on the enforcement
18 for the captain's choice option, whether it be recreational or
19 charter, it doesn't matter. Is that by day you are saying
20 that I would get to choose for my boat what -- I mean, how
21 would the enforcement work with that? Do you have a little
22 flag that goes up and you display it to the officer what you
23 are doing that day?

24 MR. LUISI: Okay, so when we talked about this --
25 when I talked with NRP about this issue -- this option as it

1 came up. Natural resources police didn't like it. They were
2 concerned that this was going to cause problems with
3 enforcement just because there is no mechanism in place to --
4 on the water enforcement is one thing. When you are on the
5 boat, every one on the vessel would have to be -- would have
6 to fall into one option or the other. The whole boat would be
7 in agreement that they would be fishing at 18 inch minimum
8 with one fish per person or the other.

9 Once those boats get back to the dock though and
10 people start to go different ways, they just had concerns over
11 having two regulations and you know, you got -- there is just
12 a lot of different examples have been brought up to me where
13 two charter boats pull up together, they are backing into
14 their slips. One has 12 fish on it and the other has 6 fish
15 on it and the customers are going to be wondering what is
16 going on.

17 There is just -- every time we talk about it, there
18 is other things that come up. So it isn't -- and again I
19 can't speak to enforcement --

20 MR. TUMA: And it is on a daily basis too -- from
21 what you are saying it is on a daily basis right?

22 MR. LUISI: This would be on a daily basis. Now,
23 you know, something that has been -- it has been brought up,
24 let's say that we did something like this just for the charter
25 fleet which is a known group of individuals that we have

1 connection with -- either connection to based on their
2 licenses and their being a charter captain.

3 If we were to put forth some management system, like
4 a flag or a tag of some kind, I think that it could be
5 possible to help reduce the anxiety on the part of the Natural
6 Resources Police. But it would be a focus to the charter
7 fleet only and we would have to really figure out what that --
8 how that management would -- what it would look like. You
9 know, what would the requirements be? Would you have to
10 declare essentially in a given day what your intent is on
11 doing? Which rule you are going to follow? So I hope that
12 helped answer your question.

13 MR. TUMA: The answer to the question is, it is
14 still a cluster no matter what you do. The enforcement of this
15 on the recreational side and the same thing with the
16 recreational side, you got a group of people fishing off a
17 pier somewhere and everybody is on a different regulation. I
18 mean, whether it is a charter fleet or an individual
19 recreational fishing.

20 I just don't understand how enforcement would ever
21 get control of this. I just -- you know, you got enough
22 problems right now with the slot that you mentioning, let
23 alone doing something like this. That answers my question
24 and --

25 MR. LUISI: Another concern I have too would be the

1 high grating issue. The potential to have 18 inch fish on the
2 boat and then you get into some bigger fish and the 18 inch
3 fish go over. But that is -- I mean, the high grating issue
4 is always a concern if you catch larger fish, you are going to
5 throw back the smaller ones. So that is just another point
6 that has been brought up to us regarding concerns over that
7 option.

8 MR. GOLDSBOROUGH: Wasn't the other element of
9 enforcement that once you hit land it becomes a possession
10 limit? And so you got two groups of people walking around
11 with fish that were caught under different regimes? Wasn't
12 that something that that --

13 MR. LUISI: Yes, I mean, if you are on the boat, you
14 have everyone on the boat would be under the same rules. But
15 when the boat gets to dock, now you have -- you have a trip
16 limit essentially that turns into an individual possession
17 limit. But the possession limit could be for one or the
18 other. Just gets a little complicated.

19 MR. GOLDSBOROUGH: Phil, you are next.

20 MR. LANGLEY: Yes and I could be long winded here
21 but I will try to limit myself as best as I can. Just -- I
22 would like to go back on a little bit of history. Just until
23 the last year, there hasn't been much talk at all as far as
24 sector separation with the charter recreation. It was the
25 reductions that we have taken that were probably the biggest

1 sense of the moratorium in the last 20 years what has stemmed
2 a lot of focus on a lot of different issues.

3 And last year, the charter fleet did take a
4 tremendous hit. But not only in slot sizes and what not -- the
5 number of fish that we were able to retain or whether it was
6 no keeper fish in the lower bay for a good part of the season
7 or whether it was a lot of the big fish in the slot during the
8 trophy season. But the charter industry itself took a big
9 impact and setting that aside, if you take the number of trips
10 in the last couple of years, that have been run by a charter
11 fleet, the fleets offer about 30 to 40 percent anyway as a
12 total.

13 Put last year's season aside but this is an industry
14 that is getting in trouble and it is a fleet that needs ---
15 yet and the reason why I am saying that because many people
16 probably in this room or have kids that the fishing trip they
17 ever took was probably on a charter boat. And that is where
18 the first interest is sparked in a lot of cases to grow up and
19 get their own boat and go off on their own and start fishing.

20 So you know, it is not an industry that I think that
21 we would want to see dwindle away. It is something that we
22 want to revive and keep alive. Now, with that being said,
23 the -- and I got a question for Mike, I guess, what are your
24 chances of these options do you think will meet the technical
25 committees approval through ASMFC?

1 MR. LUISI: These options have. They have met the
2 technical committees approval at this point except for the --
3 the captain's choice has not been something that we have taken
4 to the technical committee yet, right? It was?

5 MR. : No.

6 MR. LUISI: No. So the captain's choice option has
7 not been vetted through the technical committee. The
8 technical committee is meeting on Friday this week, via
9 webinar and they are going to meet to discuss whatever comes
10 out of this meeting today as far as what we put forth to
11 them. If we put those options as let's say, the captain's
12 choice or the charter boat option where they get the one boat
13 fish, they are going to meet to discuss the technical merit of
14 those options and they will be presenting feedback to the
15 board when the board has to approve them for our use next
16 week.

17 MR. LANGLEY: So as far as the spring trophy season,
18 was the 35 inch fish approved?

19 MR. LUISI: The 35 inch fish -- I am sorry, let me
20 go back. The 35 inch fish was not approved yet by the
21 technical committee. However, I don't -- we use the same
22 methodologies to calculate that as we did everything else, all
23 the other considerations. So they will be approving that on
24 Friday. I believe they will approve that on Friday and Alexei
25 is shaking his head yes.

1 MR. LANGLEY: And I guess -- I will start here with
2 the spring trophy season, it is not the charter boat
3 industry's intent at this time for sector separation. We
4 certainly feel that we want -- it is fair for us as it is fair
5 for all of the recreational fishermen. Last year, that 35
6 inch was not an option. Okay. When that proposal came
7 forward, it was before the 35 inch fish was option and we were
8 not aware of that option.

9 We actually would have -- you know, I have been
10 asked a question, is 35 as low as we can go? What about 34
11 and a half, okay. So you know but I think as a user group,
12 okay, that our guys would be content staying away from sector
13 separation and a 35 inch fish or the smallest achievable fish
14 moving forward and up.

15 Now, the -- if you cannot get that approved, I can
16 tell you the industry is in trouble. And it needs all the
17 help it can get. And that is why we came up with the option
18 last year, okay if we get into May when there is more male
19 fish coming in and there is less pressure on the spawning
20 females, when it is more of a higher percentage of male fish
21 when the smaller fish are arriving, for the charter fleet --
22 to keep from going home skunked(sic) or with no fish in the
23 boat, the opportunity to at least keep one for the party. And
24 that was the reason for that 36 inch fish.

25 So I would say as a priority at this time, I would

1 say number 2, okay, and if that is not approved, then to
2 address option 3. But most of the guys in our sector kind of
3 wanted to stay away I think from the slot this year. Okay.
4 Back to the other choices, I am going to get back into the
5 summer time fishery. And something else I would like to point
6 out too and this is a state thing and I want to make sure that
7 everybody is aware of this. That to the State of Maryland,
8 the striped bass fishery is a very important fishery.

9 In New England and as you come down the coast, there
10 is a much higher variety of fish to fish for than there is the
11 State of Maryland and the Chesapeake Bay. So whenever we take
12 these reductions from the ASMFC, whether they are 25 percent
13 or 20 and a half percent, if 75 percent of Maryland's spring
14 fishery or summer time fishery is focused on striped bass
15 being the predominant species.

16 It affects the State of Maryland and the economy of
17 Maryland a heck of a lot more than what it may affect other
18 states that may have cod or haddock or other species to fish
19 for. So when we feel the cuts on stripe bass here in the
20 State of Maryland, it is a much bigger impact to the economy
21 than it may be for some of the other states up and down the
22 coast.

23 Now, I would jump back to the summer time option and
24 like I said, as far as the charter industry, that option was
25 designated for all the recreational fishermen. Okay, we know

1 that what we had last year was the two fish at 20 inches. And
2 we know -- all know that we put a lot of eggs in that 2011
3 year class basket. It -- because of a large spawning year
4 whatever it was, those fish grew slower perhaps but they did
5 not enter the market at least in the middle lower bay, you
6 know, back to the very end of the season where we started
7 seeing better numbers in that grade of fish.

8 So, basically we hoped that that year class will
9 grow and two fish at 20 inches may be okay this year but we
10 don't know. And that is why that captain's choice option was
11 presented. Okay and the reason for that is, it was nothing
12 stopping anybody from keeping two fish at 20 inches. But if
13 we are wrong and I hope we are not, but if we are wrong and we
14 don't have that 20 inch fish in the middle lower bay, at least
15 that would have given opportunity for a for hire fleet and a
16 recreational fishermen, because it is not all for hire,
17 sporting goods stores -- I mean, I don't have to go down the
18 list but it impacts a large part of Maryland's economy.

19 But at least they would have had an opportunity to
20 catch -- keep one fish per boat at 18 inches or larger or they
21 would have had the option because I have heard the things from
22 well close this part of the season, close that part of the
23 season, have different regulations up the bay, different
24 regulations down the bay. And it all gets confusing and we
25 kind of want to stay away from that if all possible.

1 But this was something where we heard a lot of
2 conflict that it was addressed that the commercial guys get to
3 keep an 18 inch fish and we don't. So this was something to
4 kind of throw out there and maybe keep the peace throughout
5 the bay where the recreational guys can keep an 18 inch fish
6 perhaps if they chose to but they would be on a one fish per
7 person creel limit. Or the two fish per person -- and
8 honestly if there is a lot of 20 inch fish out there, probably
9 people aren't going to probably keep 18 inch fish if the
10 numbers of 20 inch fish are high.

11 Getting back to your concerns, Frank, and I --
12 believe me I understand okay but you are doing it now guys.
13 Right now you are making a daily choice of your summer season.
14 You can have two fish between 20 and 28 inches or you can one
15 fish over 28 and one fish under 28. You are making that
16 choice every single day. So every day anglers are going out
17 making a choice what they are going to keep. Whether they are
18 going to keep two believe 28 -- between 20 and 28 or one over
19 28.

20 So with that choice that you are making -- I know it
21 is a different way of looking at it, but that choice is being
22 made daily out there and they still -- you know, the old
23 saying that locks were meant for honest people? You are going
24 to have criminals I don't care what you do. There are --
25 people are going to break the law. There is almost no

1 preventing that. The only way to prevent it is to catch them
2 and set an example.

3 But the -- there are cases where they can out today.
4 And if they hit a bigger grade of fish, what is to stop them
5 from -- you know, if they kept two fish below 28 inches, what
6 is to stop them from throwing over a 22 inch fish to keep a 28
7 inch that they didn't retain -- there is nothing stopping that
8 now from people breaking the law.

9 And my final note is believe me, I have all of the
10 support and sympathy for enforcement because -- and I think
11 that you wouldn't get any argument out of this room if they
12 felt that we should have more enforcement on the water because
13 I think our guys do a heck of a job as far as enforcing. And
14 I understand that they have concerns because they are limited
15 in resource.

16 You know I don't think there is enough of them out
17 on the water, but what do we do if okay the budget cuts, what
18 if we got to lose another 20 percent of our enforcement
19 officers -- watermen? I am exaggerating here but do we
20 restrict our fisheries because we don't have the people on the
21 water to enforce them? Do we close down our season because we
22 don't have enforcement on the water?

23 So I guess these are the -- and I guess my point is
24 if that fails and it hasn't even been put through technical
25 yet. But I guess my main points are the economic impact that

1 the State is feeling and then the tremendous economic impact
2 the charter fleet is feeling. And I think that if it does
3 meet the reduction that ASMFC is looking for, that 20 and a
4 half percent and that 25 percent, that I think we need to be
5 as flexible as possible when we look at these options to
6 benefit our state and our economy. Thank you.

7 MR. GOLDSBOROUGH: Thank you, Phil. Okay, so just
8 to remind everybody that we got two issues here. We are going
9 to need two motions. One is on the spring fishery and one is
10 on the summer/fall fishery. Phil has addressed both of them
11 so let's keep them -- comments on both will be fine but you
12 have to be able to segregate them in your mind too when it
13 comes to whatever motions might come out on the table.

14 Spring fishery is subject to a 25 percent cut back
15 because the is considered the same as the coastal fishery. It
16 is the same group of fish, just when they are in the bay
17 spawning. Summer/fall fishery is 20.5 percent because those
18 are pre-migratory fish. And not subject to the same cut back.
19 So the numbers are a little bit different. So remember we are
20 going to need more questions, comments what have you, I do
21 have Mark and now we have Val. So think of any others you
22 might have and think about if you are -- if you are thinking
23 we are gravitating for to some kind of consensus or some kind
24 of motion you want to make. Mark go ahead.

25 MR. DeHOFF: The feedback that we got from our guys

1 did show that on the summer time, I didn't mention this when
2 I talked before, that they are looking also again at the 20
3 inch, the status quo. I think that most people in this room
4 think that you know, we undershot a little bit last year.
5 That big year class didn't grow quite as big as we thought.
6 But I don't think there is many people in this room that think
7 that all of those fish should be 20 inches next year. So they
8 would prefer to stay with that.

9 One comment on the item number 4 there, at the
10 bottom. In doing what Phil said, where maybe we have an issue
11 where maybe those fish -- we guessed wrong again and those
12 fish aren't there. Instead of going from one fish at 18 and
13 changing it to two fish at 20, is there any chance that we
14 start at two fish at 20 and then we get to June and we find
15 out there is no 20 inch fish here, we got to do something and
16 then we change it to one fish at 18. Make it reactive to what
17 the season actually shows us what is there.

18 Now I know that brings its own logistical things
19 making a change mid season, but it would seem to make more
20 sense to change from two fish at 20 to one fish at 18 to give
21 people the opportunity than to do it the other way around. To
22 assume that those fish aren't going to be there and then have
23 them show up and then change it.

24 MR. GOLDSBOROUGH: Comments on that, Mike?

25 MR. LUISI: I think technically it could work.

1 Technically each of those options if you -- what would be
2 difficult to do would be to do it on the fly. It would be
3 hard because of the challenge of making sure that the message
4 is clear to the people who are going to be fishing. It is one
5 thing to establish a May 16 through August 31 at one fish at
6 18 and then it switches on September 1 to two fish at 20.

7 To get that out the door, to get the message out and
8 it is in the book, it is on the website, it is where it is
9 rather than okay, well we are now three weeks into the
10 fishery -- there is no 20 inch fish, so we are just going to
11 change it. And to change it like that on the fly, I think
12 would be a much bigger challenge.

13 MR. DeHOFF: I wasn't sure if there was a trigger
14 involved in that or if there was --

15 MR. LUISI: What I was thinking on that is that we
16 could come up with a date, like a September 1 let's say. That
17 would be the date where everything adjusts and that is what we
18 would -- how we would vet it through the board.

19 MR. GOLDSBOROUGH: So if we came up with a plan like
20 that, we would have to bring back that specific plan to the
21 technical committee this Friday. Right?

22 MR. LUISI: Right.

23 MR. GOLDSBOROUGH: And knowing how some of those
24 meetings go, I am anticipating that we may have a question
25 about how that might affect the data -- the tax data and

1 analysis of the fishery.

2 MR. LUISI: Probably so. When you switch things up
3 like that, it can often -- that is what I was saying before,
4 you know we have had the rules in place for one year. To
5 change these rules and then to even go to a rule that switches
6 things up within the year, it just doesn't -- it pulls away
7 from the ability of the assessment to really understand what
8 is happening when the models are run.

9 MR. GOLDSBOROUGH: Val, you are up?

10 MR. LYNCH: Yes, point of order, Bill. You
11 mentioned taking motions on spring trophy and summer/fall.
12 Would you not also take a motion on coastal as to bringing it
13 to the attention?

14 MR. GOLDSBOROUGH: I certainly want to come back to
15 coastal, frankly I was a little unclear on where that ended up
16 between you guys and Mike. I know you and Beverly are
17 certainly here and able to speak to concerns along the coast
18 and I want to have that discussion as to whether the
19 Department wants the motion on that. I was unclear. So yes
20 it is included, we are not going to forget.

21 MR. LYNCH: Thank you.

22 MR. GOLDSBOROUGH: Ed, you are next.

23 **MOTION**

24 MR. O'BRIEN: Yes, for the spring fishery I would
25 like to make a motion that we go with that 35 inch fish and I

1 appreciate that that has been pursued. And I know there has
2 been a lot of discussions with ASMFC on it. I think that will
3 be very helpful, so I just want to confine my motion to the
4 spring season. Something that was mentioned earlier though to
5 get a comment in, I think it was a real victory when our
6 people went down there and got this re-assessment to look at
7 the 2015 data because people up north, they are looking --
8 they would like to see this flow right through 2017 into 2018.

9 I would hope that maybe 2016 could be considered
10 right at the end or right in the middle but I know that is
11 going to be difficult. But I mean, you all made a real victory
12 down there by getting that re-assessment to evaluate just what
13 the real catch was in 2015. Because that would show you that
14 instead of a 20 percent reduction or a 30 percent reduction or
15 a 50, you are probably up there somewhere around 75 reduction
16 based upon the kind of season we had last year.

17 MR. GOLDSBOROUGH: So we have a motion on the table
18 for 35 inch minimum size for the spring fishery, is there a
19 second for that motion?

20 MR. TUMA: Second.

21 MR. GOLDSBOROUGH: Frank second, okay. Discussion.
22 Ed O'Brien made the motion, Frank Tuma was the second.
23 Discussion on the motion. Dave?

24 MR. SIKORSKI: Yes, I think it is -- I speak in
25 favor of the motion and I do so with caveats but it is much

1 better than sector separation. We don't want to go there. So
2 I am glad to see that option out on the table that avoids
3 sector separation. There is nothing to be gained from that.
4 I think CCA was pretty vocal last year in our support of the
5 slot because of the biological benefit. And that you are
6 releasing -- we knew that there were a lot of females out
7 there at that size in that not take section.

8 But we understand the burden that it placed on the
9 fisherman and having to handle them, the enforcement issues,
10 the confusion and all that. And so to avoid that moving
11 forward, I think it makes sense just to go with the simple --
12 go back to the way the trophy season used to be and 35 inches.
13 We are harvesting females. But Maryland doesn't harvest
14 nearly many as other states. I think it is only 3-5 percent
15 of the coast wide catch.

16 So hopefully with all of this snow out there, we
17 will have another great spawn and move on our merry way. So,
18 I speak in favor of the motion.

19 MR. O'BRIEN: Thank you, Dave, I appreciate it.

20 MR. GOLDSBOROUGH: All right, anybody else? On the
21 motion. John?

22 MR. NEELY: Mike, based on your understanding of the
23 information that you have, would there be a material
24 difference in the fish population if we go with this motion?

25 MR. LUISI: Difference in the population? I don't

1 think our spring trophy fishery has all that great of an
2 impact on the overall population. It is very small compared
3 to when you think about all those migrant fish that are being
4 fished on all year long in the ocean along the Atlantic Coast
5 and then you take five weeks of time and catch them here in
6 Maryland, that is insignificant really to the overall
7 population strength.

8 MR. NEELY: Speaking in favor of the simplicity and
9 the enforcement, I see no reason not to make those changes.

10 MR. GOLDSBOROUGH: Thank you, John. Anybody else
11 especially on the motion? Ready to vote?

12 MR. GRACIE: I would like to publically --

13 MR. GOLDSBOROUGH: Yes, thank you Jim. So I
14 neglected to mention this earlier for anybody that is new to
15 the process, but you will see that public comment allowed for
16 the end of the agenda but that is for items not on the agenda
17 and it is up to the chair and its discretion to allow public
18 comment when it comes to voting on the agenda items which I am
19 going to do right now. Is there anybody from the audience
20 that would like to comment on this motion? Dave Smith?

21 MR. : If there is another motion made,
22 can I speak at the time --

23 MR. GOLDSBOROUGH: We will do that again.

24 MR. : All right.

25 MR. SMITH: My name is Dave Smith and I am the

1 executive director of the Maryland Salt Water Sport Fishing
2 Association. And we support the motion made by Ed at the one
3 fish at 35 inches. It did have a tremendous impact on just
4 the recreational fishery last year and in 2014, the MMSA and
5 the Department spent a lot of time canvassing the State, held
6 a lot of meetings. And the conclusion of that from what I
7 thought was one fish at 36 inches, people still believe in
8 that and this year it is one fish at 35 inches. So I will
9 make it quick, we do support -- the MMSA does support that one
10 fish at 35 inches. So thank you.

11 MR. GOLDSBOROUGH: Anybody else in the audience?

12 MR. SHAROV: I want to -- Hi my name is Alexei
13 Sharov, Fisheries Service and I just wanted to ensure you that
14 with the option that you are going to vote for using the
15 Atlantic States Marine Fisheries Commission, the proven
16 method, that method provides an estimate of the 28 percent
17 reduction in the harvest. And so by going with this option,
18 we are going to -- with every one in compliance with the
19 commission's desire to reduce the harvest. So just wanted to
20 make sure that you know that we are going with this option and
21 we will remain conservationally responsible with this option,
22 thank you.

23 MR. GOLDSBOROUGH: Thank you, Alexei. So that
24 speaks to John Neely's question about the effect on the stock
25 and this option would be fully compliant with the prescribed

1 cut backs necessary to protect spawns. Anybody else? Okay,
2 so we will vote on the motion. Do we need to read it into the
3 record -- is that necessary? So it is option number 2. The
4 spring fishery, one fish per person per day 35 inch minimum
5 size. So all in favor please raise your right hand.

6 (Show of Hands.)

7 MR. GOLDSBOROUGH: Any opposed? Abstentions? Oh, I
8 am sorry, yes, Grant on the phone, I am sorry you couldn't
9 raise your hand --

10 MR. SOUKUP: Yes, my hand is up -- my right hand is
11 up.

12 MR. GOLDSBOROUGH: Sorry, Grant. And ask if anyone
13 had an abstentions? No abstentions. So the motion passes
14 unanimously. Very good. That was very productive. So we
15 still have the spring fall fishery and the coastal fishery.
16 As I said, Phil has spoken to some to the spring fall fishery.
17 Other folks want to offer some thoughts or questions? Mike?

18 MR. LUISI: I will just say that when we are going
19 over the summer fall fishery. So the purpose of the feedback
20 here is for the commission to come up with a preferred
21 alternative but it doesn't mean that that is the only thing
22 you can go forward to try to get approval for. So the
23 proposal that we put together could include other alternatives
24 but the preferred alternative would be the one that would
25 highlight at the top of the list as far as what we are getting

1 the feedback from here. So if you decided that the preferred
2 alternative in this case was the two fish at 20 inches let's
3 say, you could also give us some thoughts as to whether or not
4 you would want us to take this captain's choice idea to the
5 board as well.

6 With knowing that the preferred option coming from
7 the group would be the two fish at 20, so just keep that in
8 mind as you are debating this issue.

9 MR. GOLDSBOROUGH: Further comments or questions on
10 this one?

11 MR. TUMA: Is this going to be two motions or how
12 are we going to do this with the captain's choice versus I
13 guess it is D, E, and F, right?

14 MR. GOLDSBOROUGH: Well, it is up to the individual
15 to make a motion but I certainly think you can capture it in
16 one. Phil?

17 **MOTION**

18 MR. LANGLEY: Yes, I would like to make a motion to
19 put the captain's choice option as the preferred choice and if
20 that does not pass technical then to have the two fish at 20
21 inches as the second option.

22 MR. GOLDSBOROUGH: Do we have a second for that
23 motion?

24 MR. GRACIE: I think I would feel more comfortable
25 if we kept them separate.

1 MR. GOLDSBOROUGH: So let's -- vote on one thing as
2 our recommendation and then a second vote on another
3 possibility. Question before -- is there a second to the
4 motion?

5 MS. DEAN: Can we ask for an amendment? Because we
6 ask --

7 MR. : It is not on the table yet.

8 MS. DEAN: Okay.

9 MR. GOLDSBOROUGH: Seeing no second, we are back to
10 the drawing board. Are there comments, questions or motions?

11 **MOTION**

12 MR. TUMA: I will make a motion on -- on mine it is
13 Option D, I don't know what it is on --

14 MR. : Yes, that was the difference from
15 the memo --

16 MR. GOLDSBOROUGH: Status quo. Two fish per day, 20
17 inch minimum, one of which can be over 20 inches. Is there a
18 second for that motion?

19 MS. DEAN: Now I have a question about the motion.

20 MR. GOLDSBOROUGH: Well, we need to --

21 MS. DEAN: Is that the preferred option?

22 MR. TUMA: That is the preferred option.

23 MS. DEAN: Is that the caveat that it is the
24 preferred action?

25 MR. TUMA: I mean, I guess that is what we are

1 saying right? Yes, that is the preferred option.

2 MR. GOLDSBOROUGH: Yes, it may be the only option
3 too if there is no more motions. The only thing we would
4 recommend. Still need a second?

5 MR. DeHOFF: Second.

6 MR. GOLDSBOROUGH: Second by Mark DeHoff. Okay. So
7 there is a motion on the table. Discussion? Dave Sikorski?

8 MR. SIKORSKI: Yes, I am supportive of the status
9 quo. That being said, I understand the complexity of last
10 year and that all of our eggs were in the 20 inch basket -- or
11 the 2011 basket as Phil put it. That is a good way to put it.
12 And knowing what we know now, there is a lot of fish out there
13 just shy of 20 inches that are hopefully growing.

14 And just from the -- well you are talking
15 enforcement complexity, consistency and statistics and
16 management. And just overall -- all the other stuff I see
17 there is really complex and I just think it makes sense. I
18 mean, you still get to come home with two fish. You still get
19 to keep a big fish if you want it.

20 And I think there is going to be plenty of those 20
21 inch fish out there. So, generally supportive of it. The one
22 concern is that the differential between the commercial and
23 the recreational that will probably still exist. And I
24 believe the commercial will move forward with an 18 inch
25 minimum but that is the problem that we had last year. It is

1 going to be a continual problem and the only option I see to
2 solve that problem is number 2, and you know, two fish is
3 better than one. So, it is not easy, I understand that.

4 The captain's choice I threw away common sense when
5 I started this process many years ago. I have always thought
6 of myself as a common sense guy but I wouldn't have any issue
7 necessarily with seeing what the technical committee had to
8 say with that. But I just -- I see it opening a can of worms
9 with complexity that we don't want to -- or going down the
10 road, we don't want to go down.

11 That being said, Phil made some really common sense
12 points. We are already doing it. And Phil -- my personal
13 choice, I would love to see a world where we could really
14 trust in each other to do what is right and follow the rules
15 and support enforcement with a whole lot more money than we
16 do. But you know, all things said, I am supportive of the
17 motion with the status quo.

18 MR. GOLDSBOROUGH: Other comments on the motion?

19 MS. DEAN: Yes, hi. I got to do this. The
20 commercial fleet has taken a lot of heat over having a minimum
21 that is different from the recreational and the charter boat
22 fleet. That was not a decision that was made by us but rather
23 a decision that was made when this commission and the
24 industries agreed to take on that 20 inch fish.

25 With that being said, I cannot sit here and not help

1 the charter industry. I have seen what happens on the lower
2 end of the bay. I move my boat because I know I have to to
3 find those fish and those guys that are down in the southern
4 end are hurting. So, I understand that the argument is that
5 NRP would find this not enforceable but considering this is
6 something that we are already doing in the spring fishery, I
7 don't see it being a problem.

8 If you have two fish, those two fish better be over
9 20 inches. And if you have one fish, and it is 18 inches, you
10 better not have a second one. I don't think that that is any
11 clearer. And I agree that we need more NRP and I don't want
12 to tax them but I don't want to see the enforcement be the
13 reason that we lose our charter industry.

14 And I feel that we are. So maybe this is me
15 reaching out but I would fully intend to make another motion
16 that at least be added as an option for ASMFC and furthermore,
17 I maybe have missed an opportunity but I kind of wanted it to
18 be separated with Phil's motion. So we are not voting now but
19 I can tell you that I will vote against this as our primary
20 option.

21 Now whether or not we go to separating the sectors,
22 I am not in favor of that. I can tell you right now it hurts
23 being the odd man out as the commercial guy, to sit back and
24 kind of catch the heat that we do for being in separated
25 sector. I don't see it being a problem if Alexei can tell us

1 that this works and ASMFC will buy it, let's help Maryland.

2 So I understand that we have a motion on the table
3 but I would really like you guys to reconsider because I
4 support the charter industry. I can still stand behind them.
5 And I would like to and I would like for this commission to do
6 that as well.

7 MR. GOLDSBOROUGH: Val?

8 MR. LYNCH: Yes, I would like to make a comment
9 about being a primary recommendation or personal
10 recommendation. If this commission were to recommend both to
11 be considered but consider them separately, would you feel
12 differently about voting against it?

13 MS. DEAN: I -- can I first clarify the question to
14 make sure I understand it? Are you asking if I would like
15 both of these to go forward to ASMFC for approval?

16 MR. LYNCH: Yes.

17 MS. DEAN: Yes, I definitely want that. And then we
18 can address it later down the road but I think we at least
19 need to have it there.

20 MR. LYNCH: Well, I am not sure about the --- they
21 have built but trying to save Rachel from herself here. If we
22 table the motion and address the idea of the captain's choice
23 going forward and then come back to the motion, is that fair?

24 MR. SIKORSKI: I would recommend a substitution
25 first. Or an amendment. Amend the motion first if Frank is

1 interested in that. Frank would have to approve that
2 amendment.

3 MR. TUMA: Amend it to what?

4 MR. SIKORSKI: Amend it to include -- so the motion
5 would be points 1 and 3 to be submitted to ASMFC for approval.

6 MR. TUMA: The captain's choice? Amended?

7 MR. SIKORSKI: Yes, 1 and 3, yes.

8 MR. TUMA: I would not agree with that.

9 MR. SIKORSKI: Okay.

10 MR. GOLDSBOROUGH: So I am not the world's expert on
11 parliamentary procedure but -- Jim, what are our options?

12 MR. GRACIE: If you have a second, the motion at the
13 table takes precedence, that gets voted on before anything
14 else. So if Val makes that a motion to table, then you ask
15 for a second.

16 MR. SIKORSKI: Or Rachel could make a substitute
17 motion in which we would all consider if it gets a second. We
18 would vote on. If we approve it, it then becomes the main
19 motion.

20 MS. DEAN: I would like to make a substitute motion.

21 MR. SIKORSKI: Go for it.

22 MS. DEAN: I -- so it has to be completely separate
23 of what he said right?

24 MR. SIKORSKI: You make a substitute motion to
25 remove his and a substitute one.

1 **MOTION**

2 MS. DEAN: Okay, I would like to make a substitute
3 motion that I remove the original motion and I propose that
4 option one which is status quo continues -- is that where we
5 are? As an option and we also send option 3 to the ASMFC
6 technical committee.

7 MR. LYNCH: Second.

8 MR. GOLDSBOROUGH: David, who had that second?

9 MR. SIKORSKI: Val.

10 MR. GOLDSBOROUGH: Val. Okay, so we have a
11 substitute motion and a second, did we get that? Okay. And
12 is there a discussion on the substitute motion?

13 MR. SIKORSKI: Certainly.

14 MR. : Well, first of all the appropriate
15 term is an amendment to the motion which is what it was. And
16 you vote on the amendment before you vote on the first motion.
17 And you have discussion.

18 MR. GOLDSBOROUGH: Mark?

19 MR. DeHOFF: Just to clarify, Rachel you are saying
20 that you want to move forward with option 1 as our preferred
21 but want to submit option 3 for consideration?

22 MS. DEAN: We are keeping them separate. So right
23 now, all I am asking is that they both go to ASMFC. Now I
24 think Frank's original was that he wanted option 1 to be the
25 primary. But we are trying to separate them out right now and

1 just say that we are sending both.

2 MR. DeHOFF: Right but according to what Mike is
3 looking for, he is looking for what our preferred is so that
4 he can sit with them. If there is other ideas of hey let's
5 submit this for consideration, I think that would be something
6 separate than what we say to Mike is our preferred. Is that
7 kind of what you were --

8 MS. DEAN: Yes, separating.

9 MR. DeHOFF: His was separate. You could have come
10 back and said hey along with that I would like to make another
11 motion that we put option 3 to be submitted to the committee
12 for --

13 MR. : They haven't even considered it
14 yet.

15 MR. : Yes, it hasn't been rejected.

16 MR. DeHOFF: Right, hasn't been considered, hasn't
17 even been submitted so a second motion could be we would like
18 to submit option 3 for consideration.

19 MR. : That is possible too.

20 MR. DeHOFF: That we like what is there at number 1
21 and then a separate motion to submit 3 for consideration I
22 would think would be the way to keep them separate. And then
23 you get -- you want it submitted and then he wants it
24 preferred when it is coming from the group.

25 MR. TUMA: I don't have a problem with you

1 submitting it as an extra option for them to consider but I
2 think there is a lot more to consider than just the size
3 limits and the biomass that we are going to be taken out of.
4 I mean, there is enforcement issues and a lot of other issues
5 that go into this and I don't know whether the technical
6 committee actually goes in and gets involved with -- on the
7 captain's choice.

8 MS. DEAN: Okay, but just to be clear, I wasn't
9 trying to pick our primary but rather I was trying to send 1
10 and 3 to ASMFC.

11 MR. GOLDSBOROUGH: To the technical committee for
12 their consideration.

13 MS. DEAN: Yes, yes.

14 MR. TUMA: See then I -- go ahead.

15 MR. GRACIE: As I understand what Rachel is trying
16 to do, if both motions -- if both proposals were accepted, we
17 still would not have made a decision.

18 MS. DEAN: Yes.

19 MR. GRACIE: We can still make the decision but we
20 would have either option on the table.

21 MR. GOLDSBOROUGH: Right. And my intent would be
22 that if this motion were to pass and they would come to --
23 motion and pass, that we would then see if we couldn't give
24 the Department some judgement about which one would be the
25 primary -- the preferred option. Because they still need that

1 from us. If we can give it to them. So we do have substitute
2 motion, amended motion as Jim said it should be called on the
3 floor with a second. So we are still in discussion on that.
4 Comments? Dave?

5 MR. SIKORSKI: He just said it clearly. What we are
6 doing here is sending options 1 and 3 to ASMFC for approval.
7 We are voting yes or no on that. That is it.

8 MR. GOLDSBOROUGH: Other comments on the amended
9 motion?

10 MR. TUMA: They have to go to the technical
11 committee first, right?

12 MR. SIKORSKI: Right.

13 MR. GOLDSBOROUGH: That is correct.

14 MR. TUMA: And then they make the decision if I
15 understand the process --

16 MR. GOLDSBOROUGH: They could come back and say yes
17 either one of those is fine from a technical standpoint and
18 then we would have to decide (interference with microphone)
19 take to the board, State of Maryland would have to decide
20 what we wanted to take the board next week, stripe bass board.
21 I don't know if -- maybe Mike should speak to that.

22 MR. LUISI: So, I don't know how to quite say this.
23 So Maryland and stripe bass. Okay the stripe bass board, we
24 have done just about everything that we can do as arguing and
25 complaining and appealing and we have been a squeaky wheel,

1 very squeaky. And where I have some concern -- so we have
2 been squeaky, squeaky, squeaky, squeaky -- the last meeting we
3 had we tried to get the board to revisit all of the reductions
4 that we were under and they told us no. So we come back to
5 Maryland again and we sit around and we craft up something
6 that could technically work but it is going to be perceived --
7 this captain's choice option is going to be perceived by every
8 single one of those board members as our way of maximizing the
9 harvest in some way because we are giving people choices as to
10 how to make their fishing trip the best that it could be.

11 So each and every day you are going to get -- I
12 just -- that is the way the board is going to perceive it and
13 it is going to be difficult to explain to them why the -- the
14 flexibility here is equivalent to a one limit where you know
15 you are protecting a certain range, a certain size of fish.
16 So I just think that is going to be a challenge from the
17 State's perspective on going to the board with this request,
18 given that we have been the squeaky wheel for two years, we
19 are then again going to try to see how we can maximize take in
20 some way.

21 That is -- in my mind that is a challenge that I am
22 thinking about how we would couch this to the board. Now I am
23 not trying to influence -- I don't want to influence the vote
24 here if this commission wants those two options to go forward
25 to the technical committee, that is the first step. The

1 technical committee would weigh in as to the technical merit
2 of this kind of option. Not considering enforcement, not
3 considering of the other issues that have been brought up
4 surrounding it.

5 Whether the board agrees to it or not, we don't -- I
6 am -- I can't -- we are not going to try to predict what the
7 board would do. But we just need to be a little -- just feel
8 like Maryland needs to be a little careful here in our
9 approach on this so it doesn't seem as if we are trying to
10 just get everything we can out of it while -- you know, I just
11 I will leave it at that.

12 MR. GOLDSBOROUGH: The other piece of the --- when
13 we were the squeaky wheel at the fall meeting, to not get
14 relief but we did at the policy board level then ask for --
15 take a second approach and ask for a sped up updated
16 assessment that is not going to happen this summer because of
17 our request which we are anticipating will give us some more
18 information upon which we can base the request for relief in
19 2017. So that is all pending too, on our behalf.

20 MR. LUISI: Right. And it was adding to the work
21 load that was already scheduled. It was in addition to.

22 MR. GOLDSBOROUGH: Yes, that was -- so I have Val
23 and then Jim. Oh, I am sorry, Val if you would hold for just
24 a second. We did have a staff who wanted offer in but --

25 MS. : I just wanted to get clarification.

1 Well, first ask you to clarify the 20 inch minimum, while we
2 definitely want to know whether it is preferred or not has
3 actually been approved. For option 3, you know the one that
4 is going to have to go back after this meeting and write the
5 proposal for this ---, I wanted clarification whether
6 captain's choice is for every one or just the charter fleet?
7 Because I don't know which to write.

8 MR. GOLDSBOROUGH: So that comes back to the mover,
9 which is Rachel. What did you intend on your motion

10 MS. DEAN: Can we have some discussion? I am -- it
11 is hard.

12 MR. GOLDSBOROUGH: Under 3, see the bullet captain's
13 choice, all recreational anglers for charter fleet only. Did
14 you mean it for both recreational and charter or just charter?

15 MS. DEAN: It is never good to separate the sectors.
16 I guess I started my motion with that. The idea that you
17 know, we get beat up in being the lone guy out there. But if
18 it is the only way to get it through and save our charter
19 fleet, again I would have to ask can we have discussion before
20 we can move forward? Okay, I see where this is going so I am
21 going to say the charter fleet only.

22 MR. GOLDSBOROUGH: Val is the second, are you okay
23 with that?

24 MR. LYNCH: No. I would like to pull my second.
25 Phil?

1 MR. LANGLEY: I think the intention when that was
2 put forth was to stay away from sector separation and I can
3 tell you as much as I am sitting here and hoping that that
4 goes forward for the charter fleet, it was their intention to
5 stay away from sector separation if at all possible.

6 MR. GOLDSBOROUGH: So I don't know if this is
7 appropriate procedure or not but I am just going to come back
8 to Rachel and say how are you with that, Rachel?

9 MS. DEAN: I would like to amend it to say all.

10 MR. GOLDSBOROUGH: Okay. And Val you are okay with
11 that?

12 MR. LYNCH: I am seconding that.

13 MS. GOLDING: It puts us back on the board with a
14 lot of fumbling around, if you are all okay with that? Is
15 everybody okay with that procedure and how we just did that?
16 Okay, so we are back where we were and to answer the question
17 from staff, it applies to both recreational and charter, okay.
18 That is where we were. And then I had Val and then Jim.

19 MR. LYNCH: I will be brief. Mike, what you said
20 earlier, you made it sound like a bad thing. That we are
21 trying to optimize for the recreational fleet not for the
22 charter fleet. I don't see --

23 MR. LUISI: It came across that way, I don't think
24 it is a bad thing. I think it will be perceived as if we
25 are --

1 MR. LYNCH: Well that is okay, that is okay. That
2 is okay.

3 (Simultaneously talking)

4 MR. LYNCH: The reason I say that is two fold.
5 First of all, we have number 1, okay we are not going to lose
6 that. Secondly I think it is important that we as a group,
7 those title and sport fish, are working as closely and in
8 concert as possible and I think this is one way to do that.
9 Going back to last year, we have 20, they have 18. Boo. I
10 think we can avoid that to some degree if we -- if it is
11 publically available that we are working together on this.
12 So I am only making that comment.

13 MR. GOLDSBOROUGH: Okay, so I had Jim and then I
14 have Dave and Phil. Jim, you are up.

15 MR. GRACIE: Yes, my comments to Mike also. Mike, I
16 hope you will be more positive when you try to sell it. In
17 terms of being perceived as trying to harvest more fish, once
18 you have gone through the recommendation of the technical
19 committee, that is behind you. So they are either going to
20 recommend it or not recommend it. If they recommend it, you
21 ought to be able to look anybody in the eye and say we are not
22 over harvested.

23 MR. LUISI: Yes, I am not saying that we are over
24 harvested. Fishing under those restrictions keeps us
25 compliant with the ASMFC.

1 MR. GOLDSBOROUGH: Dave?

2 MR. SIKORSKI: The -- do we -- I think I answered my
3 question by reading it. My question was, how does it apply?
4 It is per person per day. And so when you have a vessel, we
5 are all individual anglers on that vessel. And so some can
6 have 20 inch, some can have 18 inch.

7 MR. TUMA: And on the recreational side, that is
8 the way I read it.

9 MR. SIKORSKI: Even on the charter --

10 MR. TUMA: Charter is a little bit different because
11 you are in control of your persons on board. But on a
12 recreational going out, you got 3 recreational -- 4 or 5
13 recreational guys on the boat all with different regulations.

14 MR. GOLDSBOROUGH: So ask for clarification from the
15 staff, because I think from earlier discussion of this, I
16 think the intent is that they provided one boat whether it is
17 recreational or charter would be subject to what is chosen for
18 that day. Is that correct? Anybody dispute that or --

19 MR. LUISI: So when you are on a boat -- when you are
20 on a boat, there would be -- it would have to be written in
21 such a way that the boat would have all the people on board
22 the vessel has one -- they decide all together which one they
23 are going to choose. And if you are not on the boat, and if
24 you are fishing from the pier, Sandy Point, you are fishing
25 off the pier and off the rock jetty, then it is per person and

1 you and the guy next to you and your family can have all of
2 the different rules. You can make the decision. So --

3 MR. : Every one on a boat just saying.

4 MR. LUISI: Because when you get off of the boat,
5 you take possession of those fish and now you are individually
6 possessing either one 18 inch fish or two fish that are
7 greater than 20 inches.

8 MS. DEAN: Same as we do in the spring.

9 MR. GOLDSBOROUGH: I have Phil and then I have you
10 Frank.

11 MR. LANGLEY: Yes, I guess the only comment I was
12 going to say Mike and I have been around the ASMFC arena a
13 little bit and probably no matter what we present to them,
14 there is a lot of states that think that Maryland is cherry
15 picking anyway. There is -- it is as much as we would all
16 like to see it at a 100 percent fisheries, there is some
17 politics involved at that level as well.

18 And I thank Jim, and I agree with Jim on that. If
19 it does meet the technical committee ASMFC that is where I
20 think as a state we need to apply the flexibility to do what
21 is best for our state and the economy in the state.

22 MR. GOLDSBOROUGH: Frank?

23 MR. TUMA: I speak against it. I mean, it is just so
24 confusing. If a recreational person is there with their
25 family at Sandy Point catching fish or whatever, I don't mean

1 to pick that out. But now all of those fish go in the same
2 bucket. Same ice chest. My son is over here, he is under one
3 regulation and he has one 18 inch fish. I have two 20 inch
4 fish, how is DNR going to tell that?

5 The enforcement on this has got to be -- it can't
6 be attained. And also I don't know how your statistics are
7 going to come out. I mean, how are you going to -- I don't
8 know. I just speak against it. It is just too complicated. We
9 have the status quo right now. It is working fairly well.
10 Everybody understands it. My patrons that come on my boat
11 understand the rules, regulations.

12 Now I am going to ask them to pick a choice from the
13 day. That has to be -- I am going to end up with charter guys
14 that are going to charge -- oh if you pick this choice, it is
15 x rate, pick this choice it is another rate. I have already
16 seen that in one other state that I know of.

17 MR. DeHOFF: You are going to go out and catch 6
18 fish instead of 12.

19 MR. TUMA: Right. So I have to speak against it.
20 Against the amendment but you know, so that is where I am at.

21 MR. GOLDSBOROUGH: Any other comments on the amended
22 motion? Dave?

23 MR. SIKORSKI: I am going to speak against it as
24 well. I spoke in support of the original motion. While
25 status quo may not be easy, I am putting all of our eggs in

1 the 20 limit basket again. It makes sense. We don't need
2 anything more complex from the data stand point, from an
3 enforcement stand point, from a perception stand point. That
4 being said, I do understand the impact of the charter industry
5 and I would hope that these 20 inch fish would be available.
6 So, like I said, I speak against the motion.

7 MR. GOLDSBOROUGH: Other comments?

8 MR. : From the public?

9 MR. GOLDSBOROUGH: Are we ready to vote? Yes, thank
10 you. Comments from the public on the motion? Yes, sir.

11 MR. ZAJANO: I would just if I may --

12 MR. GOLDSBOROUGH: Can you introduce yourself too,
13 please.

14 MR. ZAJANO: My name is David Zajano, from Northern
15 Baltimore County Recreational Fishermen. I just want to point
16 out that last year it seems to me that this was an ---
17 situation where we had a large number of striped bass above
18 the Bay Bridge and then when you folks vote, I want you to try
19 to keep in mind and keep in perspective the fact that this --
20 what appears to be an anomalous situation, very untypical. We
21 never had that many fish north of the Bay Bridge as far back
22 as I can remember and that is 40 years or so.

23 I drove down to Deale and went out on a charter boat
24 and we went out and fished off of Love Point. Then went all
25 the way back down to Deale and drove home again. And I think

1 that the guys down south, the commercial -- the charter boat
2 fishermen had a bad year, not necessarily because of the regs
3 that were put in place last year but because of the fact that
4 the fish migrated north and stayed there for an atypical
5 amount of time and atypical numbers.

6 I am willing to be stand corrected on that but I
7 think that is fairly widely acknowledged phenomenal whether or
8 not will happen next year or not, I don't know but if it does
9 it is not going to solve the dilemma at what we are looking at
10 and not going to necessarily going to solve the dilemma of
11 what is happening down in the Southern Maryland counties. So
12 just want you to consider that when you are voting.

13 MR. GOLDSBOROUGH: Appreciate that. Any other
14 comments from the audience? Yes, sir, please find a mic and
15 introduce yourself.

16 MR. SHUTE: My name is Greg Shute and I wanted to --
17 I run charter part time but I am also an active recreational
18 fisherman. I would support the motion of just sticking with
19 20 inch minimum hoping that we get the stock assessment -- I
20 am sorry, reference points for the Bay next year and use our
21 clout to maybe go back to an 18 inch minimum, if the reference
22 points for the Bay show that we can do so. Other than put all
23 of our eggs in the basket and trying to jump back and forth
24 with all of this gobbly goop that no one will understand
25 anyway.

1 MR. GOLDSBOROUGH: Anything else from the audience?

2 Yes, sir?

3 MR. JOHNS: Curtis Johns from Crisfield, Maryland.
4 And I run charters for 42 years actually. But the option that
5 Phil had put up that the option 3, I am not talking down to
6 anybody, in all respect, it is really not as difficult as it
7 sounds. Like you said, we are doing that now with slots that
8 are even more complicated.

9 You either have two fish or you have one fish. I am
10 in favor of the option 3. I just think it would be the best of
11 both worlds, you know. You are not catching any more than
12 what we are allowed now if you keep two fish. But you do have
13 the option to cut your catch in half if you are worried about
14 how it appears or the resource, bring home one fish instead of
15 two, if you go with the 18 inches.

16 And getting back to the controversy, I understand
17 between the boats and the docks, with us, we have one man
18 might want to keep one size and another man another size. But
19 as the captain of the boat, you would be in charge of that.
20 And the same with the recreational boat, if you are the owner
21 and the captain of that boat, that would be your decision to
22 make or you will decide on that before you left the dock to if
23 you want to go with 18 inches? Or maybe after you caught the
24 first fish, you know, you can make that decision.

25 I don't think it would be all that difficult and the

1 same for an enforcement standpoint when the people got off the
2 boat, I can see where you are saying two or three boats and
3 the anglers, but when that angler gets on the dock, you
4 better -- if he has a fish less than 20 inches, between 18 and
5 20 better only have one and or two over. It is not really
6 that complicated.

7 So I would at the very least like to see that number
8 3 be put to the technical committee and be an option. I think
9 it will be beneficial for recreational and charter. If it is
10 something that would pass. Thank you.

11 MR. GOLDSBOROUGH: Thank you. Dave Smith?

12 MR. SMITH: Again Dave Smith, Executive Director of
13 the MSSA. Again we spent a lot of time on this in 2014 and we
14 have continued to do so. Just because of all of the feedback
15 that we get from our anglers across the state and our two
16 priorities when we first approached this was two fish creel
17 and keep the same season. And it looks like option 1 and
18 option 3 do that.

19 Option 3 actually has option 1 within it. And I
20 think we are all aware of that. So we would be supportive of
21 option 3 because 1, it has two fish creel on the season length
22 as the same as far as we know for now. The option to keep one
23 fish at 18 with a minimum of 18, I think that provides a lot
24 of anglers just that opportunity to go out and fish and take a
25 fish home, that is important to a lot of anglers that we

1 talked to, that we have as members.

2 And the Maryland portion of the Chesapeake Bay is a
3 big -- it is a big chunk of water. As it was mentioned, fish
4 do move. And they change from year to year. And so the
5 northern bay was great this year. And the southern part of
6 the bay wasn't. So option 3 would give some relief to that
7 southern part of the bay to take a fish home. And we have a
8 lot of feedback, like I said this year that people were going
9 out and spending a lot of money and coming back without a fish
10 to eat.

11 So again option 3 I think encapsulates option 1
12 obviously and it is still within the required reductions
13 within ASMFC. The captain's choice, it is a lot more simple
14 than what I think a lot of us, or some of you are thinking.
15 There is always a reason not to do something. But you know, I
16 think we can work through this captain's choice issue. It is
17 not that complicated and it still gives us two fish with the
18 same season length with the option to keep a fish if you
19 don't get into those 20 inch fish.

20 And I think the charter boat fleet would appreciate
21 that and I think a lot of the recreational anglers would
22 appreciate that after they just buy their \$10,000 or \$100,000
23 boat, bait and all that stuff, they want to go out and catch a
24 fish and keep a fish and this would provide that. So that is
25 all I have to say, thanks.

1 MR. GOLDSBOROUGH: Thank you. Any other comments in
2 the audience? All right, another one?

3 MR. GREEN: I am Eddie Green, I am a charter boat
4 operator out of Chesapeake Beach, Maryland and the area Vice
5 President for the Maryland Charter Boat Association. I just
6 think you all should go with the captain's choice because I
7 agree with Dave and what Phil says. I don't see where the
8 enforcement is such an issue. If you are on a boat, you have
9 made your decision. One fish or two fish. You got 18 inch
10 fish, you better just have one per person. Over 20, you can
11 have two per person.

12 Same with at the dock, if you and your son are at
13 the dock and you got three fish, two are 20 and one is 18, it
14 is time to go home. You got your two, he has got his one, it
15 is time to go. There is many times last year I was out there
16 at 3:00 to 4:00 in the afternoon, I should have been home at
17 2:00 and I got 10 people on the boat and I got 8 fish in the
18 box. I been an hour and a half trying to catch two more fish,
19 where if I could have just kept two more at 18 and went on
20 home.

21 But I am catching them and letting them go. That is
22 all. Plus if you get one fish, you got a 50 percent reduction
23 instead of 20 percent.

24 MR. GOLDSBOROUGH: Any other comments from the
25 audience?

1 MR. ZAJANO: One more from David Zajano and that
2 would be that if you do the option -- the captain's choice
3 option for the recreational fisherman, you will need to do
4 something to address the bank fishermen, the surf fishermen,
5 the pier fishermen because they don't appear to be covered by
6 any of this. So what would be the regulation in what they
7 would be able to keep or whatever?

8 MR. GOLDSBOROUGH: Yes, to clarify that point in the
9 write up that was provided by the Department, as part of this
10 package, this proposal would be that people fishing from shore
11 appear that it would be up to the individual. The individual
12 would make their own choice. For every individual and it
13 speaks -- Frank raised a point that within the family it could
14 be confusing but that is the answer, as I understand it.

15 MR. LUISI: Yes, that is right.

16 MR. GOLDSBOROUGH: Okay. All right, so I am going
17 to close public comment right now and throw it back to the
18 board one more time because I did see a hand at the table
19 before we vote. That was you Mark, I guess.

20 MR. DeHOFF: One question I have is it seems like we
21 are the sticking point of this is it is kind of easy to make a
22 decision boat wide. Bank anglers, things like that, pier
23 anglers would be a little bit more difficult. Does anybody
24 have any idea of what the relationship between boat licenses
25 and standard salt water tidal fishing licenses is? I mean,

1 are there a lot more individuals than boat licenses? To where
2 you end up having a lot larger percentage of your fishing
3 public fishing where it is an individual choice rather than a
4 boat choice making enforcement slightly more difficult?

5 Is there -- anybody know the correlation between
6 those -- how many people just buy tidal licenses and boat
7 licenses? Because I mean boat licenses and charter licenses
8 are pretty easy to figure out your number and they are going
9 to be relatively easy to enforce. It is everybody else that
10 doesn't have a boat that is fishing every place else would
11 open up that difficulty.

12 MR. GOLDSBOROUGH: Can the Department speak to that?

13 MR. LUISI: I don't -- not off the top of my head.

14 MR. DeHOFF: Just something to think about when you
15 are --

16 MR. GOLDSBOROUGH: All right, so for purposes here
17 and now, we have a motion on the table, getting through public
18 comment or discussion and we are ready to vote. So the motion
19 is --

20 MS. DEAN: The motion is that option 1 which is
21 status quo and option 3 which is the captain's choice for both
22 recreational and charter move forward to the ASMFC technical
23 committee for review.

24 MR. GOLDSBOROUGH: And the seconder agrees that that
25 is the motion right?

1 MR. LYNCH: Right.

2 MR. GOLDSBOROUGH: All right, show of hands, please
3 raise your right hand if in favor of the motion.

4 (Show of hands)

5 MR. GOLDSBOROUGH: Grant?

6 MR. SOUKUP: I go with the majority.

7 MR. GOLDSBOROUGH: We don't know what it is yet.

8 MR. SOUKUP: I agree with the status quo choice.

9 MR. GOLDSBOROUGH: Okay, thank you. All right, so
10 opposed to the motion.

11 (Show of hands)

12 MR. GOLDSBOROUGH: So Grant, it doesn't give us a
13 vote on this motion just to say that you are in favor of the
14 status quo because the motion was to advance both the status
15 quo and the captain's choice for both sectors option to the
16 ASMFC technical committee for review.

17 MR. SOUKUP: But there was a second motion right that
18 was just for the status quo?

19 MR. GOLDSBOROUGH: Yes, that was withdrawn. This is
20 amended -- that motion amended what this is.

21 MR. SOUKUP: And we have not voted for that other
22 motion right?

23 MR. : It is off the table.

24 MR. GOLDSBOROUGH: No, we did not vote for it
25 because it was amended to this one.

1 MR. SOUKUP: Okay, then I will go yes with the
2 amendment.

3 MR. GOLDSBOROUGH: So that is yes in support of this
4 motion okay. So the motion passes 8 to 6. We have to vote on
5 it again -- yes, that is right we do. Is it an amended motion
6 or a substitute motion.

7 MR. : It is a substitute motion.

8 MR. GOLDSBOROUGH: We have to vote again.

9 MR. : No, it is not --

10 MR. LUISI: You have to vote one more time. You
11 don't have to but you should.

12 MR. SIKORSKI: It would only be an amended motion if
13 you -- well, you can only amend it if the motioner accepts the
14 amendment. Frank did not. There fore it becomes a substitute
15 motion and we have voted it up --

16 MR. GRACIE: I don't want to argue but that is not
17 true. You can introduce an amendment to a motion anytime if
18 it is seconded. The Robert's Rule says you vote on the
19 amendment first and then the motion.

20 MR. GOLDSBOROUGH: Okay, so I think we might just be
21 talking about terminology. Because you are agreeing that we
22 have to vote now on the designated motion?

23 MR. GRACIE: Absolutely.

24 MR. : Right because it can get amended
25 again or substituted again.

1 MR. : As amended. We just passed the
2 amendment to the motion. So now we are voting on the motion
3 as amended.

4 MR. GOLDSBOROUGH: Okay and that is the same thing
5 Dave is describing as a substitute motion and that is what I
6 thought of it too. Either way you look at it. So those two
7 are the same just a matter of terminology. It does mean that
8 now it is the main motion that we have to vote again.

9 MR. TUMA: Right and it was something that -- and I
10 think my -- it was the preferred option, one or A, whichever
11 is that, that is the preferred.

12 MR. GOLDSBOROUGH: No, no we are voting again on the
13 same thing.

14 MR. SIKORSKI: Your motion is gone, Frank.

15 MR. : Your motion was amended by who --
16 substituted by -- we agreed to accept the substitute and now
17 we have to approve it.

18 MR. GOLDSBOROUGH: We just voted --

19 MR. TUMA: We voted on the amendment to the original
20 motion.

21 MR. GOLDSBOROUGH: Right. We voted to amend it.

22 MR. TUMA: So having to amended the original motion,
23 what are we voting on now?

24 MR. GOLDSBOROUGH: The amended motion as amended.

25 MR. TUMA: Is that not the same thing that we just

1 voted on?

2 MR. GOLDSBOROUGH: Yes, it is.

3 MR. : But the --- voted for the
4 amendments, said they could kill the motion.

5 MR. GOLDSBOROUGH: Yes, it is. So if the vote comes
6 up different than we would wonder what -- do you have a
7 problem with that, Mike?

8 MR. LUISI: The reason why you have to vote on it
9 again is because now that it is the main motion, it can be
10 substituted for it, it can be amended in addition to what was
11 already done, so it becomes the main motion to take the order
12 on -- take the action on that motion.

13 MR. GOLDSBOROUGH: Okay, so now we have the main
14 motion on the table. You have a question?

15 MR. : Go ahead.

16 MR. GOLDSBOROUGH: So the motion on the table --

17 MR. LUISI: This is the captain's choice motion,
18 right?

19 MR. GOLDSBOROUGH: The motion on the table is to
20 take both status quo number 1 and number 3 of both sectors to
21 the technical committee this Friday for their review.

22 Correct, Rachel?

23 MS. DEAN: Yes.

24 MR. GOLDSBOROUGH: That is the main motion now. All
25 in favor please raise your right hand.

1 (Show of hands)

2 MR. SOUKUP: My right hand is in the air.

3 MR. GOLDSBOROUGH: Opposed?

4 (Show of hands)

5 MR. : Well implementation time for
6 captain's choice, does it fit within the time frame to get it
7 in for 2016 season?

8 (Chorus of "Yes")

9 MR. GOLDSBOROUGH: Are we --

10 MR. SIKORSKI: If captain's choice gets approved by
11 the technical committee and the board, then what do we do
12 because we still have two options?

13 MR. GOLDSBOROUGH: That is the next question. And I
14 ask the Department if they want some kind of feedback from us
15 on that.

16 MR. LUISI: So we would essentially have a menu of
17 two items we would have to choose from. And we could poll
18 this group -- we are not going to meet again until I think
19 April.

20 MR. GOLDSBOROUGH: We may be able to give you some
21 prioritization right now. Because --- asking for. So we
22 need to discuss that point. Rachel?

23 MS. DEAN: Can I just ask a question. Would this be
24 something that once we get approval we would have time to go
25 to public comment with?

1 MR. LUISI: I mean, we would have to have it in
2 place by May 16. Which means we can do this by public
3 notice, I believe and then follow that up with an actual
4 regulation change.

5 MS. DEAN: But we don't have a public comment
6 period?

7 MR. LUISI: So we would go through the regulatory
8 process but it would be after the fact. It would be after we
9 already began --

10 MR. GOLDSBOROUGH: Prior to the season start.

11 MR. LUISI: -- yes, just because of the timing of
12 everything. And I am saying that without getting that
13 confirmed that all -- that this type of scenario could be done
14 through public notice, which we would have to make sure that
15 it isn't required, got full regulatory process which could be
16 a whole different scenario of how it works. Because there is
17 a lot to this -- it is not changing a few days here or there,
18 there is a lot to it.

19 MR. GOLDSBOROUGH: Okay, so the question before us
20 right now is can we give the Department any direction as to
21 which one of these two we prefer as a body?

22 MR. LYNCH: I would like to make a motion.

23 MR. GOLDSBOROUGH: Val?

24 **MOTION**

25 MR. LYNCH: I would move that to recommend to the

1 Department given the fact --- that we would recommend option 3
2 as a priority and option 1 as a secondary.

3 MR. GRACIE: I will second that.

4 MR. GOLDSBOROUGH: Second is Jim Gracie. Discussion?

5 MR. : I think we had it.

6 MR. GOLDSBOROUGH: Anybody have any comment? At the
7 table first? Dave?

8 MR. SIKORSKI: Well we made the decision to ask
9 ASMFC to approve it. And if they do, then it is viable option
10 and yes it leads to complexities in management, but the hard
11 work has already kind of been done. And that is something I
12 think we -- I personally was trying to avoid, perception at
13 ASMFC. The hard work is already done in a way, then leaves
14 the complexities of enforcement. So I don't know where I am
15 going with this.

16 I mean, again I am generally supportive of it
17 because of the common sense factor and it just seems to make
18 sense.

19 MR. TUMA: Thank you.

20 MR. SIKORSKI: There is no question there. It
21 really does make sense. And there is also merit to the fact
22 that like Captain Green mentioned, when guys are out on the
23 water and have to be out on the water all day long, trying to
24 catch their limit, if they are able to get off the water
25 quickly that is less fish that are handled, that is less fish

1 that may die from catch and release mortality.

2 So I am trying to wear my conservationist hat here
3 a little bit and I almost see it as being a solution to some
4 of the issues that we have seen over the last year. So I
5 guess in theory I am speaking of favor of it. If it does get
6 approved. But part of me hopes it doesn't get approved.

7 MR. GOLDSBOROUGH: Phil was next.

8 MR. LANGLEY: And I appreciate that, Dave, I really
9 do. Because there are times last year in the lower bay, I
10 caught as many as 60 fish trying to -- and coming home with
11 one, sometimes maybe two and it is not good. Especially when
12 the water temperatures warm up. I think the survival rate
13 diminishes a lot more rapidly on the fish itself versus if I
14 could have kept and like I said hopefully we are -- that 2011
15 class is all going to be above 20 inches and it will be
16 irrelevant.

17 But if it is not, that is the only insurance policy
18 that the charter industry has to be able to maybe retain a
19 fish to take home for the people and the other question I
20 guess was for you, Mike. At what point, I know we are
21 discussing this and there are some concerns but does not --
22 does technical confer with -- I know they have a law
23 enforcement committee, but prior to approval, do they not
24 confer with them as far as ask their --

25 MR. LUISI: The technical committee will likely

1 submit a report or they will present the outcome of this
2 discussion that they are going to have on Friday. So they are
3 going to weigh in on Maryland's proposal which I believe we
4 are the only state that is submitting a proposal. So the
5 whole -- it will all be focused on Maryland's proposal.

6 So the technical committee will weigh in on what
7 they feel the validity of the technical merit of the -- these
8 options. And then the law enforcement committee who has met
9 already to discuss this will weigh in. I know that they --
10 this captain's choice option got a negative -- getting
11 negative feedback from the point of the law enforcement
12 committee. So the board will hear that as well.

13 And then it will be back to us in Maryland to
14 convince the board that these options are something that we
15 want to think about and implement over time if we get approval
16 for it.

17 MR. GOLDSBOROUGH: Mark?

18 MR. DeHOFF: I find myself kind of in Dave's shoes.
19 I really wasn't leaning towards this in the beginning but as
20 when you are looking at this and if it is approved, I mean,
21 really we are not looking at anything. We are splitting
22 hairs. Because the technical committee is going to tell us
23 this is equal to this and is equal to this. And if we can
24 find something that is going to help the charter guys out, we
25 are all for it. And that is what my guys said to begin with.

1 I think everybody in this room has a real good
2 feeling deep down inside that we are going to be catching the
3 heck out of 20 inch fish this year, but when it is your living
4 that you are talking about, you can't take that chance and you
5 got to put something out there that you know that you can
6 depend on.

7 I find myself with --- Dave said, leaning more
8 towards being able to approve it but again, like Frank, I
9 still have some concerns over enforcement. Yes, you can say
10 it is easy but we had a five week window in 2015 where all
11 they had to do was measure between 36 and 40 inches and we had
12 people in this room testified that it wasn't done right. They
13 were still getting illegal fish that were caught and it was a
14 five week period and all you had to do was you had a 6 inch
15 slot, or a 4 inch slot and you couldn't keep your fish or they
16 couldn't it right.

17 I think it is going to be a nightmare but I think it
18 gives the charter guys the opportunity that they need to make
19 it through these tough times.

20 MR. GOLDSBOROUGH: Jim?

21 MR. GRACIE: Yes, I want to add to what Phil said
22 earlier and what Dave alluded to. It is not only going to be
23 good for the charter boats, it is going to be good for the
24 fish. The 20 inch minimum size as a conservation measure was
25 a complete bust. Because of the hooking and handling

1 mortality and summer water temperatures.

2 There are an awful lot of fish being handled and
3 released for every one that was caught. And that is not good
4 conservation, so we have no numbers on that mortality but I am
5 sure it is higher than the normal mortality. So I think it is
6 good all around. The enforcement issues -- it may be
7 difficult to enforce but the impact on the fish population is
8 going to be minimal because of those enforcement issues.

9 MR. GOLDSBOROUGH: Frank?

10 MR. TUMA: Just food for thought or whatever the
11 word or terminology is. The captain's choice doesn't sound
12 that bad but on a daily basis, that is where I have the
13 significant issue with. If you had an option to declare what
14 you were going to do, somehow, whether it be recreational or
15 charter. That might -- you know, solve some of the other
16 issues that I have with it. But to just go out all of a
17 sudden I am catching 18 inch fish and saying okay, we only
18 need to keep 6 fish and then we are done, or we are at the big
19 fish and now we keep two.

20 On a daily basis, on the fly that is where I have
21 the significant issue with. I agree with what you are saying
22 about you know, but that is --

23 MR. GOLDSBOROUGH: That is a good point. Thank you,
24 Frank. Anything else from the board -- commission? Dave?

25 MR. BLAZER: Just one thing I haven't heard talked

1 about yet and Mike, maybe you can help me is consistency with
2 PRFC in Virginia. How that would play out given the history
3 that we would like to have consistent regulations. I don't
4 know if that comes into play, Alexei when the technical
5 committee viewpoint with PRFC in Virginia or if just not sure
6 where that would stand?

7 MR. LANGLEY: I can tell you as far as PRFC stands,
8 we voted on the dates to open and close the season. But they
9 are waiting -- PRFC is kind of waiting for Maryland to come
10 out with their regulations so that they can pretty much be
11 consistent and piggy back so that we are all on the same page
12 to limit confusion.

13 MR. SHAROV: PRFC mirrors Maryland's regulations so
14 they will -- their intent is to exactly follow what Maryland
15 is going to be doing. Virginia is different because their
16 primary season is November, December and ---

17 MR. GOLDSBOROUGH: Thank you, Alexei. Anything else
18 from the commissioners before I go to the public? Okay so any
19 comments from the public on the motion which is to make 3
20 captain's choice for both sectors a preferred option? I think
21 we have talked it out. So I am going to go to the vote now.
22 All in favor, please raise your right hand.

23 (Show of hands)

24 MR. : Grant?

25 MR. SOUKUP: Yes, my right hand is up.

1 MR. GOLDSBOROUGH: Opposed?

2 (Show of hands)

3 MR. GOLDSBOROUGH: So the vote is 11 in favor, 3
4 opposed, motion passes. Thank you. That was challenging.
5 Now let's go to coast. And like I indicated before I wasn't
6 sure from earlier comments, Mike whether you are looking for
7 motion on that too, but please if you could --

8 MR. LUISI: Yes, if it is the pleasure of the
9 commission, you know, any motion if you guys are willing to
10 make a motion. We have already vetted the change to Delaware
11 regulations through the technical committee. So that is
12 already part of what is the package that is going to the
13 board.

14 So what we expect is that once we get through the
15 board meeting, if that option is approved by the board like
16 these other options. Then we would have to sit back down
17 again and go -- and revisit the issue with the coastal
18 fisherman. And I think that the process would be that we
19 would reach out to a few of the main players down there and
20 kind of get a group together and go down and talk to them
21 about whether or not they would want to do it. So I don't
22 know if any more direction from this group.

23 MR. GOLDSBOROUGH: Well, I would like to give Val
24 and Beverly a chance to say what they think about these
25 options too. Do we have that on the screen?

1 MR. LUISI: It is not -- no I am sorry. It is on
2 your --

3 MR. GOLDSBOROUGH: It is on tab 3. Coastal options.

4 MR. LUISI: Yes, the coastal option.

5 MR. GOLDSBOROUGH: Would you guys have any thoughts
6 on this?

7 MS. FLEMING: I can't imagine turning it down.
8 Anybody would love to keep two fish.

9 MR. GOLDSBOROUGH: So it is two fish with a slot.
10 It is not quite the same slot that we have in the spring
11 right?

12 MS. FLEMING: Right.

13 MR. GOLDSBOROUGH: 28 to 38 is one over -- or over
14 44. Which is the same as Delaware. Any other comments from
15 board members? Commission members? Beg your pardon. Robert?

16 MR. HARDY: I had a question. When you were talking
17 earlier about allocations, allocations. If we increase the
18 creel coastal, will that adversely affect regulations
19 elsewhere? When you look at that as far as we say -- moving
20 forward and saying okay we are going to go with these two
21 fish, this means allocation from somewhere?

22 MR. LUISI: Well, not necessarily because there is,
23 it is equivalent to one fish at 28 inches. If you take -- if
24 you look at the picture of the stock that is out in the ocean,
25 it is a -- if you go with one fish at 28 you have all that --

1 there is a large group of fish available to be harvested. If
2 you have the -- what we are saying is that each one of the
3 options are equal in the protection of the stock to the point
4 for which it was -- it has been reduced by 25 percent from
5 2012's harvest. So they are equivalent.

6 MR. HARDY: He was referring to allocation not
7 harvest.

8 MR. LUISI: Well, he is saying that it has to come
9 from somewhere and while it doesn't -- there is no more -- it
10 is not projected that any more fish would be caught under the
11 other option. We are projecting that both are going to
12 achieve the same level of catch. That is why they are
13 equivalent to one another. So it is not -- it is not actually
14 changing the --

15 MR. HARDY: I guess it does. It is hard for me to
16 reconcile in my mind where -- when it says that I can have one
17 fish at 28 or if I can have two fish at 28 to 38. Well, I
18 trust --

19 (Speaking simultaneously).

20 MR. LUISI: That is 5 inches right there -- the 6
21 inches between 38 and 44 is a large group of fish and so you
22 are protecting all of them, those would be protected.

23 MR. GOLDSBOROUGH: Okay any other discussion of
24 these options? Anyone want to offer a motion? Val?

25 **MOTION**

1 MR. LYNCH: I move that we provide ASMFC the
2 technical committee the recommendation that we take option 3.

3 MR. GOLDSBOROUGH: Okay so I think you may want to
4 reword your motion because I think Mike indicated that the
5 technical committee has already okayed it because that is what
6 Delaware has in place.

7 MR. LYNCH: I would recommend that we adopt --
8 recommend to DNR that we adopt option 2 and be consistent with
9 Delaware's current regulation.

10 MR. GOLDSBOROUGH: Is there a second to the motion?

11 MR. HARDY: Bob.

12 MR. GOLDSBOROUGH: Discussion? I see no hands at
13 the table. Is there any public comment?

14 MR. LUISI: Virginia is our -- one of 28 inches on
15 the coast and I don't believe that they are --

16 MR. : There is not going to be
17 reciprocity with Delaware. We will have the same --

18 MR. : So we will have reciprocity with
19 Virginia but different regulations in Virginia. No
20 reciprocity in Delaware but the same regulations in Delaware.

21 MR. GOLDSBOROUGH: Any public comment? I see David.

22 MR. SMITH: Yes, real quick. I sent an e-mail over to
23 Atlantic Coast Chapter and I think a lot of those guys were
24 the ones that Mike was talking about. Some of them anyway.
25 And they said that they definitely like what Delaware has, so

1 if that helps.

2 MR. GOLDSBOROUGH: Any other public comment? Are we
3 ready to vote? All right, so the motion is to go with option
4 2 two fish per day at 28 to 38 or over 44, so there is a 6
5 inch no take slot between 38 and 44. All in favor please
6 raise your right hand?

7 (Show of hands)

8 MR. GOLDSBOROUGH: Grant?

9 MR. SOUKUP: Right hand is up.

10 MR. GOLDSBOROUGH: Opposed? Motion passed
11 unanimously. All right. Thank you all for that. We -- I
12 think we thoroughly vetted the issue. We have left Lieutenant
13 Parker hanging for a while. We do have some other striped
14 bass measures to discuss but I think I would like to give him
15 a chance to give the NRP report if you all are okay with that?

16 ***NRP Activity Report***

17 ***by Lt. Aaron Parker***

18 LT. PARKER: How is every one doing today? You all
19 should have already been given the list of violations and then
20 the noteworthy cases. There is only one thing I would add to
21 the noteworthy cases that I noticed it wasn't in here. In
22 November in Anne Arundel County there was a commercial guy
23 that was charged with harvesting oysters in a polluted area.
24 Actually there was an MDE employee that was there that
25 actually seen him and called us and we were able to catch him

1 with that.

2 MR. : Where was that?

3 LT. PARKER: In White Hall, up inside White
4 Hall(sic). Up in there. But if anyone has any questions? If
5 not --

6 *Questions and Answers*

7 MR. DAMMEYER: I had a couple of questions. I
8 noticed on the report that there were a good handful of folks
9 with infractions related to some put and take trout fishing
10 areas or special regs areas that over--- the trout fishing and
11 I wonder if they were kind of in the same area? If they were
12 all related? That kind of thing?

13 LT. PARKER: That I don't know for sure but I can
14 try to find out for you.

15 MR. DAMMEYER: I would love to know. Yeah.

16 LT. PARKER: Okay, I will contact that area and find
17 out.

18 MR. DAMMEYER: Awesome, thank you.

19 LT. PARKER: All right, no problem.

20 MR. GOLDSBOROUGH: Any other questions for
21 Lieutenant Parker?

22 MR. SIKORSKI: No, I have a comment. I would like
23 to say thank you for whoever the heck it was that hopped on
24 that everglades down in Tangier Sound and went out and rescued
25 some commercial fishermen that were under in distress. You

1 guys may not have seen it but over -- throughout the blizzard,
2 there was a vessel outside of Harbor Deal Island and a couple
3 of NRP guys hopped on 24 foot center console open boat and
4 made multiple trips out there to try to make sure that these
5 guys made it in safe.

6 They brought in crew the first time and the second
7 time they went out and talked to the captain to try to
8 convince him to get off the boat and he wouldn't, so instead
9 they ended up bringing him in through that storm in the fog
10 and it was blowing like crazy. So these guys -- not only do
11 we take away their budget, but they are out there when we are
12 not. So they deserve our respect and I appreciate the work
13 you all do.

14 MR. GOLDSBOROUGH: Well said, thank you, Dave. Yes,
15 Rachel?

16 MS. DEAN: Can I just say something too, kind of on
17 that note. A lot of times this year out on the water, there
18 was a lot of search and rescue going on. That is not
19 necessarily the charge of this commission. But we had a bad
20 year and I don't know what can be done about that but I also
21 wanted to thank them for that. Because I mean, it seemed like
22 every week there was another tragic story and you know, like I
23 said, I don't know what can be done about that, but I wanted
24 to commend them because that is a bad job to be doing what
25 they were doing when their recovery. So thank you for that

1 too.

2 MR. GOLDSBOROUGH: Thank you, Rachel. Other
3 questions for Lieutenant Parker? Great, well that was an
4 excellent report. It was good that people got it ahead of
5 time and so I appreciate you being here. Okay, let's jump to
6 the additional striped bass related topics. I think this
7 could be pretty quick. And Mike back to you.

8 ***Additional Striped Bass-related Topics***

9 ***by Mike Luisi***

10 MR. LUISI: Okay thank you, Mr. Chairman. So I
11 don't have anything to present here. Basically just got a
12 few calls thrown at us, planer boards. Do we want to do
13 anything regarding planer boards? These are the tips -- the
14 kind of the common thread of continued conservation effort on
15 the -- for the purposes of conserving the striped bass
16 fishery. You had some folks thinking that maybe we should
17 implement measures to require circle hooks in the summer time
18 when the water temperatures are warmer to reduce -- just
19 reduce the gut hook mortality.

20 And tournament start dates was another issue that
21 has come before us. We have kind of a -- it is not so much --
22 it is not an official policy but catch and keep tournaments,
23 we have always kind of used May 1 as a guide as to when we
24 would approve a tournament. And I really -- again I don't
25 have a whole lot, I don't have anything to present. If any of

1 you were part of the -- had addressed this issue on the agenda
2 through comments, I mean, certainly can turn it to the
3 commissioners to bring up any topics that they think need to
4 be discussed at this point.

5 MR. GOLDSBOROUGH: So the goal here is commission
6 discussion as needed. Discussion as needed. Anybody have
7 any comments or questions?

8 *Questions and Answers*

9 MR. GOLDSBOROUGH: Ed?

10 MR. O'BRIEN: On the planer board thing, that came
11 up about five years ago. Five or six years ago. And it
12 always comes out of the same place, the boating
13 administration. And we had meetings on that and it seemed
14 like that the stake holders were fairly comfortable with it.
15 We had a lot of captains that go and speak at these chapter
16 meetings and you know, I just wondered where that was coming
17 from again. Because it does seem like we were in pretty good
18 shape on it. And I don't know of any accident type of things.

19 MR. GOLDSBOROUGH: I don't know if you had any
20 comment on that or --

21 MR. LUISI: Not really.

22 MR. GOLDSBOROUGH: I got Phil and then Rob.

23 MR. LANGLEY: Just to highlight what Captain Ed said
24 as far as the planer boards, it has been probably been two
25 years ago now, there was something that came up with the rod

1 limits proposed and there was a work group set aside to
2 address these issues and the planer boards came up in that
3 work group as well but I think it was kind of voted on at that
4 time that status quo, it wasn't enough conflict at that time
5 to move forward with change and regulations on it.

6 I will tell you in the lower bay, I saw fewer planer
7 boards this year in the fall season than I ever have because
8 most guys you know, it is normally a -- you know, it is a
9 smaller grade of fish and you know, you can target them with
10 six rods and you didn't need them. And I can assure you that
11 most of the charter fleet would prefer not to use them if they
12 don't have to. You know, as far -- because it is a lot more
13 work running them and operating them. But.

14 MR. GOLDSBOROUGH: Rob?

15 MR. HARDY: Have there been any incidents reported?
16 Accidents or anything as a result -- injury? Or anything from
17 a planer board?

18 MR. LUISI: Not that I am aware of.

19 MR. BLAZER: We get requests to take these certain
20 issues to the sport fish advisory committee. And a lot of
21 these -- like these three kind of lumped in. We just wanted
22 to let you know that we hear these things and wanted to bring
23 it up before you guys if there was something significant that
24 we needed to re-open those issues.

25 MR. GRACIE: I guess my comment would be if we knew

1 either where they were coming from or what the concern was.
2 We might have a response for it, but otherwise just to have a
3 title and you don't know what it is all about.

4 MR. GOLDSBOROUGH: Most of them are pretty vague.
5 Mark?

6 MR. LUISI: Yes, I think overall it is a -- I think
7 overall the general gist of these issues just -- it is going
8 above and beyond and providing more conservation effort on the
9 part of striped bass. You know, the planer boards, you know
10 the questions came in what happens when six rods go down at
11 once. You know then you are going to be dragging all of these
12 mature female stripers. There is just an overall concern --
13 this was all based on kind of a few comments that came into us
14 that was overall concerned about our efforts right now in
15 conserving the striped bass resource.

16 And I would -- what I would say and I talked with
17 Dave and Lynn and Gina and a few others about this, you know
18 right now we are -- we are discussing the population strength
19 and health with the board and trying to convince the ASMFC
20 board that this is very robust population to fish, that make
21 up the spawning stock which is the basis for what we consider,
22 it is kind of the base line as far as we assign health of the
23 stock.

24 So we feel very confident right now that the
25 population is healthy. And these extra considerations on

1 eliminating planer boards or implementing circle hook
2 requirements or other things that would go to adding to the
3 effort of conservation, no necessarily sure that it is
4 something we want to take on at this point right now. Unless
5 we get the advice from you about additional concerns that we
6 should be thinking about.

7 And we would probably prefer to wait -- not wait
8 when the population -- if the population becomes less healthy,
9 we would certainly engage in considering some of these extra
10 added efforts.

11 MR. GOLDSBOROUGH: Frank?

12 MR. TUMA: The tournament rules? Is there a set of
13 standards that you go by now on assigning and allowing a
14 tournament let's say before May 1st or whatever the date is, I
15 don't know?

16 MR. LUISI: Yes, May 1st has been the date for which
17 we kind of -- we use as a guideline.

18 MR. TUMA: That is for catch and kill right?

19 MR. LUISI: For catch and kill tournaments. And
20 there was a request that came in for a tournament that over
21 the weekend, the first weekend in May -- May 1st is a Sunday,
22 so it is April 30/May 1st was the request for the tournament.
23 And so it went -- it was before May 1st but it is the one day
24 before May 1st and it just happened to be that because it was
25 the weekend and how the dates just fell.

1 MR. TUMA: The catch and release tournaments, are
2 they regulated in any way? Even though they are allowed to do
3 a catch and release, I have seen captains of boats keep fish
4 even though they are in the catch and release tournament.

5 MR. LUISI: Well, if they are fishing -- any one who
6 is fishing when the season starts on April 18th this year,
7 even though they are in a tournament that is catch and
8 release, they are legally allowed to keep the fish. I mean
9 that is up to the person who is operating the vessel to what
10 they do. I mean, just because if they are in the tournament,
11 we don't have rules over the tournament, we don't regulate the
12 tournament.

13 But if he is outside of the season and he is keeping
14 fish, that is obviously illegal.

15 MR. TUMA: That is different, yeah.

16 MR. LUISI: Right.

17 MR. TUMA: Okay, I just had a question on that, so I
18 understood.

19 MR. GOLDSBOROUGH: Any other comments or questions
20 on these issues? Mark?

21 MR. DeHOFF: Just in conversation with the guys at
22 our chapter. The main concern they have about planer boards,
23 what they would do to --- gear or conservationalism. It is
24 more to do with --- regs and navigation and that is not
25 something that we address here, I know. On circle hooks, they

1 do feel that summertime bait fishing would be greatly help to
2 reduce the mortality with circle hooks and the warm water for
3 bait fishing only.

4 And they do have concerns about the start dates of
5 the tournaments but it seems that everybody is pretty happy
6 with knowing that we are keeping out past the first of May.

7 MR. GOLDSBOROUGH: Any other comments? From the
8 audience? Well this isn't a vote on the motion but given that
9 it is our senior member of the audience. I will make an
10 exception.

11 *Public Comment*

12 MR. VASTA: Bruno Vasta from down in Southern
13 Maryland. Our chapter down there in talking about planer
14 boards, we were most concerned about having flags put on the
15 ends of our -- on the end of the lines themselves, delineate
16 how far out you were using your planer boards. I think 75 feet
17 at one time was considered one option and then -- what we have
18 up there -- there is a lot of boats up there that have even
19 much longer charter boat things. The big thing is they carry
20 the flags, that was the important issue.

21 MR. GOLDSBOROUGH: That is flag on the planer board,
22 right?

23 MR. VASTA: That is right.

24 MR. GOLDSBOROUGH: Yes. Dave, I guess I will take
25 you too?

1 MR. SMITH: All right, I will be quick. So we don't
2 -- we saw this list and MSSA doesn't have an official position
3 on the use of circle hooks at this time or obviously it is a
4 personal choice still. So using them if you chose too. But
5 there was no issue that was brought forward at this time.
6 Planer boards, same thing. No official position. I think we
7 do a good job of policing ourselves and we are all responsible
8 adults out there I hope and we are -- be courteous out there.
9 That is kind of what we preached.

10 Make sure you can handle what you got out there. As
11 far as the tournament date goes, it overlaps. That is our
12 tournament. The MSSA spring tournament and so you know, every
13 few years, the first weekend in May goes into April. It is
14 Friday, Saturdays, April 29 and 30 and then May 1st. And we
15 pick that weekend because it is the weekend before Mother's
16 Day and we don't want to mess with mothers.

17 So, if we just -- I don't think it has never been an
18 issue, it has been approved in the past. This long, long
19 history, this tournament has been going on for 33 years. So,
20 it doesn't happen -- there is just that calendar issue. So we
21 do want to keep them in May and that is what we have always
22 done and I think we were the ones to support that in the first
23 place.

24 So every once in a while like I said, there is that
25 weird calendar year, so that is all I have to say.

1 MR. GOLDSBOROUGH: Thanks Dave. All right, let's
2 move on. If people are okay with that, we are way behind. I
3 don't want to keep you too late especially with a new blizzard
4 that was forecast. I am just kidding. All right, so Mike you
5 are up still.

6 MR. LUISI: Yes, I can be very, very quick on this.

7 *Estuarine and Marine Update*

8 *by Mike Luisi*

9 MR. LUISI: So, the last item I had for you guys
10 today obviously it has being discussed the Atlantic State
11 Marine Fishery's Commission is meeting next week. It is a
12 pretty light agenda. There is not a whole lot of real solid
13 meet especially on recreational fishing. So the striped bass
14 board is probably the one that you would be most interested in
15 and it is on February 4, I think the Thursday morning,
16 February 4.

17 So we will provide a summary of how that meeting
18 goes and that way you guys will have in front of you what
19 options we would have in front of us to make decisions on the
20 2016 fishery. Another item regarding the Mid Atlantic
21 Fishery's Management Council, Steve Linhard has been on the
22 council for two terms now. You can hold up to three terms of
23 three years for each term.

24 And the position that he has is an at large seat
25 that Maryland has had somebody representing our state on the

1 counsel for years. And his term is expiring and we need to --
2 we are now soliciting for applicants who would want to be
3 considered for a seat on the Mid Atlantic Fisheries Management
4 Council.

5 The council makes recommendations and provides
6 advice to the National Marine Fisheries Service on federal
7 waters fisheries management. And I have been serving as our
8 State's seat now for five or six years and maybe a couple
9 more. So if you are interested or if you know someone who
10 might be interested in applying for that position please let
11 me know and I will connect you with the right people. I have a
12 few folks on my staff who are going to be helping get those
13 packages together.

14 The State needs to have three applicants for the
15 seat. And we need to submit that to the Governor's office by
16 the middle of April. So we have a little time. But if you
17 are interested certainly let me know and I can tell you if you
18 have questions about how the council works or just what it is
19 you would be getting yourself into, I can let you know that as
20 well.

21 MR. : Is Steve returning?

22 MR. LUISI: Steve is not. Well, I am not sure yet
23 if Steve is going to apply again -- reup for the final term.
24 He might decide not to do that. He hasn't made that decision
25 yet. So again we are still in the position of having to have

1 three names to take to the Governor in a few weeks.

2 MR. GOLDSBOROUGH: Okay. Jim?

3 MR. GRACIE: That was my question, is Steve
4 interested in serving again?

5 MR. LUISI: We have talked and he said he would let
6 me know as soon as he can make that decision.

7 MR. GOLDSBOROUGH: I don't know if he is talking
8 about of --- or not, but Steve is getting married this fall.
9 So.

10 MR. LUISI: All right, that is it for me,
11 Mr. Chairman.

12 MR. GOLDSBOROUGH: No other questions or comments on
13 this? We will -- don't tell Steve I told you that. Okay so
14 let's move on to policy updates, Sara?

15 ***Policy Updates***

16 ***by Sara Widman***

17 MS. WIDMAN: All right, see if I can break my
18 record. So you guys already got the regs update and the
19 scoping update. Anyone has -- the only thing I want to add to
20 the regulatory update is for the crab regulations that are
21 proposed right now. There is a hearing scheduled for those by
22 law, we have to do for them for all crab regulatory changes.
23 So, that hearing is on February 4 at 5:00 p.m. here in this
24 room.

25 Does any one have any other questions or comments

1 that I need to address from either the regulations update or
2 the scoping document?

3 MR. GOLDSBOROUGH: Okay, you got these ahead of time
4 and had a chance to review them, I trust. Anybody have any
5 questions or comments for Sara? And that is on the things you
6 got ahead of time, not the things that we have handed out, we
7 haven't gotten to them yet. Okay.

8 MS. WIDMAN: If you come up with one, you can
9 certainly e-mail me after the meeting today too.

10 MR. GOLDSBOROUGH: Okay.

11 MS. WIDMAN: Okay, I will do the ledged update, one
12 of the handouts that I just passed around is the legislative
13 summary. So again just a reminder as we get more bills
14 related to fishery stuff, this will be updated and it is
15 posted on our website. So this is the first version that just
16 went up today. We don't have too much yet. We have a couple
17 of hearings tomorrow. Aquaculture coordinating council,
18 adding two members to that that has been already reviewed by
19 the coordinating council.

20 There is a bill tomorrow on fishing and hunting
21 licenses that would give us the ability to issue those
22 electronically or even be able to have it electronically
23 instead of on paper. And then there is also a bill that would
24 allow us to regulate the use of commercial finfish trotlines.
25 There is some unclarity in the law right now that makes it

1 difficult to have us allow that in the bay. It is not a
2 traditional bay year but a lot of guys want to use it for the
3 invasive blue cat and flathead catfish populations.

4 So that would give us the ability to regulate that
5 and I think that we would look to do that similar to regional
6 regulations that are in place in other states right now for
7 that type of gear. That is really it on the legislative
8 summary list unless anyone has questions.

9 MR. GOLDSBOROUGH: Questions on the legislative
10 summary? Mark?

11 MR. DeHOFF: On the trotline, that was something
12 that a couple of years ago we worked on -- on the workgroup
13 and that was -- I believe that was eliminated from what we had
14 given as approved gear at that point.

15 MS. WIDMAN: So we are only allowed -- we have carte
16 blanche to regulate recreational gear. We are only allowed to
17 currently regulate four types of commercial gear. So
18 recreationally it is not allowed. Either non-title or title
19 that was decided through that process, correct. This was --
20 came to us because the commercial guys had asked -- they do
21 use finfish trotlines for coastal fishery -- so bigger fishery
22 like tuna and what not.

23 But traditionally hasn't been used in the bay and
24 they were asking because it is a really efficient gear for
25 those types of invasive catfish that we now have. If we can

1 consider regulations on them, so this is a bill that would
2 allow us to consider regulating that.

3 MR. DeHOFF: Okay, thank you.

4 MR. GOLDSBOROUGH: Any other questions on
5 legislative summary? Seeing none.

6 MS. WIDMAN: All right, last point then, you guys
7 had received -- we talked about this at the October meeting.
8 We are going to start with 2016 with our new process on FMP
9 updates. So instead of the reviews that you guys you will
10 have at each of your meetings, we are going to have this FMP
11 Update at the end of the year that you will get the updates on
12 all of the species we update through the legislative report
13 that we issue at the end of the year. There will be a comment
14 period.

15 You guys received a couple of weeks ago an e-mail
16 kind of laying out that process and reminding you what we are
17 going to do. I just provided you with an example today, so a
18 year from now but this is just some heads up for this year.
19 We will have a more in-depth list and these are some examples
20 of things you will see in upcoming years.

21 But after we finish that report, we will come back
22 in and kind of give you guys reminders of things that are
23 going to be happening in 2016 that maybe you ought to be
24 paying attention to and then based on that you can come ask us
25 to provide more in-depth information at a future agenda for

1 the year. So if there is something that is coming up through
2 ASMFC that you are very interested in and you want us to cover
3 that species specifically, we can come and put that on an
4 agenda for you for the year so we can address those.

5 So these are just some examples that staff sent for
6 this year. Again you had the updates and it was e-mailed out
7 to you and so feel free to look through those or look through
8 these and let us know or let me know if you want our staff to
9 come present anything specific on any of the species that we
10 have covered in the update report.

11 Additionally, Nancy Butowski, who does our fishery
12 management planning has also been involved with the Chesapeake
13 Bay Program. The management strategies work plans are up for
14 public comment and you guys just got an e-mail on those. So
15 again she just wanted me to throw out there if there are any
16 questions on those. The comment I think goes through March 7,
17 sometime the first week of March.

18 But if you have questions on that, she is happy to
19 have a little discussion outside of this, sometime between
20 then and now if anyone wants more information on those, she is
21 happy to do that. So again just let me know.

22 MR. GOLDSBOROUGH: Questions for Sara on that?
23 Rachel?

24 MS. DEAN: Yes, this was one of the things that I
25 was kind of concerned about when we met last time and I

1 expressed that at the sport fish and at the tidal fish and I
2 talked to Nancy and Gina and some other things. This FMP
3 update highlights of the examples -- who writes this?

4 MS. WIDMAN: So these came from the same biologists
5 who actually write the updates that go in that report.

6 MS. DEAN: Okay so for example, would that be Nancy?

7 MS. WIDMAN: Nancy would -- yes, so Nancy would
8 overlook all of the --- and she will come up with a list of
9 kind of highlights that you guys should be aware of for the
10 year and she also goes over all the species biologist who
11 wrote these who also sent her the updates that go into the
12 report that you will see in October.

13 MS. DEAN: Okay and the only reason that I bring
14 that up is that when Nancy came to us, she was pretty
15 extensive in making sure that we knew what was going to affect
16 us. So again, I would just please stress with the Department
17 that you know, it might be something that you might not think
18 of that might affect us but I mean, I just -- I didn't want to
19 kind of let this go too far out -- things -- to get the ball
20 rolling before we got an option to really be involved in it.
21 So I was a little bit nervous about that.

22 MS. WIDMAN: And that is why Nancy suggested that we
23 do this at the beginning of the year to pull those out -- to
24 make sure that you guys aren't missing something in the giant
25 report that you get. So that if something sparks your

1 interests or you think we need to provide you with more info,
2 we can certainly do that.

3 MS. DEAN: Thank you.

4 MR. GOLDSBOROUGH: Jim?

5 MR. GRACIE: Yes, as I understand it, the process
6 is changing now. We were getting a 260 page report with two
7 weeks to comment on it before it gets finalized for
8 legislature. Clearly I am not going to have time to review a
9 full report like that in that kind of time frame.

10 MR. GOLDSBOROUGH: That was only this year because
11 we made this change late. The time line lays it out that we
12 would have more next year.

13 MR. GRACIE: Understand. The new process as we are
14 going to be working with highlights. I would have to read the
15 full report to know which ones aren't being updated.

16 MR. GOLDSBOROUGH: The new process is we are going
17 to get -- we are going to get the draft of legislative
18 reporting in our October meeting and have, I think it was a
19 month to provide comments.

20 MS. WIDMAN: Right so two weeks ahead of time of the
21 October meeting, you guys will get the draft report. And then
22 at the meeting, there will be any discussion if you have
23 started reading it, if you have questions and then for another
24 2-4 weeks after we will take additional comments.

25 MR. GRACIE: The report has a section on every

1 species that is under Fisheries Management Plan Regulations?

2 MS. WIDMAN: Correct.

3 MR. GRACIE: Would it be possible to indicate very
4 simply at the beginning of that report no change for the 21
5 species that aren't being updated?

6 MS. WIDMAN: I can -- well the--

7 MR. GRACIE: Otherwise the only way I know is to
8 read the whole thing.

9 MS. WIDMAN: They are all changed to some degree but
10 we don't just put in the same thing over again. But I can ask
11 Nancy for kind of an executive summary on substantial changes
12 if that is helpful.

13 MR. GOLDSBOROUGH: So yes, keep in mind too that
14 this is shifting from the process we did have -- which from
15 the Department stand point, they had this already. They were
16 probably --- General Assembly have already been on top of
17 that, they were picking a couple of species to update the FMP
18 on every year, providing that to us as you all recall.

19 And in the name of efficiency and frankly I think
20 more information for us and more options when you consider the
21 highlight sheet, they went through the process of
22 incorporating our feedback into the development of that report
23 for the General Assembly on an annual basis and then as it is
24 described in the memo from Gina on December 28, providing what
25 is now called highlights and I think it is called Hot Topics

1 on her memo, to us for things to look out for ahead of time.

2 And so to Rachel's point, this is actually a new
3 thing. This is more of a heads up than we had before about
4 stuff that might come up. Okay. Right. Other comments?

5 Great. Thank you, Sara. All right, now we are going to go
6 inland. Tony?

7 ***Inland Updates***

8 ***by Tony Prochaska***

9 MR. PROCHASKA: Good afternoon, I thought for the
10 benefit of the new commissioners, I would introduce myself.
11 My name is Tony Prochaska and I am the manager of the Inland
12 Fisheries Division and our responsibilities are management
13 conservation and restoration of fresh water fisheries in the
14 State of Maryland. And we do a lot of routine tasks, things
15 like population surveys, population management and invasive
16 species research and management. Environmental review. The
17 list goes on and on.

18 I am not going to talk about the routine work that
19 we do. I have one general announcement and we will talk about
20 four new initiatives. Two are related to black bass and two
21 are related to brook trout. And in your -- I will start with
22 the general announcement. One is Charlie Goodgen retired, I
23 think many of you knew Charlie. He was with the Department of
24 Fishery Service for 30 some years.

25 And we went through the hiring process and as of

1 December 23, John Mullikin started as the Regional Manager or
2 the Regional Operations Manager. John was with the Department
3 for Inland Fisheries for 28 years. Started as a conservation
4 associate in west region II. Was promoted to regional manager
5 for west region II. He is going to do a great job. He has
6 hit the ground running. And I really look forward to working
7 with him with all of the regional managers across the state.
8 So that is just a general announcement.

9 Okay, you received a summary of what we are calling
10 a catch and return areas. Joe Love, our tidal black bass
11 manager provided a presentation at the July meeting about
12 this. General information, what the impetus was for this and
13 this is kind of a fact sheet that summarizes it. The problem
14 basically was we have seen some -- we had some concerns with
15 the Potomac River fishery, black bass fishery, the fishery in
16 the upper Bay and one of the ways -- there is a number of
17 solutions to address that there is problems.

18 But one of them was the development of these catch
19 and return areas. Joe again went through that presentation
20 and for the new commissioners we can provide that information
21 that is available on our website as well. And so what Joe did
22 was he proposed three catch and return areas. Three in the
23 Potomac, three in the upper Chesapeake Bay and they are on
24 that fact sheet.

25 And what he did in the fall was actually conducted a

1 survey through surveymonkey, contacted I believe a thousand or
2 so licensed anglers that targeted black bass, or large mouth
3 bass, small mouth bass and the results were that 82 percent
4 supported this concept of catch and return areas. They felt
5 it was going to impact their fishing experience and the
6 majority of them also felt like it would improve reproduction.

7 So those are some of the goals that we had. So what
8 we have done and again there is a time line there and it is in
9 the one of the handouts that Sara provided. But we are
10 going to be scoping these changes, these regulatory changes in
11 February of 2016 with the hope that they have been enacted in
12 July of 2016. So in about six months, we hope to have these
13 six areas established as catch and return and so no
14 possession. Again increasing spawning biomass. Catchable
15 fish in these areas. And hopefully improving reproduction.
16 So any questions on catch and return areas?

17 (No response)

18 The next one is Smoots Bay. In the July meeting,
19 Joe also provided a handout on Smoots Bay, a fact sheet and
20 basically it is a habitat enhancement project. It is in
21 National Harbor just south of D.C. There is a lot of SAV in
22 this location and over about a decade of time, well about a
23 decade again there is significant impacts to SAV and this is a
24 habitat enhancement project, there is SAV there.

25 It is a partnership between DNR and Maryland Bass,

1 National Harbor, the Chesapeake Bay Foundation to improve
2 habitat in that area. And the outline that Joe provided in
3 on Smoots Bay at the July meeting is basically we are still in
4 that time frame. The recalls are about 8 recalls will be
5 deployed I think in what September or October time frame.

6 So in the fall. Again to improve habitat and
7 improve habitat for all fish species to utilize that but
8 particularly large mouth bass. Okay. Any questions on Smoots
9 Bay Project. Okay. Also just a note, the black bass round
10 table is February 4. So it is next week. The agendas should
11 be finalized this week and posted online and titled Black Bass
12 web page. And it is open to the public if people are
13 interested in attending.

14 Okay, brook trout. Two initiatives specific to
15 brook trout. One I talked last October about an education
16 outreach even that we were considering. This year, we are
17 going to move forward with that. It is going to be either
18 June 4 or the following Saturday, June 11. The reason we pick
19 one of those two days is because it is free fishing days. It
20 is going to be a youth event, we are hoping to get about 40
21 youth to attend and we have a couple of objectives.

22 The first objective is to basically teach kids or
23 provide some basic information on the ecology of brook trout.
24 The significance is the Upper Savage River watershed but more
25 particularly to teach them fishing techniques. Using

1 artificial lures, flys, make them more efficient and effective
2 at catching brook trout. We are also going to teach handling
3 techniques to reduce stress on the fish.

4 We have partnered with Bass Pro Shop and others
5 looking at some local tackle shops out there. It should be a
6 really good event. We are in the early planning stages. I
7 think -- but again we have picked early June because of the
8 free fishing days for that event. Any questions?

9 (No response.)

10 No? Okay. Lastly, and I mentioned again this is
11 the last meeting. We have been in the process of developing
12 and plan to implement a wild -- an angler preference survey.
13 And for the benefit of the new commissioners, the reason for
14 that was we have some regulations in the upper Savage, zero
15 creel for brook trout, you can't use bait, you can use
16 artificial lures and flys, you can't possess brook trout.

17 And there has been some concerns raised about those
18 regulations and we believe we have social support for those
19 regulations. We have the biological information and we have
20 been conducting monitoring since those regulations were
21 enacted in 2007. But we needed to determine if we had the
22 social support for those regulations.

23 We are conducting a general angler preference survey
24 and we thought we would just incorporate the questions into
25 that survey but we realized that is not possible. So we are

1 conducting a wild trout angler preference survey specific to
2 wild trout anglers. We have worked -- we developed a work
3 group, we have had numerous meetings, we develop the
4 questions. We have been working with individuals at Morgan
5 State to make sure it is scientifically valid.

6 We have conducted what is called cognitive
7 interviews with one group of anglers to see maybe if the
8 questions were understandable. Can it be answered? We are
9 going to -- we made some modifications to this survey. We are
10 going to go ahead and conduct another set of cognitive
11 interviews with another group of anglers. And at that point,
12 we are going to go ahead and mail the survey out, doing
13 mailings.

14 The first one, 4,000 -- we are targeting 4,000
15 anglers. Either they purchased a trout stamp or they
16 purchased a senior consolidated license. So again we are
17 hoping to have the survey out probably middle of next month,
18 early March and then with the results by June 2016 to see if
19 we have the social support for those regulations.

20 We are also going to add some questions about the
21 state wide regulations for brook trout. You know, you can use
22 bait, you can keep two fish, there is no minimum size, you
23 know just to see how our wild trout anglers feel about the
24 state wide regulations. It is not that we are moving to
25 change the state wide regulations but just to get their

1 attitudes and opinions on those. So that is it.

2 MR. GOLDSBOROUGH: Questions for Tony?

3 MR. PROCHASKA: Okay, that is it. Thank you very
4 much.

5 MR. GOLDSBOROUGH: Very good. Thank you. All
6 right, so I will toss it to Dave on my left to go over the
7 fisheries budget.

8 ***Fisheries Budget and Expenditures Comparison***

9 ***by Dave Blazer***

10 MR. BLAZER: Okay, this is pretty hot off the
11 presses, the Governor just released the budget late last week.
12 So if you ask me a whole lot of questions, I may not be able
13 to answer them but I have some general outline to present to
14 you kind of where we are at this point. So a couple of things
15 that I just wanted to mention.

16 You know the Governor has several pillars that he
17 has been promoting for the Government to operate under and one
18 of them is fiscal responsibility. So it won't be a surprise
19 that some of our budget has -- is cut and is less than it was
20 last year. I will highlight and talk through some of those
21 things.

22 But one of the other ones that I will also talk
23 about is one of the other pillars, is the Governor wants to
24 lower fees and taxes and I will come back to that kind of at
25 he end.

1 (Slide)

2 First, I know you all don't have a copy of this,
3 again I was working on this up until like the last minute, we
4 will send it to you so you can reference it later. But just
5 kind of a comparison of some of the numbers of fiscal year of
6 2016 what our budget was and then what the Governor's
7 allowance has for us. The process here is the Governor
8 released the budget last week, the General Assembly will
9 debate and our people will go before the budget committees.
10 And talk about our funding. And then the General Assembly
11 will approve those budgets, I think before -- at least 10 days
12 prior to signing --- to the last day.

13 So this is kind of where we are at this point. We
14 don't know what the final budget will be because that -- we
15 will find out at the end of the legislative session.

16 MR. GRACIE: Dave, can you explain what those colors
17 and what they mean? We can't read anything --

18 MR. : You can't see the numbers.

19 MR. BLAZER: Yes, I am sorry about that. The --
20 what they are basically is the four basic fund types that we
21 received. The general fund is -- and I am color blind, so you
22 will have to excuse me, is the one up in the upper right hand
23 corner and I believe that is blue. This is general fund
24 numbers and I have more charters to show you the actual
25 numbers.

1 The red area down here is special funds. All of our
2 licenses so you know that this is a big chunk of our funds
3 that we get. So this is general funds. This here is federal
4 funds that we receive in fisheries service and then this piece
5 of the pie is reimbursable funds. Things like the MDOT grant
6 that we get for oysters. Other grants that come in in that
7 area is just another fund type that we get.

8 So again if you look at our FY16 budget by the
9 different categories, you can see most of our were very
10 personnel heavy. We have a lot of people.
11 Telecommunications, training, travel, fuel, vehicles all of
12 the standard stuff. Contractual services. Those are funds
13 that we provide to NRP, to licensing, you know to other
14 agencies within the Department that we ask for their services
15 to do things.

16 Also some of that money goes towards ORP and oysters
17 and contractual services. So you can see supplies,
18 equipments, grants, subsidies and contributions. You can kind
19 of see some of those numbers.

20 (Slide)

21 The association dues, that is actually kind of high
22 because that is where we put ASMFC and PRFC dues that we
23 contribute to those areas and you can see our overall budget.

24 (Slide)

25 This is probably the most interesting for everybody

1 to look at, again we have our different divisions within the
2 fishery service. If you look at our FY15 spending, which is
3 what we actually spent in fiscal year 15, 16 budget which is
4 what we are in right now. And in process we should come
5 pretty close to that number, the \$23.8 million budget.

6 And then our FY17 allowances, what is in the
7 Governor's budget, so you can see that we are about \$700,000
8 less in fiscal 17 than we are in 16. And you can kind of see
9 the different areas. We went through some exercises with
10 staff looking at where we could make reductions but still
11 provide our services to make sure that we are achieving our
12 mission and objectives as we go through.

13 (Slide)

14 This is the other one allowance compared to 16,
15 broken down by object title, major categories, and you can see
16 kind of the difference from 16 to 17 in parenthesis that is
17 what it has been reduced. So you can see contractual services
18 is a big chunk of what some of the reductions are. And then
19 there is some other minor smaller pockets of funds that come
20 out of that again salaries and wages is kind of an increase,
21 equipment and so forth. I will have a summary slide about all
22 of this, as well.

23 (Slide)

24 So if we look at what has been cut out of the 2017,
25 the fishing challenge, the diamond gem cash prize has been

1 eliminated. Not going to the Boston Seafood Show. We have
2 gotten rid of some interns and various seasonal contractual
3 employees. There is some other equipment like a sanitizer for
4 the Bear Creek Hatchery. Our travel has been reduced. Trying
5 to minimize promotional materials like the True Blue card
6 stickers.

7 We have got some maintenance and equipment that we
8 have been putting off for a year or two. We haven't cut all
9 of these things we have really been kind of reduced. Like
10 laboratory service contracts that we have. The e-reporting
11 contract we have reduced a little bit. We are still moving
12 forward with that. Just not as quickly as we had hoped.

13 And then some of the vehicle replacements, I think
14 this year we were hoping for 7 or 8 new vehicles and a boat or
15 two. I think we are only going to get 3 or 4 out of this new
16 budget. So you can kind of see what some of the reductions
17 that we have put forward for 2017. But we still have some
18 challenges ahead.

19 (Slide)

20 But we still have some challenges ahead. Health
21 insurance costs are going up. Special fund -- we live and
22 breath by license fees and special fund that come in. They
23 have been relatively flat. And I will come back to that in a
24 second. Federal funding has not increased. And again, you
25 know because of reducing some budgets, we have aging fees

1 vehicles -- vessel fleets, facilities and equipment that will
2 eventually need to be replaced, we are just not going to be
3 able to do it as quickly as we had wanted trying to meet this
4 challenge.

5 MR. GRACIE: Before you leave that slide. Federal
6 funding, I assume is Wallop Breaux money?

7 MR. BLAZER: Wallop Breaux is a big portion of it.

8 MR. GRACIE: There is some --- Robinson funding too,
9 I think.

10 MR. BLAZER: Yes, there is SK funding, Dingle
11 Johnson, Wallop Breaux and all those things --

12 MR. GRACIE: Wallop Breaux replaced Dingle Johnson.

13 MR. BLAZER: Yes. So, now let me go back to special
14 funds. Steadily declining in license revenue, you may have
15 heard I mentioned one of the other pillars of the Governor's
16 to try and reduce fees and taxes. We are anticipating a
17 proposal to reduce recreational fishing and commercial
18 licenses fees being proposed in the General Assembly. It has
19 not been dropped yet so we can't talk about details of that.
20 But I just wanted to --

21 MR. GRACIE: That is from the administration?

22 MR. BLAZER: Yes.

23 MR. GRACIE: Does he understand that the fishing
24 community supported the license fee increase?

25 MR. BLAZER: I would -- yes, yep.

1 MR. GRACIE: Okay.

2 MR. BLAZER: But we will see when it is dropped and
3 that is why I wanted to mention it to you all, you know in
4 relationship to this. So. This request I wanted to mention,
5 I know Dave had asked some stuff about our budget kind of
6 going forward. So I wanted to present this as it is fresh,
7 hot off the presses to let you know kind of where things are
8 and where we are going and over the next 75 days this will be
9 deliberated in the General Assembly. And that is my 10 minute
10 spiel on budget.

11 *Questions and Answers*

12 MR. GOLDSBOROUGH: Dave? You have a question?

13 MR. SIKORSKI: Yes, the -- do you know what specific
14 off shore sampling will be cut?

15 MR. BLAZER: Again I don't have the details. And
16 again I just know that these were things that we had kind of
17 proposed so I don't know the level of detail at this point and
18 again having to dig, you know the budget came out and -- with
19 power outages last week and snow days, staff really hasn't had
20 a chance to get down into the specifics. But I didn't want to
21 hold this up in getting this information to you.

22 But again, this hasn't been cut in its entirety. It
23 is you know, if we have 23 sampling stations, can we get by
24 with 17 for you know, we are still achieving our mission and
25 achieving our objectives with most of the things that we have

1 done here.

2 MR. GOLDSBOROUGH: Other questions for Dave? I have
3 one. So given a reduction in fees, I know some of them were
4 promulgated in connection with trying to achieve cost
5 recovery, so where do we stand on that and commitment to that
6 over the long term?

7 MR. BLAZER: Well and I think that is the other
8 question that we need to go back. That was really one of
9 Dave's original questions of requesting some discussion on the
10 budget. Again we haven't had time to look at costs recovery.
11 Again because we don't have an economists on staff anymore
12 that kind of level that detailed level of look at cost
13 recovery is going to be kind of hard but at least you get some
14 concept of kind of where we are. But we do have a good look at
15 that.

16 MR. GOLDSBOROUGH: Phil?

17 MR. LANGLEY: Going forward Dave, is there an
18 approach in the next two years for FY17 to have some type of
19 marketing plan. It seems there -- a lot of their revenue is
20 generated through licensed sales and what not. As far as
21 promoting Maryland to generate more licensed sales to bring
22 more revenue in to hopefully balance what has been reduced.

23 MR. BLAZER: Yes, there is a couple of things that
24 are going on. We hope to market better if you will. There is
25 some special programs that I knew Gina has talked about and we

1 are trying to implement. We will have more information on
2 that. But you know, things like half priced licenses for 16
3 year olds. Or, you know that is part of why we went to the
4 365 day license so people would make it easier to retain. We
5 want to try to retain people but we also want to try to get
6 new people in.

7 So you know, we are trying to look at ways to do
8 that. The other thing that really is the most immediate task
9 that we have identified is trying to find other federal grants
10 and other federal funds. If we have had to scale back on, I
11 will pick offshore sampling is one of them, is there money
12 that we might be able to get from NOAA or NFWF or somebody
13 else that might be able to help us with some of those things.
14 So that is kind of an immediate thing that we have kind of
15 targeted staff to okay -- let's see if we can find some
16 federal funds to get us through and cover some of these
17 reductions that we have.

18 MR. LANGLEY: Thank you.

19 MR. GOLDSBOROUGH: Any more questions for Dave --
20 Dave?

21 MR. SIKORSKI: More of a comment. The cost recovery
22 exercise really provides transparency that didn't exist
23 previously as to how for example, recreational dollars were
24 spent and at what level we were paying. So losing that
25 transparency, I am looking for how we move forward in a

1 transparent fashion, how we can better understand how to
2 provide input to certain things. Because you are talking
3 about making decisions that affect us and we pay for it.

4 And I understand fiscal responsibility, it is
5 valuable. I understand the desire for all the fees and taxes
6 but also it is not that easy. Not a broad brush. So certain
7 things that the recreational fishermen value and we want to
8 continue to have that service provided and we are willing to
9 pay for it.

10 We showed that in 2007 just like Jim stated, we are
11 willing to pay our way. And so it is not just as simple as
12 decreased fees for everybody and you are providing a service.
13 It can reach a point when you reduce fees to reduce services,
14 you then reduce customer service. And I know customer service
15 is a big part of this administration moving forward. So we
16 will look for -- I think we need to see some sort of
17 transparency in some of the choices being made.

18 And I think there is many ways to kind of provide
19 input on that, whether it be through legislature or here at
20 the Department. But knowing that recreational fishermen are
21 supportive of the Department with our fees, I think it is a
22 bigger conversation of cuts and potential fee cuts, service
23 cuts and all that has to -- we have to find a process to lay
24 it out and make it make sense.

25 MR. BLAZER: Yes and you know, unfortunately we

1 have had a little bit of a transition here at the DNR and
2 fisheries as well. So you know my responses will do better
3 knowing that we start talking about these things and I want to
4 get back to that transparent point of view. But just kind of
5 given where the status of where we were. But I definitely
6 want to try to do a better job of that transparency when we
7 cover these things and talk about those things.

8 MR. SIKORSKI: Great. Thank you.

9 MR. GOLDSBOROUGH: Any other questions for Dave?
10 Comments? Very good. Thank you. And given the comment about
11 customer service, that is a nice segway, so over to George.

12 ***Field Report***

13 ***by George O'Donnell***

14 MR. O'DONNELL: Thank you, Mr. Chairman, I
15 appreciate that and welcome to the new members. I am George
16 O'Donnell and I am the fishery customer relations manager and
17 this job was -- it is a new position and I have been there
18 since July. Basically my job is working with the stakeholders
19 of the bay, whether they be fisheries or whether they be
20 recreational or ocean fishermen from one end of the bay to the
21 other.

22 And --

23 MR. : Does George need a microphone?

24 (Pause)

25 MR. O'DONNELL: So I work with stakeholders

1 throughout the bay to find out what they are looking for from
2 the Department. And whether that be a recreational interest
3 or a commercial, ocean fisherman throughout the whole system.
4 So and then I developed a field report and I come to the
5 different commissions and share that. And some of these items
6 are more appropriate maybe for the commercial fishery's tidal
7 fish advisory commission and not sport fish but I think it is
8 important that you hear of a whole picture, so you have a feel
9 for what is going on and what people are talking about out
10 there.

11 The Man-O-War Shoal permit, the hearings have been
12 postponed as you probably are no doubt aware to February 2 and
13 February 3. There is a lot of interest, a lot of strong
14 feelings on both sides of the permit. And every group I
15 talked to whether they be -- whether I talk to Horn Point,
16 whether I talk to Aquaculturists, public fishery, lease
17 holders, whomever it is realize that availability of substrate
18 for the future is the future of oyster -- the oyster industry.
19 And it is getting increasingly difficult to come by.

20 So there are some concerns that we collectively need
21 to think -- always be thinking ahead in regard to something --
22 this is the third time that this permit will be heard. So, if
23 for some reason it did not succeed then where do you go to
24 surplant the large amount of shelves that would be available
25 on Man-O-War shoals.

1 So that is one thing that I wanted to bring to your
2 attention. That will be coming up before the Army Corps
3 Engineers here in another week or so. I am also hearing from
4 some of the folks and the stakeholders at clam talking about
5 areas that they have clammed traditionally but cannot clam at
6 now, the re-evaluation of that. For instance the original
7 oyster sanctuaries, you cannot clam in those.

8 Some of the new oyster sanctuaries in areas
9 obviously that don't support oysters, you can clam in those.
10 A lot of people don't realize that. So there -- that is just
11 one example of an opportunity to find areas to expand so that
12 they are not going over the same areas over and over again.
13 Similar to the way the Department dissolved or eliminated the
14 harvest reserve areas, January 7 this year. And that provided
15 some other areas for oystering.

16 So that is something that can be looked at in
17 regards to soft shell clamming because there has been
18 regeneration in that fishery. It is probably the best set of
19 white clams in the last 20 years, over the last year or so.
20 So more people have been able to spread out throughout the
21 fisheries into that area.

22 I didn't know if Mike was going to touch on this,
23 but I -- there are those that would like to see Maryland work
24 as closely as possible with Virginia and not to say that we
25 aren't to protect the egg barring striped bass on the way to

1 spawning grounds. Thinking that if they are almost targeted
2 going to the spawning ground, why not find a way to harvest
3 those fish after they have spawned. And that is something
4 that has come up several times and that they would like for us
5 to consider and discuss.

6 MR. GOLDSBOROUGH: Sorry, George, point of
7 clarification. You are talking there about the commercial
8 fishery in Virginia intercepting fish on the way up the bay to
9 spawn? Is that what that is?

10 MR. O'DONNELL: That is my understanding. It is
11 anything that can be done to protect them regardless how they
12 are harvested, going into the spawning area. In other words,
13 get them on the way out and now on the way in. I am sure
14 there will be some season questions with that that would
15 affect the fishery but nonetheless that is something that just
16 makes sense, like protecting the female egg barring crab.

17 The current season for harvesting striped bass by
18 pound(sic) that is June 1 to November 30. The past 3 years
19 the Department has extended that season to the end of the
20 year, until December 31 to give the pound netters an
21 opportunity to catch their quota.

22 There is an interest by the pound netters now to
23 continue to fish into the following year to catch their --
24 let's say 2016 quota instead of taking that year up and
25 resorting to drift netting. So -- thinking that it is less of

1 a by catch issue with a pound net than a gill net and so
2 forth. Obviously that will require regulatory change and that
3 -- you couldn't just summarily do that the way that it has
4 been done in the last several years just to add that one
5 month at the end of the season.

6 So that is something that they would like to look at
7 in the future to see if pound nets can be utilized to catch
8 their quota through that time frame of the year. Another
9 stakeholder, an interesting request. Request a regulatory,
10 which would require a regulatory change in the mesh size of
11 gill nets for the purpose of harvesting blue catfish in the
12 tributaries of the Potomac and obviously the Maryland waters.

13 Stakeholder indicates that there are an abundance of
14 these fish and we keep hearing that over and over in these
15 areas that can't be haul seined due to obstructions. And he
16 believes that they need to be controlled because when I talk
17 to a gentleman that does haul seining, they recalled 42,000
18 pounds in a small net and one dip.

19 So needless to say there is an abundance of those
20 that I hear about on the Chester River and other places as
21 well. So that is something to consider even though it is not
22 a traditional way to catch a catfish and a gill net because
23 you don't gill it. It is like going grabbing with a gill net.
24 You wouldn't want to do that. But anyway the gentleman asked
25 the question and I will be sharing that also with Tidal Fish

1 Commission on Thursday.

2 And the issue today came up about black drum but it
3 is too preliminary to share that with you. So if there are
4 any questions, I would be happy to try to answer them.

5 MR. GOLDSBOROUGH: Questions for George?

6 *Questions and Answers*

7 MR. GRACIE: Do you have any feedback from
8 recreational fisheries groups? That was all commercial.

9 MR. O'DONNELL: With the exception of the striped
10 bass issue and the several -- several of the issues that --

11 MR. GRACIE: That is a commercial harvest issue.

12 MR. O'DONNELL: -- Several of the issues spoke to
13 earlier there is circle hooks and some of those were from a
14 previous field report. And I had the -- on the amended forms
15 that I don't have with me, but Mike had seen those, it had the
16 issues that you heavily debated in here today about the
17 rockfish, the size limit, the 20 inch fish and the slot fish
18 and all that. The circle hook and -- now the planer boards
19 that wasn't one that I heard, but the other issue was as well
20 that you spoke to earlier.

21 MR. GOLDSBOROUGH: Other questions for George?

22 Comments? Phil?

23 MR. LANGLEY: George, at this point, there is no
24 summer time gill net fishery in the Potomac? They just kind
25 of took the stance that there wintertime was the time to

1 conduct that fishery when the water temperature was colder.
2 Is there a size or a time of year when they are looking at
3 targeting blue cats and at what size as far as the mesh? Are
4 they looking at going up, down or --

5 MR. O'DONNELL: Yes, he is talking about a larger
6 mesh and they are talking about in the May time frame. May or
7 April I believe is what the gentleman said. But the --
8 definitely larger than the -- what is it, three and a half
9 Mike, I think it is. Talking about larger one.

10 MR. LANGLEY: Thank you.

11 MR. GOLDSBOROUGH: Any questions? Dave?

12 MR. SIKORSKI: A comment. As it relates to Man-O-
13 War Shoal and all of these budget conversations that we are
14 having, do I see a looming cost or more cost that we can
15 completely due away with. And I understand why the
16 Department has moved forward with the Man-O-War Shoal permit,
17 it was legislation to require it. But even if approved, we
18 don't have to spend the money to dredge that shell because it
19 really brings in two points.

20 It is -- there is a cost associated with doing the
21 work. And we learned in cost recovery that recreational
22 fisheries pay more than their share. So now recreational
23 fishermen are potentially with that spill over, paying to
24 dredge Man-O-Ware Shoal and go through our five year
25 monitoring plan and dredging plan.

1 And we are essentially paying for the destruction of
2 one of our favorite fishing spots in the upper bay. And that
3 just doesn't pass the smell test. So if you want to look at a
4 potential windfall, financially, there you go. It is right
5 there and this administration does have the option to not move
6 forward with the dredging of that shell and we can talk about
7 other dynamic ways to spend our money that don't hurt one
8 side of our fisheries to potentially benefit others.

9 And may -- there are plenty of substrates that
10 provide long term feasibility as opposed to short term like
11 fossil shelf does. So there is one for your budget.

12 MR. O'DONNELL: Thanks.

13 MR. GOLDSBOROUGH: Thank you, Dave. Anything else?
14 All right, thank you, George. Is there anything else? You are
15 good?

16 MR. : No, no it is fine.

17 MR. GOLDSBOROUGH: So we do have an opportunity for
18 public comment now but I neglected to mention earlier we had
19 a couple other really quick things under what I will call
20 other business, although it is not listed there. First of
21 all, I want to give an opportunity for Phil and or Dave to
22 describe where they are on considerations of red drum?

23 ***Other Business***

24 MR. LANGLEY: Yes, actually Dave and myself and
25 actually Ed, had an opportunity to speak last week. And the

1 charter boat industry has come to this commission in the past.
2 Asking for the possibility of retaining a large red fish
3 because we are starting to see more and more numbers over the
4 last four or five years show up into the lower bay and I am
5 hearing reports of some even caught in the upper bay and
6 middle bay, they are starting to see a few more of the red
7 fish.

8 So, we kind of had this idea and when we brought it
9 up to sport fish, I noticed that what we found out and I still
10 give Marty Gary a hard time about this, but some of the last
11 good data that we used to have, we kind of backed off on it
12 and here is the state -- I think Marty broke his wrist in one
13 of the surveys or something and I think it was a black drum,
14 not a red.

15 But what kind of came up with the idea as definitely
16 up and down the Atlantic coast I don't know of any states that
17 actually retained larger than a 27 or 28 inch red fish. You
18 know it is an industry that is pretty heavily regulated and
19 they protect the large females. But with -- and I am not
20 saying climate changes or whatever the reason, but it seems to
21 be an influx of southern fish migrating north. We are
22 starting to see more red fish. The black bass, New York is
23 sea bass and seeing good numbers in harvest.

24 So we saw an opportunity for perhaps the for hire
25 fleet to work with science and conduct surveys on these red

1 fish perhaps maybe looking into some possible grant money for
2 this and having the for hire fleet participate to going up and
3 conducting surveys and just doing only strictly a catch and
4 release but data collection on the large reds.

5 So what I understand there is a missing gap. They
6 have more documentation and more information on the fish that
7 can be retained in that 18 to 27 inch. But there is a gap in
8 data with the larger fish. So we saw this as a good
9 opportunity to maybe take the for hire fleet and use it to
10 help acquire data which would actually benefit the charter
11 boat industry as well.

12 And so that was basically an option. This is
13 strictly on the ground floor and we were actually looking for
14 participation in this to work together and possibly come up
15 with something that we think would work that would benefit
16 both the fishery and the fisherman. Dave?

17 MR. SIKORSKI: You said well. I was nervous when
18 you came to me and wanted to talk about red drum. I thought
19 didn't we tell them no twice. I thought you were coming in for
20 strike three but no it is great idea. It is in the spirit of
21 cooperation. And it really makes sense to try to bolster
22 science. There are grant opportunities when you do science
23 like that. We may not be a red drum center here but we catch
24 them. And you are right, they are more and more.

25 And so any opportunity we have as anglers or for

1 hire private, doesn't matter, to try and benefit science, the
2 better off we are. So we will be looking into that and if any
3 other commission members are interested in trying to meet with
4 us as a worker group sorts to see what we can do, by all means
5 we would love to have you.

6 MR. GOLDSBOROUGH: Okay, so far just conversations
7 between a couple of commissioners and staff about the
8 potential innovative idea with red drum. Are they continue?
9 And invitation to any other commissioners to participate in
10 that discussion and the possibility of formalizing an indoor
11 work group. Any thoughts? Any interests in participating in
12 any of those conversations? Okay to just let it continue and
13 wait and see what they come up with? Any thoughts?

14 MR. DeHOFF: I am interested, I would get involved.

15 MR. GOLDSBOROUGH: There you go. Mass of 3. All
16 right, we encourage those productive discussions and we look
17 forward to hearing what you guys come up with. Second of
18 three items that I wanted to mention to you is some
19 discussions that have been going with respect to trout
20 fisheries in Western Maryland between Jim Gracie and John
21 Neely. And I am going to let them comment on where they
22 might want to take those discussions.

23 MR. GRACIE: We were thinking about asking the
24 commission to authorize a work group on cold water fisheries
25 in Maryland. Not just Western Maryland. And so I know John

1 is interested and we might have some other people here that
2 are interested. So. If we get a critical mass of 3, we
3 would be ready to go ahead too.

4 MR. GOLDSBOROUGH: Any others interested in
5 participating? John, I am sorry.

6 MR. NEELY: No I would echo his thoughts. I would
7 like to meet with Tony. And talk with him.

8 MR. : I would be interested for sure.

9 MR. GOLDSBOROUGH: There you go. You got your third
10 member.

11 MR. : I like cold water.

12 MR. GOLDSBOROUGH: It doesn't have to stop at 3
13 either. Anybody else interested in participating in those
14 discussions? In the form of a work group of the commission as
15 it was proposed? Okay we have a work group of 3. And Jim are
16 you chairman?

17 MR. GRACIE: We all like to chair in the first
18 meeting.

19 (Speaking simultaneously.)

20 MR. GOLDSBOROUGH: Grant, are you still on the
21 phone?

22 MR. SOUKUP: My right hand is in the air. I am still
23 here and I would love to work with the trout fishing plan that
24 Jim Gracie has in mind.

25 MR. GOLDSBOROUGH: Very good. Pass that along to

1 Ray and so we will incorporate you guys into that discussion
2 as well. All right, the third thing real quick is the
3 Department and myself as your chairman received input from an
4 individual a couple of months ago, starting who had concerns
5 about some recreational crabbing issues. Conflict between
6 gears and with some commercial activities as well.

7 Had some ideas for how to resolve them. And we
8 thought we might put it on the agenda for today. But the
9 staff recognized that there is some history to some of these
10 issues, there have been deliberations in the past and they
11 want to meet with this individual first and share some of that
12 and hear first hand his thoughts and then if it was okay with
13 you, to allow staff, myself and Dave as vice chair to consider
14 how that goes and whether or not to put it on the agenda for
15 the next meeting. Is that okay with everybody?

16 (Chorus of "Yes")

17 MR. GOLDSBOROUGH: Very good. And finally, I have
18 come to the official public comment. Anybody -- I am sorry,
19 Jim?

20 MR. GRACIE: Before you do that are we scheduled to
21 set up nominations for elections for the commission?

22 MR. GOLDSBOROUGH: I wanted to ask that myself.

23 MR. GRACIE: Yes, I think we are. For the next
24 meeting probably.

25 MR. GOLDSBOROUGH: Can staff fill us in on the

1 process for that? All right, we will take that under
2 advisement. We will get back to you. Didn't mean to blind
3 side you on that one. Okay, so anybody from the public want
4 to comment? Anything? Doesn't have to be on the agenda. If
5 you would like to share with the commission at this time.

6 ***Public Comment***

7 MR. SHUTE: I would just like to ask that the agenda
8 would --

9 MR. GOLDSBOROUGH: Could you come to the mic please.

10 MR. SHUTE: Oh I am sorry. My name is Greg Shute,
11 I was just going to ask that the agenda for these meetings
12 get put online at least a week in advance. I know they made it
13 up just today and makes it hard for the public to get involved
14 and comment. So that would just be appreciated.

15 MR. GOLDSBOROUGH: Understood. We had some
16 extenuating circumstances.

17 MR. SHUTE: I understand.

18 MR. GOLDSBOROUGH: So we apologize for that. Any
19 other public comment?

20 MR. JOHNS: Curtis Johns, lower bay. Actually Vice
21 President of the Charter Boat Association too. But just to put
22 on your radar, we are seeing more and more I believe you call
23 it gray trout, yellow fin trout. Not the speck but the regular
24 yellow fin trouts. We have been seeing usually just a few in
25 the fall, September/October, we have pretty good numbers of

1 them. This past season in the mid -- in the actual bay
2 channel, it was like it was 10 or 12 years ago. You would go
3 out there and literally could find schools of trout 50-60 foot
4 thick underneath the rockfish. That is the first time I have
5 seen that in like 8-10 years.

6 So we are -- right now we are allowed to catch one
7 per person and I wanted to be all about charters. For us you
8 can't run a trip on that but two or three maybe. Just
9 something to keep your eye on in the future if that could be
10 increased a little bit. All right. Thank you.

11 MR. GOLDSBOROUGH: Thank you. Anything else? Back
12 to the table.

13 MR. O'BRIEN: On that issue, that is something that
14 we need to watch. And we have had in 30 years, I have seen
15 some real good runs of trout because they do grow fast. But
16 it always culminates not in any gradual loss of their
17 lines(sic), it always culminates it at 3 cents a pound,
18 commercially down south -- way down south. So if there is a
19 way to try to keep them for a while.

20 MR. GOLDSBOROUGH: Point taken. Phil?

21 MR. LANGLEY: Yes, I think and Mike you would know,
22 isn't a stock assessment due this coming year, on them from
23 ASMFC?

24 MR. LUISI: I am sorry, I don't --

25 MS. FEGLEY: No that is red drum.

1 MR. LANGLEY: Is that red drum?

2 MS. FEGLEY: That is red drum.

3 MR. LANGLEY: When is --

4 MR. GOLDSBOROUGH: The news -- well this is the
5 first that I have heard of the positive news on the gray trout
6 myself. And for my experience at ASMFC, the stock is down and
7 down and flat. But maybe there is something that is happening
8 that has -- so I guess we will look into that level. If there
9 is any more news on gray trout stock assessment, changes in
10 their status, we will certainly pass that along.

11 All right, I am going to give Dave a chance for
12 closing remarks in a second and mine are thank you all. We
13 were way behind and we brought it back and it is not too much
14 of an override and I appreciate your forbearance on that. And
15 you attendance under extenuating circumstances outside. And
16 welcome Grant and welcome to John and Rob and Bobby Leonard
17 who is not here, he will be here next time presumably. Look
18 forward to moving forward with our new commission.

19 MR. BLAZER: Thanks Bill. Welcome new
20 commissioners, thank you all. I thought today's discussion was
21 outstanding. You know I am glad that we had the opportunity
22 to vet through a lot of those things. I think that the process
23 worked. So I want to thank you all for contributing to the
24 discussion and the process here. I also want to thank
25 especially like Tony, for cutting his talk short so that we

1 could get here -- so we are not overly on time. A couple of
2 real quick things. One you got a Chesapeake Bay work plan
3 comments, I think it was e-mailed to you today. Please make
4 sure you take a look at that if you have any questions about
5 that, give somebody a call.

6 Next week, we will be ASMFC. We also have the Man-
7 O-War hearings next Tuesday and Wednesday I believe. There is
8 an outline in your packet I think under number 5 or something
9 there. So you can look over some of the proposal. I also
10 wanted to mention because we are going to be giving this to
11 the tidal fish group, every body is kind of interested in the
12 five year oyster report.

13 In your tabs under number 5 is just kind of a time
14 line of that five year report. There will be a pretty
15 extensive outreach component to that as well as putting the
16 information together for when that report is released. So we
17 wanted to share that with you and this is mandated under law
18 and the law quote is there. So I know we are getting a lot of
19 questions about oysters and sanctuaries in the five year
20 report. So we just wanted to include that for you all today.
21 So again thank you all for an excellent meeting, I appreciate
22 it.

23 MR. GOLDSBOROUGH: And we are adjourned.

24 (Whereupon, the meeting adjourned at 5:22 p.m.)

25