

Maryland DNR
Winter Meeting of the Sport Fisheries
Advisory Commission

Tuesday,
January 24, 2017

Held at the
Maryland DNR
Tawes State Office Building
Annapolis, Maryland

Maryland DNR
Winter Meeting of the Sport Fisheries Advisory Commission

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SFAC Members Present:

David Sikorski, Chair

Micah Dammeyer

Rachel Dean

Mark DeHoff

Jim Gracie

Phil Langley

Val Lynch

John Neely

Ed O'Brien

Chris Pittas (*proxy for Beverly Fleming*)

Grant Soukup (*proxy for Dr. Ray P. Morgan II*)

David Sutherland

Roger Trageser

James Wommack

SFAC Member Absent:

Beverly Fleming

Dr. Ray P. Morgan II

Tim Smith

Maryland DNR Fisheries Service

David Blazer

Paul Genovese

Maryland DNR
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KEYNOTE: "---" denotes inaudible in the transcript.

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

(2:05 p.m.)

Welcome and Announcements

by David Sikorski, Chair, SFAC

and Dave Blazer, Director, MD DNR Fishing and Boating Services

MR. SIKORSKI: All right, commissioners. Welcome to the January 24 meeting of the Sport Fish Advisory Commission. Thank you, everybody, for coming. My name is David Sikorski. I know all of you, thankfully, and we have a new David at the table, whom I would like to welcome: David Sutherland, who is a new sport fish commissioner now with us. His appointment runs through June 30, 2017. So he is Bill's replacement for now.

Welcome, David. I don't know if you would like to tell folks about your background and what brought you here.

MR. SUTHERLAND: Sure. Marine Biology Associate's and undergraduate in marine bio. Worked up in Maine in inland fisheries and sea-run salmon for a while. Did graduate school at UMass with a degree in fish wildlife conservation biology.

And then got a position down here as a tech early on and I have been with fish and wildlife service since about 1990. So that is where I am. Most recently Conwingo relicensing, I was part of that team. And we are doing shoreline restoration projects around the Chester watershed primarily and working with reef balls and --- and a lot of

1 good stuff.

2 So I am really happy to be here and appreciate the
3 appointment. Thank you.

4 MR. SIKORSKI: Glad to have you. It sounds like you
5 bring a wealth of information. Thank you very much.

6 MR. BLAZER: A couple comments, announcements if you
7 will. A couple things in your packet that really aren't on
8 the agenda. One is an Oyster Advisory Committee update. The
9 Oyster Advisory Committee has been meeting monthly. Seems
10 like years but it has been since July, I think.

11 The progress is moving along. We have had a lot of
12 great discussion throughout this process and we have had
13 presentations or information presented from like the county
14 oyster committees on some ideas for rotational harvest. We
15 have had offers from the environmental groups and conservation
16 groups about sanctuaries and, you know, how to move forward.

17 So with a lot of discussion that has been taking
18 place over the past several months, Secretary Belton asked the
19 staff to put together a straw man for the Oyster Advisory
20 Committee to consider at its February meeting on February 13.
21 So we will be presenting that straw man with tweaks and
22 adjustments to sanctuaries, rotational harvest areas and some
23 of the other things that have been discussed at the OAC
24 meetings.

25 So that will come in February. I am sure we will

1 have two or three meetings to have discussions about the straw
2 man and how to adjust that as we go forward. And hopefully
3 sometime this spring, you know, again as kind of a composite
4 baywide look at everything, we hope to have some
5 recommendation or consensus, if you will, out of the OAC
6 process.

7 Instead of looking at it piecemeal, we are going to
8 throw everything out there as a group and let everybody chew
9 on it and we will see what happens throughout that process.

10 The other thing that is going on with the Oyster
11 Advisory Committee is the Man 'o War dredging permit with the
12 corps. There has been some dialogue going back and forth with
13 the corps, and the department is preparing responses to about
14 12 questions that they asked us back in December.

15 So we are busy trying to craft those responses to
16 get that back to the corps so that they can make their
17 determination on whether to issue that permit or not. So that
18 is kind of an OAC update. Does anybody have any questions or
19 comments on that?

20 (No response)

21 I really encourage everybody to come. It seems like
22 everybody else attends that meeting. It is usually pretty
23 crowded. I always laugh. We always put the agenda is over at
24 8:30 p.m. We usually don't get out of there until 9:30 p.m.
25 or 10:00 p.m.

1 MR. DAMMEYER: You are really selling it there.

2 MR. BLAZER: Yes.

3 (Laughter)

4 MR. BLAZER: Two other items that aren't on the
5 agenda today that we provided is the MDOT oyster fund
6 breakdown. If you look in Tab 2, the signed agreement between
7 us and the Department of Transportation, the Maryland Port
8 Administration, laying out the \$2 million that they provide to
9 the department, where the money goes and how it is to be used.

10 And then actually on page 3, if you just want to
11 kind of cut to the chase, you can see the modifications for
12 2017 versus 2016. We reduced the amount of funds for the
13 MARBIDCO grant because the aquaculture grants seemed to be
14 kind of waning.

15 So we took that money and repurposed it in other
16 locations. We needed funding to help with the Oyster Advisory
17 Commission to provide for facilitation efforts through that.
18 We decreased some of the money that goes to the demonstration
19 projects because those seemed to be moving along but there are
20 some things that we can -- we don't need to spend as much
21 money on. We are kind of monitoring and tracking and not
22 doing the initial and so forth.

23 And also we decreased the amount of in-water
24 restoration funds toward the sanctuary program administration
25 because we have got enough money through capital funds and

1 other sources of money to make up for slack so we made some
2 adjustment there.

3 The other thing that we did in there is staffing.
4 You know, a lot of our staff salaries and costs are covered by
5 the MDOT money. Most of our oyster money, if you don't know,
6 is special fund. It is totally dedicated to be used in the
7 oyster fishery. So we don't have other funds to cover staff
8 salaries. We don't have any general funds in the oyster
9 program.

10 So we get funding out of capital money, which has to
11 go to construction projects. We get money out of the oyster
12 tax and surcharge money, which is totally dedicated to
13 replanting the shell and seed.

14 So we use the MDOT money to pay for our staff
15 personnel, and we hadn't made any changes in the amount of
16 money that we have paid for staff over the last couple years
17 but it caught up to us and we had to increase the amount out
18 of the MDOT money to help cover the cost-of-living increase
19 and insurance and all those other things that you pay for as
20 far as staff goes.

21 So again we think we have got a pretty good plan for
22 this year and we will see how it goes. Anybody have any
23 questions on that? Again, read through it, look over it. If
24 you have got any questions feel free to give me a call.

25 Two other things I have on my list. We have

1 license-free fishing areas. There is a handout that you
2 should have already received. We have areas that are applying
3 for new free fishing areas. So I think that request has gone
4 out to everybody.

5 MR. GENOVESE: Yes, we have a whole process now.

6 MR. BLAZER: Okay, so if folks have any comments,
7 get back to Paul with that, and we appreciate any feedback
8 that we get from you all. And the other two things I will
9 wait until the end of the meeting -- hopefully not at 10:00
10 p.m. like the OAC.

11 MR. SIKORSKI: No, we are going to stick to schedule
12 and be very good commissioners.

13 MR. BLAZER: Thank you.

14 MR. SIKORSKI: Even though we are slightly behind
15 already.

16 ***Vote In New Vice Chair and TFAC Liaison***

17 ***by Dave Blazer, Director, MD DNR Fishing and Boating Services***

18 MR. BLAZER: With Bill Goldsborough's resignation
19 and Mr. Sikorski's elevation from chair to vice chair, we need
20 to elect a new vice chair from the committee. So if there is
21 any -- Ed?

22 MR. O'BRIEN: I would like to nominate that great
23 American and great charter boat captain Phil Langley.

24 MR. LANGLEY: I am looking for that guy.

25 MR. SIKORSKI: Do we have a second?

1 MR. NEELY: Second.

2 MR. SIKORSKI: John Neely. Any other nominations on
3 the floor?

4 (No response)

5 MR. SIKORSKI: Okay, with that we will call the
6 question. Any opposed?

7 (No response)

8 MR. SIKORSKI: Okay. Any abstentions?

9 (No response)

10 MR. SIKORSKI: All right, it is unanimous. Welcome.

11 MR. LANGLEY: Thank you. I am humbled. And as long
12 as Mr. Sikorski here, our chair, promises never to miss a
13 meeting, I am in good shape.

14 (Laughter)

15 MR. SIKORSKI: I will do my best.

16 MR. BLAZER: We also -- because Bill was the liaison
17 to the Tidal Fisheries Advisory Commission, we would need to
18 appoint a liaison from this group for the tidal fish. And the
19 way we had worked it with Bill was that the chair of sport
20 fish would be that liaison.

21 So I don't know if there are any thoughts about
22 that. How the commission feels.

23 MR. SIKORSKI: I am willing to do it unless there is
24 any opposition.

25 MR. O'BRIEN: You meant Bill Goldsborough, right?

1 MR. BLAZER: Bill, when he was chair, he did the
2 tidal fish liaison.

3 MR. O'BRIEN: Okay, I thought you said Phil just
4 now. Okay.

5 MR. BLAZER: Oh, no, I am sorry. No, Bill. Bill,
6 yes. And as the chair of sport fish, that was always the role
7 that Bill kind of fulfilled so we can continue that practice
8 as well.

9 MR. GRACIE: That was not a longstanding practice.
10 We had a separate liaison when I was chair before Bill was.

11 MR. SIKORSKI: It was Bill. I think that is why --

12 MR. GRACIE: As a matter of fact, it was.

13 MR. SIKORSKI: -- to keep it consistent, Bill
14 stepped us as chair. As I said, I would be willing to unless
15 there is any opposition to that.

16 (No response)

17 MR. SIKORSKI: Okay, and we will move forward. And
18 one thing I would like to add I think might be helpful for us,
19 and I have seen other commissions use this tiny, little
20 practice that helps us keep on task and allow everybody to get
21 their thoughts in.

22 That is to take your card, when you would like to
23 speak and raise it on end. And that way I can keep a list of
24 folks in order of the way I saw the cards raised, and so when
25 we deal with issues that are going to require a lot of

1 conversation, it is an easy way for me to keep a list and then
2 know that you definitely have raised your hand without me
3 missing it.

4 So just one little tweak I would like to add to the
5 operation here as chair. Thank you.

6 All right, so we have the NRP Activity Report.
7 Captain Albert?

8 ***NRP Activity Report***

9 ***by Lt. Tim Grove, MD DNR NRP***

10 LT. GROVE: Well, I am not Captain Albert, some of
11 you may or may not know. I am Lieutenant Tim Grove from
12 Central Region, Area 5. I am actually a lieutenant as of
13 Wednesday so I apologize for my preparedness not being where I
14 would like it to be because I was advised pretty much
15 yesterday morning that I was coming here.

16 And I came from Baltimore County as the inland
17 sergeant so my information is not as up to date as some other
18 people's. But does anybody have any questions on the listings
19 of the report?

20 Actually I will tell you I kind of looked at those
21 and when I was given this, and just went to the comm center,
22 and some of those numbers kind of shocked me. Some of them
23 are shy by upwards of 30 or 40 percent because some of the
24 data had not been entered from the ending of December and
25 stuff yet.

1 the beach. Is possession of a fishing license -- are you
2 complying with that requirement if you have it on your phone?

3 LT. GROVE: Technically it is still -- you must be
4 in possession of a paper license is the way that it, it is
5 still in regulations but I know most of the officers in the
6 field are, they are accepting that. If you can show it on the
7 phone, most officers are going with that, at least from the
8 area that I have been -- that I came from where I worked in.
9 It is just the technology that is out there.

10 MR. BLAZER: And I think there was a bill last year
11 to try to address that so that we could go to the electronic.
12 I remember we had the bill but I don't remember if it passed
13 or not so maybe if Sarah or Jacob show up later we can --

14 LT. GROVE: That is not one of those things that
15 most officers are hitting hard and fast about that.

16 MR. BLAZER: Right on cue. Jacob. Sorry to hit you
17 when you walk in.

18 MR. HOLTZ: Sure.

19 MR. BLAZER: The bill last year to go to electronic
20 recreational fishing licenses, do you remember if that passed?

21 MR. HOLTZ: I believe it did. We are no longer
22 required to have somebody sign a piece of paper that is their
23 fishing license. So we are able to implement an electronic
24 license. I don't know if we have taken those steps yet
25 though.

1 MR. BLAZER: There are probably some process things
2 we need to do.

3 MR. GRACIE: Maybe the license will have to stop
4 saying it is not valid unless signed. That is what it still
5 says.

6 MR. SIKORSKI: All right. Any other questions?

7 MR. WOMMACK: I had a question for you. This
8 spring, you guys were down in Sandy Point training your
9 cadets, loading and unloading your boats and your equipment.
10 It was a little disappointing to see how raggedy your
11 equipment was. I wanted to know did you take any time into
12 fixing your equipment because none of the power wenchers
13 worked. The guys couldn't get the stuff to work right and
14 they were having all kinds of problems with all four ramps
15 down there.

16 So I was just curious if your maintenance department
17 has put a little bit of maintenance on loading and unloading
18 your equipment at the ramps if you have to get in the water
19 quickly or get out quickly.

20 LT. GROVE: I would support that wholeheartedly but
21 we are dealing with some budget constraints. I know we do
22 have -- I know we have at least four new boats and trailers
23 coming in this year. And they are going to try to do
24 assessment and push out the stuff that isn't easily maintained
25 or serviceable anymore.

1 I know we did that, buying quite a few boats this
2 year. The old whalers, just the fact that it wasn't worth the
3 investment of repairs on those. But I know they have got at
4 least four of the everglades on order.

5 MR. WOMMACK: It wasn't the boats so much. It
6 seemed like the equipment from the trucks to the wenchers
7 and -- nothing was working.

8 LT. GROVE: A lot of that, like you said, a lot of
9 our trucks are hitting 250,000 miles. Between 225,000 and
10 250,000 is where our changeover is, the deadline of wanting to
11 get a new one in.

12 And it is one thing to have a state police car that
13 is running up and down the road doing 300,000 miles but these
14 trucks, you know, aren't really designed to go that far in the
15 conditions that we drive them all the time. I can tell you
16 that the colonel is aware of it. They have come up with a
17 plan.

18 We are getting 54 new vehicles coming in this fiscal
19 year so hopefully you will see an improvement on some of that.

20 MR. WOMMACK: If not, I will come down there and
21 give you some pointers.

22 MR. SIKORSKI: Grant, I think you had a question?

23 MR. SOUKUP: I just want to let everybody know I
24 hold the record for being checked by DNR police most last
25 year. Nine times I got checked, and they always check to make

1 sure I sign the computer printout. You know, they were very
2 respectful. I wrote an article about it for a couple
3 magazines about how diligent you guys were.

4 But one of the things I noticed: In Pennsylvania
5 they have, they have a button that they require that you wear
6 or you have to wear your license in a visible format. The
7 button is an extra so you could raise more money if you sold
8 it.

9 A lot of guys collect them. They go nuts for those
10 stupid buttons. I have had guys offer to buy my buttons at
11 the end of the year because they have these grand collections
12 so it just might be something down the road to consider for
13 looking for another way to support fishing licenses and what
14 have you.

15 It also allows the fishermen to self-manage or
16 self-regulate our ranks because you can just look at another
17 guy and see if he has got the button or the license displayed
18 on his hat. And if not, with a cell phone or, you know, there
19 is certainly assistance. We might be able to help with you
20 guys.

21 LT. GROVE: The only thing I can say with that is I
22 think the 365 has complicated that in the fact that it is not
23 a given calendar year or a given period that license is good
24 for. It rotates whenever you buy it.

25 So now to be able to issue something that

1 corresponds to that purchase cycle is probably even more
2 complicated.

3 MR. SIKORSKI: All right. Any further questions for
4 the officer?

5 (No response)

6 MR. SIKORSKI: Thank you very much. Next we have
7 Sarah Widman with the Policy Program. I think Sarah is Jacob
8 today.

9 MR. HOLTZ: It is both me and Nancy.

10 MR. SIKORSKI: Okay, fantastic. There is an empty
11 there with the microphone.

12 ***Policy Program***

13 ***by Jacob Holtz, MD DNR Fishing and Boating Services***

14 MR. HOLTZ: All right. How are you all doing today?
15 I will be going over our scoping and our regulatory and
16 penalty updates. The scoping will be really quick.

17 We actually had sent both of these to you I want to
18 say in the November/December timeframe to get your input but
19 since we haven't gotten to them yet because there is a
20 moratorium on submitting regulations and all that, we wanted
21 to circle back with you in person just to give you an
22 opportunity, if there was anything that you wanted to discuss
23 on either the out-of-state fish supplier or the spiny dogfish
24 changes that we are looking at.

25 (No response)

1 MR. HOLTZ: If not, we can go over the reg update
2 really quickly. So we issued a bunch of public notices from
3 the last time period. Two for note for this committee were
4 notices establishing both the summer flounder and the black
5 sea bass.

6 So the summer flounder, actually it is 16 inches and
7 4 fish all year long. Mike, do we know if there is a
8 possibility of that changing for us or is that just other
9 folks on the coast?

10 MR. LUISI: For summer flounder?

11 MR. HOLTZ: For summer flounder.

12 MR. LUISI: There is a 99 percent chance of that
13 changing between now and the start of the season.

14 MR. HOLTZ: Well, so I mean the season is in right
15 now but as far as people really getting into it.

16 MR. LUISI: Hi, everyone. Mike Luisi, thank you.
17 So yes, and I am going to speak to that briefly during our
18 ASMFC Mid-Atlantic Council update but there is a very high
19 likelihood that there will be some changes made in our
20 upcoming -- at our upcoming meeting next week at ASMFC, which
21 will translate to regulation changes for some point in time
22 this spring.

23 MR. HOLTZ: Right, so what we have currently
24 probably isn't going to be sticking around for the duration of
25 the year for summer flounder.

1 MR. LUISI: And it is the season that will stay the
2 same. It is like it is going to be more of a minimum
3 size/creel limit change.

4 MR. HOLTZ: Okay. And then for the black sea bass,
5 we don't have details on that yet but we close it for January
6 and February so that way when we do get the details we can
7 implement it because usually the closure is until somewhere
8 around May, right?

9 MR. LUISI: That is correct. It usually opens the
10 middle of May but again with sea bass it is in limbo until we
11 get through the Mid-Atlantic Council meeting, which is in the
12 middle of February. I can cover some of that during my report
13 later today.

14 MR. HOLTZ: And then as far as regulations moving
15 through the process, the non-tidal changes, that is just our
16 annual update. Those are scheduled to be effective in the
17 next couple of weeks here.

18 And then two other packages of note for you all.
19 The last two there, the gear regs, that is the stuff that we
20 talked about the last couple of meetings that we had. It will
21 change the rules for bows, bush bobs, bank poles, dip nets,
22 gigs and it will establish rules for the commercial use of
23 finfish trotlines.

24 That was published in the register this past Friday.
25 If you want to take a look at what we have proposed and give

1 us comments or distribute that with any of your organizations,
2 have your organizations give us comments. We would love to
3 get your feedback.

4 And then the last one there is blue crabs. That is
5 mostly housecleaning and just making things a little more
6 clear. It also changes the harvest time in the coastal bays
7 for commercial folks. I think that was based on an industry
8 request.

9 One note that isn't on this update is that we --
10 because they are crabbing regulations, we have to have a
11 hearing in person. That hearing is going to be on February 6
12 at 5:00 p.m. here in the C1 conference room at Tawes. That is
13 on the calendar if you go on the Fishing and Boating Services
14 Website and look at the fishing calendar.

15 And then we have updated our suspended lists, and
16 that is everything I have as far as scoping and regs unless
17 anybody had any questions on those.

18 (No response)

19 MR. HOLTZ: Okay, as far as FMP stuff.

20 ***Questions and Answers***

21 MR. SUTHERLAND: Was there a department
22 recommendation on that spiny dogfish?

23 MR. HOLTZ: On the spiny dogfish, this was -- what
24 the workgroup had requested, Dave, do we have a specific
25 recommendation on that?

1 MR. LUISI: I am sorry. I am doing three things at
2 once. What was the recommendation?

3 MR. HOLTZ: So the question was do we have a
4 recommendation for what we are scoping on the spiny dogfish?
5 I think we would go forward with this as we are discussing it
6 here would be the plan unless we were asked to do something
7 different.

8 MR. LUISI: We had discussed the whole idea about
9 grandfathering in the permits on the coast and not requiring
10 that they harvest their eligible amount in consecutive years
11 in order to maintain that eligibility.

12 That regulation, as you may have mentioned, it
13 is -- we have scoped it but it has yet to be proposed --

14 MR. HOLTZ: So, yes, we are continuing the scoping
15 here.

16 MR. LUISI: -- so we are going to continue that
17 through session and we hope that we will roll that into a
18 proposed regulation at some point in the spring.

19 MR. HOLTZ: Right.

20 MR. LUISI: But right now because the change did not
21 happen prior to the start of session, the fishermen who were
22 thinking they may not have to catch the 20,000 pounds over 3
23 years' time are now still required to maintain that level of
24 harvest through the end of April in order to maintain their
25 eligibility for the future permit season.

1 species.

2 Again these are just some things to kind of have you
3 remember and look at. If you want any further detail, I would
4 suggest that you go to the FMP report. But it is also an
5 opportunity for you to say, hmm, I would like some more
6 information about a particular species or a particular aspect
7 of something for management.

8 So for -- when it comes times for our species-
9 specific meetings, which I am not sure exactly when they are
10 going to be held, you can tell us what you would like to hear
11 more about and then we can prepare accordingly. So do you
12 have questions? I am happy to answer them.

13 I would like to thank Rachel for providing some
14 comments on the draft. It was very good.

15 MR. SIKORSKI: With no questions -- remember, as you
16 review those materials, you can always reach back out to the
17 department to have questions answered at a future date so
18 thank you, Nancy. All right, so we are rolling right along.
19 On to freshwater fisheries.

20 MR. BLAZER: Tony is in a meeting with the Secretary
21 right now and probably will be until about 3:00 p.m. See, we
22 are so far ahead of schedule --

23 MR. SIKORSKI: So if we can defer the Freshwater
24 Fisheries Report until --

25 MR. TRAGESER: I can give my portion.

1 MR. SIKORSKI: Roger, go ahead.

2 ***Report on Black Bass Advisory Subcommittee***

3 ***by Commissioner Roger Trageser***

4 MR. TRAGESER: Report out on the Black Bass Advisory
5 Subcommittee. To backtrack just a little bit, and I spent
6 some time writing this, so I can just plow through this a
7 little more efficiently.

8 As a result of the confusion that we had generated
9 at the October 18 sport fish meeting regarding the
10 department's request to scope a proposed regulation that had
11 received an 8 to 4 favorable vote from the subcommittee but
12 with a minority report and public comment that thoroughly
13 muddied the waters, a conference call to SFAC members was set
14 up on or around -- I think November 17 was the date on that
15 conference call, and that call was chaired by David Sikorski.

16 At that conclusion of that call, the members present
17 provided the department with the approval they required to
18 move forward with the scoping process.

19 One of the agenda items at our last meeting was to
20 discuss, clarify and reach an agreement on how any future
21 minority reports would be compiled, reviewed and if necessary
22 presented to the sport fish advisory commission.

23 We had a member of our committee, who was our vice
24 chair, resign. Nominations were submitted, and since I was
25 the only individual to accept the nomination for vice chair,

1 moving forward I will be the vice chair of that subcommittee.

2 Dr. Joe Love provided a report on his surveys for
3 the upper bay, juvenile mean catch per hour above reference
4 point, but average catch at age 1+ is below average for third
5 straight year but the annual survivorship for the population
6 was greater than in previous years.

7 Reproduction and recruitment has also improved since
8 2010 to 2012 surveys. We had a report on the Potomac River at
9 our September 13 meeting. I don't know whether that came out
10 at the last sport fish meeting or not. It probably did. It is
11 probably something that Tony presented.

12 Real quickly: Potomac River juvenile mean catch per
13 hour is well above the reference point and the age 1+ is just
14 below the reference point but far, far better than recorded in
15 2015.

16 Next item: We have concerns about damage caused by
17 haul seining in shallow spawning areas of the Potomac so we
18 placed it on our agenda. We were fortunate enough to have
19 Captain Bill Rice attend our meeting, and he provided us with
20 information on seining means and methods.

21 Captain Rice, however, conducts most if not all of
22 his seining activities in water that are generally no
23 shallower than 10 feet. At this depth, it really wouldn't
24 pose much of an issue to bass populations. Activities that we
25 know have been witnessed and reported have seining activities

1 occurring in water five feet or less, and most often in the
2 spring, leaving new, emerging grasses pulled from the bottom,
3 and any bass spawning beds that may have been established
4 destroyed.

5 Unfortunately as we were going through this with the
6 department, there doesn't seem to be a lot of action that the
7 department itself can take to eliminate or modify this
8 activity. It seems like outside of some gearing and method
9 regulations, the focus on where and when falls within the
10 specific county jurisdictions and not with DNR.

11 And Dave, if I am not describing this correctly,
12 just jump in and --

13 MR. BLAZER: Just to clarify a little bit, haul
14 seines were basically -- we don't have regulatory authority to
15 regulate haul seines. We can regulate fish but we can't
16 regulate the gear. We don't have that specific authority.

17 Haul seines, if you look through the legislation,
18 dates back to -- you know, haul seines are a pretty
19 traditional gear. They have been around a long period of
20 time. The legislature used to pass bills that said -- and the
21 Charles County delegation would pass a bill on haul seine
22 usage in Charles County, St. Mary's County, so there are a lot
23 of county provisions that deal with haul seines, where and
24 when and all that kind of stuff.

25 So it is really a legislative managed activity.

1 MR. TRAGESER: And lastly we have a meeting -- the
2 next meeting is scheduled for March 30th. We are trying to
3 put our meetings within a two-week or so period prior to
4 another Sport Fisheries Advisory Commission meeting.

5 Discussion topics: Kind of next on the level of
6 concern or what we want to discuss is habitat, pollution and
7 then education but I wouldn't rule out that we don't kind of
8 return back to haul seining a little bit more just to kind of
9 broaden our thoughts on that and see if there is something
10 that we might be able look about doing. That is about all I
11 have got to report.

12 MR. SIKORSKI: Thank you very much. You said it was
13 March 30th for that meeting?

14 MR. TRAGESER: March 30th.

15 MR. SIKORSKI: It is here?

16 MR. TRAGESER: It is here.

17 MR. SIKORSKI: 2:00 p.m. to 5:00 p.m.?

18 MR. TRAGESER: 6:00 p.m. to 8:00 p.m.

19 MR. SIKORSKI: Thank you very much. All right, so
20 we are still waiting on Tony. Should we skip ahead to Kelly?

21 *Questions and Answers*

22 MR. GRACIE: Is there some reason the department
23 would be reluctant to get legislation sponsored to give it
24 some control? I mean, this impacts fisheries.

25 MR. BLAZER: Yes, Jacob, correct me if I am wrong.

1 | Apparently a couple years ago we tried to get regulatory
2 | authority for haul seines but the bill did not pass. Is
3 | that -- I seem to recall that we had tried to get --

4 | MR. HOLTZ: I think initially the bill had been to
5 | give us regulatory authority for all gear generally. What
6 | resulted from that was all recreational gear and a couple of
7 | named commercial gears, and haul seine was not one of those
8 | named commercial gears.

9 | MR. GRACIE: That is not my question.

10 | MR. BLAZER: I am sorry?

11 | MR. GRACIE: Is the department reluctant to have
12 | legislation sponsored to give it control?

13 | MR. BLAZER: I don't think we have talked about it
14 | from that angle.

15 | MR. HOLTZ: To my knowledge, we haven't gone -- so
16 | for instance, in 2016, they added finfish trotlines and bow
17 | and arrow as far as named commercial gears. I don't think we
18 | have had a discussion to add other gears to that list.

19 | MR. GRACIE: Can we get some feedback from your
20 | subcommittee on what you think the impacts are and what ought
21 | to be done and maybe we can start from there and start talking
22 | about that.

23 | MR. BLAZER: That is what the subcommittee has been
24 | talking a little bit about.

25 | MR. TRAGESER: That is what we will do.

1 MR. GRACIE: And come back to the commission with
2 that.

3 MR. TRAGESER: Right, okay.

4 MR. SIKORSKI: Okay.

5 MR. TRAGESER: Maybe that should be on the agenda
6 before we get into anything else on the 30th.

7 MR. GRACIE: Thank you.

8 MR. SIKORSKI: So it will be on the Black Bass
9 Advisory Subcommittee agenda for the March meeting. We will
10 make sure it on the agenda for the April sport fish meeting.

11 MR. TRAGESER: Okay.

12 MR. SIKORSKI: Okay, any further questions regarding
13 Roger's report?

14 (No response)

15 MR. SIKORSKI: All right. No Tony still. So we
16 will skip ahead to Carrie Kennedy with our commercial harvest
17 reporting rates presentation.

18 ***Commercial Harvest Reporting Rates***

19 ***by Carrie Kennedy, MD DNR Fishing and Boating Services***

20 MS. KENNEDY: Really just a quick update. I am
21 Carrie Kennedy. I am our commercial data and quota-monitoring
22 program manager in Fishing and Boating Services. What that
23 means is that all commercial reports, starter reports,
24 permitting, all of that happens in my shop.

25 So what I wanted to make sure both of our

1 commissions are aware of is that generally reporting rates
2 have been going down. And this year we have fallen below the
3 70th percentile average to date for 2016, at least for finfish
4 reports. Crab reports are right around 80 percent. Charter
5 reports are right around 63 percent.

6 Oysters through December of 2016 are at 60 percent
7 and clam is at 44 percent. And just a little background, in
8 2012 we instituted some new reporting penalties and we were
9 pretty active at pursuing people who weren't reporting.

10 However, it was determined that it could not be
11 proven that folks didn't put their reports in the mail or send
12 them via fax. And we had no way to say that no, in fact, they
13 didn't do it and it didn't just get lost in the mail or wasn't
14 sitting on the wrong person's desk.

15 So at this point, with the combination of paper
16 reporting tools that we have and the penalty system that we
17 have, we don't have a great way to enforce reporting, and as a
18 result our reporting rate is going down.

19 So we want to make sure at this point that our
20 commissioners are aware of that because obviously if we don't
21 have great harvest reports, it is hard to make really good
22 decisions about managing our fisheries. If there are any
23 questions, I am happy to answer them.

24 ***Questions and Answers***

25 MR. DeHOFF: Obviously there are going to be

1 challenges in doing so. Does the department have any plans in
2 place at this point of plan B to where that can be
3 enforceable?

4 MS. KENNEDY: So we have a voluntary reporting
5 system, which is electronic and has a hailing component, and
6 that is enforceable because folks have to tell us the day that
7 they are fishing. They have to tell us that they are fishing
8 and they have to tell us where they are going to be and we can
9 verify that. We have tools to verify that. That is voluntary
10 right now.

11 MR. BLAZER: I was just going to add a little bit.
12 Part of the purpose was to bring it up to you all. We are
13 going to bring it up at tidal fish as well on Thursday. This
14 obviously is a big concern to us, Fishing and Boating
15 Services, and the department.

16 We are going to be looking at how can we improve our
17 reporting rates. So, you know, staff came to me and several
18 others in the department a couple weeks ago and said, geez,
19 this isn't looking good so we wanted to make sure we put it on
20 the agenda. We will also talk to tidal fish on Thursday and
21 bring it up.

22 But, you know, it is something we want to alert you
23 to. We are not exactly sure what to do at this point but that
24 is why we have you guys. We need your ideas and thoughts and
25 feedback.

1 MR. LANGLEY: I tell you, I can't emphasize enough
2 how important reporting is in all the fisheries: commercial,
3 recreational, surveys as well.

4 I know too the charter boat industry, there has been
5 a struggle in the past but I am getting some negative
6 information about people are trying to report. They are
7 asking for log books. They are not available. As far as
8 means of reporting, the charter boat industry itself is made
9 up with a very diverse group of individuals.

10 Most of them are probably 50+ in age right now. We
11 have got some young guys coming in but historically they are
12 not all electronically savvy. So to get these guys and get
13 everybody on the electronic field, it is going to require
14 quite a bit of training.

15 Personally I think that is the way to go. I would
16 like to see it. Once you get used to it and whatnot, you can
17 almost report from your phone if you want to or wherever you
18 are. But there is a large group of individuals who just
19 aren't going to come on board on this overnight.

20 And it is going to -- as far as log books, these
21 sorts of things, as far as paper reporting, if we have access
22 to these tools until that transition can be made, I think it
23 would help get the reporting up.

24 MS. KENNEDY: Okay, so two things I have to say
25 about that. One is that interestingly enough, more than 80

1 percent of our charter boat reporters, charter boat users,
2 report using an older version of our electronic reporting
3 system. They report using SAFIS.

4 So in terms of reporting electronically, the charter
5 boat fleet is doing a good job with at least signing up to
6 report via that system. Whether or not they are submitting
7 those reports, that is a different story but they are at least
8 signed up and agreed I am going to use this system.

9 And second of all, just so everyone is aware, if we
10 do need to do a better job making sure log books are
11 available, please let me know. And if you are having trouble
12 contacting the people or getting a response that you need,
13 please just contact me but also, so everyone is aware, all
14 copies of blank reporting forms are all available on our
15 Website.

16 So if folks are screaming for a log book and they
17 are not getting it, and they can't get a hold of anybody, it
18 is always available on our Website.

19 MR. SIKORSKI: Jim, I have you next.

20 MR. GRACIE: Yes, I would just like to ask Dave, do
21 you guys intend to develop a plan to address this in some
22 timeframe and come back to us with it or do you want input
23 from people on the commission on a group or something?

24 MR. BLAZER: Yes, we have been talking about some
25 different ideas. You know, again we want to try to identify

1 the problem and then, you know, electronic versus paper versus
2 log books.

3 So we are still trying to sort out what we would
4 like to see. So this is really just kind of a first step.

5 MR. GRACIE: Can we expect some feedback from the
6 next commission meeting maybe?

7 MR. BLAZER: Um hmm.

8 MR. GRACIE: Okay.

9 MR. O'BRIEN: Yes, this is a subject, Phil is there
10 to witness it. In fact, he has got to chair the meeting. I
11 don't think there is anything that comes up any more in our
12 meetings, any more steadily, than this reporting.

13 And when I communicated with you last year, I was
14 told I was the only one complaining. I told Phil we ought to
15 get a recording of this because this is total confusion as to
16 what they should be doing.

17 And I know you all had problems relative to your
18 electronic system, and that can happen to anybody. But
19 communications on DNR's end were not great, and again when I
20 was told I was the only one complaining, that sort of got to
21 me a little bit.

22 MR. BLAZER: We have heard from others so --

23 MS. DEAN: So first of all, I think I am in the same
24 boat with Phil. I understand how important the data is. The
25 data doesn't always help out our commercial --- .

1 Overreporting, underreporting, whatever it may be.

2 But with that all aside, I don't think that I would
3 do this if it wasn't on the sport fish agenda to talk about
4 the commercial reporting. I kind of had hoped that the sport
5 fish agenda would include reporting from the recreational
6 sector, which, in crabs and fish, we know is kind of missing.

7 And I hear the concerns about the charter boat
8 industry, and that sounds good, the 80 percent, but kind of
9 when the data comes in and I look at the numbers of fish that
10 are being caught, those reports might not be coming in.

11 But if you would humor me for a minute. We run a
12 business and these are the finfish logs that we have to fill
13 out daily for everything that we do.

14 This is the shellfish byticket for the oysters that
15 we have to do. This is the bushel tag that goes on the bushel
16 before we get back to dock, one per bushel but when we get
17 back to the dock, this has to go on. This is our dealer tag.
18 So all those can come off and this can go on now, one bushel
19 at a time.

20 This is the bushel tax that has to be filled out.
21 That is a form that has to be carried to Holland Point or
22 mailed in. This is the dealer bytickets for oysters, the
23 daily reporting oysters, and there are more than one license
24 here because again we are running a business.

25 This is my striped bass card, permit card, that has

1 to be filled out. This is my charter boat log. This is my
2 striped bass check station, which I can also do online. This
3 is for crabs because I do that online. This is, oh, my
4 aquaculture report. The is my monthly dealer buying report.
5 That is my husband's. He can do that himself.

6 This is my monthly oyster report. And this is the
7 health department.

8 MR. GRACIE: Is that it? I need a bigger boat.

9 (Laughter)

10 MS. DEAN: These are my aquaculture tags. It is a
11 business, guys. And I don't know the answer but it is not
12 working. And I get it, and I know that some of it is we are
13 not comfortable with how the data can be used when it comes to
14 commercial industry.

15 But I know on the flip side, we need the data when
16 we go to ASMFC. And I know Carrie is so tired of calling me
17 to ask me where my logs are. And I know my name is online,
18 Rachel Dean for late logs. But I am overwhelmed.

19 I mean, these finfish logs, you have to do a
20 separate page if you fish a separate gear so heaven forbid on
21 a day you, you know, you go out in the morning and you use a
22 gill net and you go out in the afternoon and you hook and
23 line, fish pot, haul seine, whatever you are doing.

24 But I get it, I get that it is a frustration but the
25 system is not working and it is broken and I know the answer

1 | could be the electronic but I can't always to get it to work
2 | for me.

3 | I have two different log-ins just for my check
4 | station versus me, and it is all a privilege, I know it is a
5 | privilege, and I know this responsibility comes with the
6 | privilege but it is a lot. It is a lot. I will put this away
7 | now but I don't need to do this at TFAC but I just wanted you
8 | guys to see it. Thank you.

9 | MR. SIKORSKI: I appreciate that, Rachel. I think
10 | it is important -- that is exactly why we have a tidal fish
11 | liaison here and that is what Rachel is here for, to give us a
12 | good perspective of different things that other stakeholders
13 | have to deal with in managing our fisheries. Mack, you are
14 | next.

15 | MR. WOMMACK: Yes, I am kind of on page with Rachel
16 | because I know a lot of charter boat captains are sport
17 | fishermen and truthfully this data system you have got is a
18 | joke.

19 | The charter boat captains aren't going to put down
20 | what is going on and go through all these headaches. And the
21 | sport fishermen definitely aren't going to write down what is
22 | being caught out there every time they go fishing.

23 | So I think that we really need to somehow form a
24 | committee or something and see how we can adjust this program
25 | because -- just talking to different captains and things and

1 sport fishermen, you know, it is more of a pain in the ass
2 than it is to be done so we definitely need to look at how we
3 are going to re-do this thing here.

4 MR. LANGLEY: Just to follow up on Mack, I agree,
5 and Rachel, you didn't get into detail but, you know, as far
6 as the whole reporting process -- commercial, charter and then
7 there is recreational -- and our industries depend so much on
8 accurate data, you know, especially at the ASMFC level.

9 And whatever we can do, okay, as a workgroup or
10 whatnot to pull together and get as accurate -- I know that
11 they use MRIP data, and a lot of times as commercial charter
12 guys, I know that what the MRIP data shows doesn't agree with
13 what the charter boat guys are showing, and we look at each
14 other as far as a charter industry that, you know, most of the
15 time people are paying us on an average of \$100, \$120 apiece
16 to be on our boat.

17 We have got incentive to catch fish for them. And
18 if our numbers aren't showing those high numbers, you know,
19 are the recreational fishermen that much better than we are?
20 They are in the wrong business if they are.

21 So these are the things that we struggle with, with
22 the reporting system, and I am not saying that is not the
23 state in-house here. That is what the Atlantic State Marine
24 Fisheries Commission uses is the MRIP data but it doesn't
25 always align, and then guys get a little bit frustrated

1 | because they say, well, it doesn't match. There is way that
2 | this could have happened.

3 | It is something that we are all going to have to
4 | unite and work together on to try to resolve this and make it
5 | as good as we can possibly make it because I know the
6 | department is totally reliant, you know, on the information
7 | that you are getting from the user groups as well, thank you.

8 | MR. SIKORSKI: I think it would be important to note
9 | that with regard to MRIP, the Marine Resource Information
10 | Program, is that correct? Marine Recreational Intercept
11 | Program. Recreational catch accountability.

12 | It has been reviewed by the National Scientific and
13 | Statistical Committee, I believe, and that review is going to
14 | be released next week at ASMFC or at least --

15 | MR. BLAZER: Well, actually it was released last
16 | week. They are coming to ASMFC and giving a presentation at
17 | ASMFC next week. I don't know what day but it is on the
18 | agenda.

19 | MR. SIKORSKI: So this issue isn't just here in
20 | Maryland. The feds have recognized it, and MRIP was supposed
21 | to be a better version of the previous one called MRFSS. I
22 | believe it hasn't worked out as well as expected so the feds
23 | are listening and trying to find a better way to capture our
24 | catch data and manage our fisheries more effectively.

25 | Any other questions on this topic?

1 (No response)

2 MR. BLAZER: So actually, if I can kind of wrap it
3 up, I appreciate the conversation. I think it is worthwhile.
4 You know, we are still trying to develop a plan to address
5 this. We know it is an issue. We wanted to share it with you
6 today. I appreciate the recommendation and we will put this
7 on the agenda to try to come back.

8 We will try to decipher and come up with some
9 different ideas to come back to you. We just wanted to kind
10 of get the ball rolling. This is a significant issue that we
11 have to deal with as a resource agency. We brought it here
12 mainly because of charter boats but we are going to share kind
13 of the same information with TFAC on Thursday. And Rachel, I
14 appreciate your visual aids.

15 MS. DEAN: I am a teacher.

16 MR. BLAZER: Yes, that was fantastic. So again we
17 will come back to you next go round.

18 MR. DeHOFF: One last thing. I think that one of
19 the things that is going to fall upon all of us in here with
20 the people that we deal with on these issues is that we need
21 to try to develop some trust with these people so that we
22 get -- not only do we get the information turned in on time
23 and on a regular basis but that it its accurate.

24 You know, there is a lot of distrust out there right
25 now and everybody is afraid. Well, if I overestimate or I

1 go through the monthly report but I thought I would just take
2 a few minutes and talk about some of the work products and
3 initiatives that freshwater fisheries has over the coming
4 months. I kind of have it broken up into categories

5 The first are reports. We have three technical
6 reports that we plan to finish over the next couple of months.
7 The first is the general angler preference survey, and I
8 think folks here remember Dr. Knoche came in, in July and
9 presented on the general angler preference survey. He has
10 finished the analysis and he is in the process writing that
11 report. So that will be available for dissemination soon.

12 The second report is one on the wild trout angler
13 preference survey with the focus on brook trout, particularly
14 in the upper Savage. Alan Heft presented on that as well, the
15 purpose, methods and then some preliminary results.
16 Dr. Knoche has helped with some of the analysis and report
17 writing so that report should be done here in the next month
18 or so.

19 The other report is really going to be brief,
20 concise but it is going to summarize status and trends of
21 brook trout in the Upper Savage River, looking at the data
22 that has been collected over the last decade from 2007 to
23 2016.

24 Dr. Bob Hildebrand is working on that report as a
25 deliverable as part of one of the contracts we have. We don't

1 really have a concise report that summarizes what we are
2 seeing in the Upper Savage, you know, following the
3 regulations that were enacted in 2007 so that is his task. He
4 is working with Alan Heft to finalize that. And that will be
5 available for dissemination too.

6 Education and outreach: Another topic. Last year in
7 June at Big Run State Park we had our first annual Youth Brook
8 Trout Fishing Clinic. It was a big success. We had over 30
9 kids attend. A lot of sponsors donating food, rods, reels,
10 tackles.

11 We had multiple stations, the kids rotated through.
12 It was a great event. We had good weather and we are planning
13 to do that again at Big Run State Park, Upper Savage River
14 watershed.

15 The goal really is to engage youth in Western
16 Maryland, particularly in the Upper Savage River watershed,
17 teach them to become better anglers, trout anglers but also
18 teach them to be good stewards of the resource. So that is
19 the purpose of that event. That will be in June.

20 Folks probably know about the Upper Gunpowder River
21 Project, looking specifically at brook trout in the upper
22 Gunpowder, looking at -- there is a large conservation effort
23 for brook trout. We did some radio telemetry in '16, looking
24 at the movement patterns of brook trout, moving from the main
25 stem of the upper Gunpowder into the tributaries.

1 We are going to continue that work this year. We
2 weren't but we are going to purchase additional tags and tag
3 fish in the spring and look at their movements. See what
4 tributaries they are going into, where are these fish looking
5 for thermal refugia during the warmer periods. That will help
6 with targeting conservation and things of that nature.

7 So that is going on. I know Jim particularly is
8 probably interested in what is going on regarding Maryland's
9 water-quality standards, use redesignation. As you guys know,
10 MDE is considering some policy changes related to putting
11 streams that have cold-water resources into a more protected
12 use class when it comes to addressing thermal issues that
13 could occur through various activities in the landscape.

14 There were a series of tasks, key tasks, that MDE
15 identified. You know, we are obviously a partner working
16 through those key tasks. There was a conference call in the
17 middle of December, December 14. In those discussions, you
18 know, MDE hasn't made a lot of progress in some of the key
19 tasks that were laid out but, you know, we are basically at
20 this point in a holding pattern waiting to get some direction
21 from them as to where they are heading.

22 Our responsibility as the agency is to provide the
23 data and the science to support Maryland's water-quality
24 standards and make sure that they are consistent with the
25 Clean Water Act.

1 So we are going to collect some additional data this
2 year, and some of the tributaries that aren't currently Use
3 III or nontidal cold water to help support the protection of
4 those long term depending on where these things go.

5 Just -- one of the internal initiatives that I have
6 primarily focused on recently is our database management
7 system. It is a work in progress that is getting better. We
8 are working with IT here. For two reasons, I want to improve
9 it: One, to be more prompt and accurate when we fill data
10 requests because we do requests for fisheries data. So I want
11 to make sure we are filling them promptly and providing
12 accurate information.

13 Two: Working on -- I don't know, we haven't really
14 called it anything specific but it is essentially a mapping
15 tool that is going to be interactive, Web-based, it is going
16 to display all the freshwater fisheries' resources statewide.
17 You know, through the surveys that we have collected.

18 In no one place does that data really exist or those
19 mapping tools exist or products exist. And it is going to be
20 both for internal and external customers to help us achieve
21 our mission.

22 I mean, if it is used by county planners and
23 comprehensive plans and environmental review and all the other
24 organizations or groups that could utilize that information to
25 help us achieve our mission, that is my goal, to get that

1 to court on this if they try to issue a permit on the stream
2 that has a trout population but doesn't have the Use III
3 designation.

4 The lawyer we are working with has said that
5 Mandamus would be a slam dunk if it is under consideration and
6 they are trying to do it without the new standards. So we
7 feel pretty confident that if they make a move, we will be
8 ready to respond to it.

9 We were told -- I guess it was, I am trying to
10 remember now, probably either March or May we had the big
11 meeting with a dozen people from Carroll County and almost as
12 many from MDE and Art Sankle* and I were the only Trout
13 Unlimited people there.

14 Everybody said we want to work with you to come up
15 with something that is reasonable. I am not sure that we and
16 MDE would agree on what is reasonable. We think the 68 degree
17 number is reasonable. The only problem we have with the whole
18 program is that MDE has used a clause, and I think it is still
19 regulatory language, that says water-quality standards 68
20 degrees or higher if higher temperatures exist in the stream
21 naturally.

22 That is a problem, and if you think that a
23 temperature point somewhere in a stream is what protects a
24 stream and don't understand that trout move as temperatures
25 change, you could do something like that and think that you

1 | were doing all right.

2 | In fact, if the main stem Savage River, I have seen
3 | the data, and I got it from you guys and confirmed it now,
4 | goes up to above 78 degrees. And that is certainly the heart
5 | of a brook trout population.

6 | The trout obviously move out of that area. So if
7 | you allow somebody to do a discharge in the Savage River at 78
8 | degrees, and I would submit that a smart lawyer could almost
9 | force that on MDE because of their history. They have done
10 | that because it occurs naturally at higher temperatures. You
11 | could create a situation where trout couldn't get to the cold
12 | water refugia.

13 | MR. PROCHASKA: Thermal barrier.

14 | MR. GRACIE: A thermal barrier. You could also
15 | create a situation where you have cumulative effects
16 | throughout the watershed going up to 78 degrees. So there is
17 | a real problem with the way this is being implemented. I
18 | think they want -- obviously they want something less
19 | restrictive. And they are thinking, gee, if brown trout can
20 | take higher temperatures, maybe we ought to have a different
21 | standard for them.

22 | Trout Unlimited maintains and will continue to
23 | maintain that the only difference between brook trout water
24 | and brown trout water for native trout streams is the
25 | temperature. The water-quality requirements, other than that,

1 are the same for both of them.

2 So that if that is the only difference, we think
3 that there are miles and miles and miles of trout water in
4 this state that could become brook trout water if you just had
5 things like programs to add shade.

6 So that is the potential, and our understanding of
7 the Clean Water Act is that the designated use should be
8 maximum potential attainable if all reversible manmade
9 pollutant impacts were removed. So by changing something to a
10 higher temperature that is a brown trout stream, they have
11 foreclosed that future potential. So we are going to fight
12 that no matter how they do it.

13 So I am not sure we are going to come to any
14 reasonable agreement. We have gotten some recent data now
15 which says that 68 degrees might be an optimum temperature,
16 maximum temperature for brown trout. So there is quite a bit
17 of literature that supports that.

18 I can't imagine that Warnecke was that smart in 1974
19 and '75 when he put all these things down there. But pretty
20 amazing when you think about it. So I don't know how they are
21 going to move ahead on this but Trout Unlimited is certainly
22 going to do everything it can to stop it. So just the
23 commission knows.

24 You all know we have a subcommittee on wild trout
25 here. We have been talking about that and discussing

1 strategies. There is only so much that is appropriate for the
2 commission to do, and we haven't really asked the commission
3 to take any positions yet. But Trout Unlimited is free to do
4 what it thinks is right so we are going to do what we have to
5 that way too.

6 That is just for your information, and I haven't had
7 an official confirmation that they are holding off on that but
8 I have heard from several sources that they would like time to
9 try and work something out without having to battle, which I
10 think is probably a good idea but I don't know what it is
11 going to be.

12 I am certainly willing to listen and I think all of
13 us are.

14 MR. PROCHASKA: Well, some of the key tasks were
15 laid out, you know, had specific deadlines, and those
16 deadlines have passed. So there was obviously some either
17 reconsideration or --

18 MR. GRACIE: There was a pretty optimistic,
19 aggressive agenda too for the stuff -- I mean, I don't know
20 where you get all the manpower and resources to do what needs
21 to be done. We don't have that kind of information to make
22 safe decisions for trout water in Maryland.

23 MR. BLAZER: It is always good to hear compliments
24 of some of our former biologists -- Dave Warnecke.

25 MR. GRACIE: Was that a compliment?

1 MR. BLAZER: I thought so, I thought so. He did the
2 right thing back in the '70s. That is the way I caught it.

3 MR. GRACIE: I actually talked to him three weeks
4 ago to see if he could remember the rationale for some of
5 those decisions. Surprisingly, he did. He is down in Florida
6 now. He has been there since he retired.

7 MR. SIKORSKI: Okay, any other --

8 MR. PROCHASKA: Anything else?

9 MR. SIKORSKI: Thank you, Tony. All right. Kelly,
10 you are next. We have an update on the Mallows Bay Potomac
11 River National Marine Sanctuary.

12 ***Update on Mallows Bay, Potomac River National Marine Sanctuary***

13 ***by Kelly Collins Choi, MD DNR Fishing and Boating Services***

14 MS. CHOI: Good afternoon. Kelly Collins with DNR.
15 And I also have with me Sammy Orlando, who is with NOAA's
16 Marine Sanctuaries Office. He wanted to also come in case
17 there were any questions.

18 But we wanted to go over -- it has been a couple
19 years since we updated the committee on the National Marine
20 Sanctuary designation effort at Mallows Bay on the Potomac
21 River. So we wanted to give you a sense of where we are and
22 ask for your continued support as we move forward.

23 (Slide)

24 So back in 2014 we put the nomination in. It was a
25 joint effort between the state of Maryland, DNR, the Maryland

1 Historic Trust and Charles County with a number of partners.
2 And we had probably 60 letters of support at least, including
3 one from the Sport Fisheries Advisory Council and the Tidal
4 Fisheries Advisory Commission that at the time said that we
5 were in support of the nomination, I think with the caveat
6 that there were no detrimental effects to fishing and public
7 access.

8 MR. BLAZER: Kelly, if I can just inject that, that
9 letter is actually in Tab 6 so --

10 (Slide)

11 MS. CHOI: So after the nomination went through, we
12 had an open public comment period, and we held public meetings
13 in La Plata and here in Annapolis. And we had quite a bit of
14 feedback from the community.

15 We had a number of folks who suggested that we look
16 at expanding the boundaries of the area that we had nominated.
17 We had a number of folks who wanted to retain the name Potomac
18 River in the sanctuary so that people throughout the country
19 would have a sense of where this was located. A lot of people
20 have not heard of Mallows Bay.

21 Again loud and clear, over and over, nobody wanted
22 adverse impacts on recreational or commercial fishing. We
23 didn't realize this was a big issue but a lot of folks
24 currently use the area for fossil collection and they wanted
25 to make sure that they still had the rights to do that.

1 A lot of the business community wanted to make sure
2 that there weren't any impacts on local land-use planning.
3 You know, the sanctuary is totally water based but there were
4 still concerns that there might be impacts to the shorelines
5 and lands.

6 And we heard that there was a lot of support for a
7 visitor's center, some kind of educational facility in the
8 future. And then also folks really wanted to see the
9 designation by April of 2017 to coincide with our entry, the
10 centennial entry into World War I. And unfortunately due to
11 the way that federal programs work, that is really not
12 possible.

13 So we are hoping that we can get through designation
14 in about 12 months.

15 (Slide)

16 So exactly where we are in the process: After that
17 initial round of public comment, we had to develop, take those
18 comments and develop a draft environmental impact statement
19 and management plan. So I will go over a bit about those
20 documents, which are now publicly available.

21 And we have a new comment period that is open now
22 through the end of March as well. Once we finalize this open
23 public comment period, then we will finalize the documents and
24 move into full designation.

25 (Slide)

1 So a little bit about the environmental impact
2 statement management plan. If you have ever read one or
3 worked on one, they are very, very long documents. And so it
4 is about 200 pages plus, and so I believe we provided a
5 highlights "cheat sheet" version because I don't know if
6 everyone is going to, you know, want to read through every
7 piece of it but it defines two stated purposes and needs for
8 the sanctuary.

9 And the first is the resource protection of the
10 maritime heritage resources. So I note again this does not
11 mention natural resources. This is purely focused on the
12 maritime resources. In this case, the shipwrecks.

13 And second is facilitating public access because we
14 want to bring more people to the site and create new
15 opportunities for access. So the EIS required us to evaluate
16 different alternatives, and in this case we identified three
17 alternative boundaries, which I will go into, and then we had
18 to identify a preferred alternative.

19 We also had to evaluate environmental and social
20 consequences and provide a management plan.

21 (Slide)

22 So the first alternative we are calling Alternative
23 B. This coincided with the original nomination. It is about
24 18 squares miles just south of the Mallows Bay park area. So
25 this coincides with the National Register of Historic Places

1 designation, which was established through Maryland Historic
2 Trust and the National Park Service, and really captures the
3 majority of the over 100 World War I wooden steamships that
4 are located right around the Mallows Bay area.

5 As well as a number other battle scapes and heritage
6 sites of the Maryland Indian tribes.

7 (Slide)

8 So from there we looked at boundary expansion for a
9 couple reasons. One, because we had gotten so many public
10 comments. But two, our stated purpose was to look at the
11 maritime resources and there are additional shipwrecks that
12 have floated loose in Mallows Bay and now reside further down
13 across from Caledon State Park.

14 If you are familiar, kind of along the southern
15 portion of the Potomac there as you go around the bend. So we
16 wanted to capture those ships as well as a whole host of other
17 historically important areas. We have a Civil War barge, we
18 have the Wawaset, which was an unfortunate tragedy that
19 happened along the Potomac. It was an 1873 steamboat.

20 And then, as you can see, a number of other really
21 interesting aspects of Maryland's history. In addition it
22 facilitates a lot more shoreline and potential for
23 recreational access.

24 (Slide)

25 Now the third alternative was the largest. This was

1 put forward by a number of groups. This is not our preferred
2 alternative as it doesn't actually pick up any more of the
3 heritage resources that we were looking at for the sanctuary,
4 and so we didn't feel that it was the most appropriate
5 boundary.

6 (Slide)

7 So any of this is available for public comment. We
8 want people's input on the boundaries. We also want input on
9 the potential new rules that would go along with the
10 sanctuary, and there are very few. There are three to be
11 exact. They are up on the screen.

12 So number one is basically don't damage the maritime
13 resources. There have been fires on some of the ships that
14 have taken weeks to put out. There have been people taking
15 artifacts from the ships and so we really want to kind of
16 streamline the enforcement and protection of those heritage
17 resources.

18 And so this just prohibits -- basically we kind of
19 say don't take it and don't break it. The second is damaging
20 sanctuary signs. Basically you can't remove a sign that NOAA
21 has put up. And third is interfering with any kind of
22 investigation that might have to do with enforcement
23 activities within the sanctuary. Are there any questions
24 about these?

25

Questions and Answers

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MR. GRACIE: The term sanctuary resource troubles me. It is not defined.

MS. CHOI: So it actually is defined. Yes, we caught that too. It is defined earlier in the document as the maritime heritage resources. Just in this, in this aspect --

MR. GRACIE: It almost says you couldn't remove a fish.

MS. CHOI: Right, and we didn't want that confusion. It is defined earlier in the document, which carries through the entire document.

MS. DEAN: It is defined as maritime heritage resources? I don't know that, that does it either. What does that -- the boats. That is exclusively said.

MS. CHOI: Many sanctuaries are obviously very focused on natural resources. And that is not the case here.

MR. NEELY: Is there any leaching from the ships that would hurt fish populations?

MR. CHOI: Not that we are aware of. In fact, from everything I understand, the wooden sediments have actually helped that area to be a really productive fish spawnery and nursing grounds.

MR. SUTHERLAND: What was the discussion of commercial fishing in the document? Is it mentioned anywhere? I mean, how is it handled?

1 MS. CHOI: It is, and again we are looking at no
2 impact to commercial fishing. We talked with the Potomac
3 River Fisheries Commission as they regulate the main stem of
4 the Potomac, and we wanted to ensure that they -- all
5 authorities for fishing, all authorities for land use are
6 retained with the state authorities or the Potomac River
7 Fisheries Commission so there really won't be any change to
8 commercial fishing.

9 MR. SIKORSKI: Our previous letter of support came
10 with that caveat, that there would be no interruption of
11 commercial and recreational.

12 MS. CHOI: We did have to look in the environmental
13 impact statement about the effects of things like fishing
14 gear, and it was all determined that there would be no adverse
15 impact on any of the sanctuary resources. So there should be
16 no conflict there.

17 MR. LANGLEY: And David kind of answered a question
18 I was going to -- the biggest resistance I heard from Potomac
19 River Fisheries was that it didn't interfere or impact the
20 commercial fishing that was currently taking place in those
21 areas. And as far as the commission, that it didn't affect or
22 impact the current compact that was written in 1958,
23 regulatory --

24 MS. DEAN: Are we being asked then to comment on the
25 three different options for --

1 MS. CHOI: Yes. So we are taking comments on the
2 three boundary options. We are taking comments on the
3 proposed regulations. We are taking comments on the sanctuary
4 name itself. And we are taking comments on the management
5 plan.

6 MR. GRACIE: I missed something. You have made a
7 decision on the preferred alternative in other words.

8 MS. CHOI: As part of the EIS, we have to put
9 forward a preferred alternative. But that does not need to be
10 the final alternative when we basically put forward the final
11 designation documents.

12 So we will take the public comment --

13 MR. GRACIE: So you haven't made that decision yet.

14 MS. CHOI: No. We have a preferred alternative but
15 it is not the final.

16 MR. GRACIE: So you would still take comments on
17 that.

18 MR. WOMMACK: So all these sanctuaries up in the
19 river, but they are basically all above water, right? None of
20 them --

21 MS. CHOI: The shipwrecks?

22 MR. WOMMACK: Yes, the shipwrecks. None of them are
23 submerged?

24 MS. CHOI: It depends on the tide.

25 MR. WOMMACK: So basically it is a haven for birds

1 | then.

2 | MR. SIKORSKI: Any other questions?

3 | (No response)

4 | (Slide)

5 | MS. CHOI: And just briefly, so the management plan
6 | that is attached, you know, there is very little regulation
7 | associated with this sanctuary. We are really looking at
8 | programming to promote things -- protecting the maritime
9 | resources, enhancing recreation/tourism. As I said, we want
10 | to increase public access.

11 | We are already seeing an increased number of
12 | tourism. Down in Charles County, they have a whole Get
13 | Wrecked campaign to bring people out to the area. We want to
14 | strengthen educational opportunities. We are working with a
15 | number of local schools in the area.

16 | Duke University went out there recently to do drone
17 | aerial footage. And then promoting research, science and
18 | technology. So, you know, already we are in talks with the
19 | National Marine Sanctuary Foundation to hopefully get a grant
20 | to put in a water-quality monitoring station there that we had
21 | to take offline a couple years ago due to lack of funding.

22 | So we are already seeing opportunities but we hope
23 | once we have designation and we have this national recognition
24 | that there will be a bit more opportunity.

25 | MR. SOUKUP: I think using the name Potomac River is

1 | important. You know, other people have a geographical
2 | reference. So that is a good idea.

3 | (Slide)

4 | MS. CHOI: And then after designation, this would be
5 | a co-managed area cooperatively with NOAA, the state of
6 | Maryland and Charles County. So again all of our
7 | recreational/commercial fishing would continue as it has.
8 | Nothing, no authorities are being federalized here.

9 | All of the recreational uses will continue as before
10 | as well as archeological research will continue with permit
11 | from the Maryland Historical Trust. And we will be developing
12 | a memorandum of understanding with NOAA on this.

13 | (Slide)

14 | So as I said, the public comment is open until the
15 | end of March. We are going to hold a series of public
16 | meetings the first week in March, again in La Plata and here
17 | in Annapolis on March 7 and March 9. So we would love folks
18 | to come out and voice their opinions.

19 | There is also an opportunity to go on
20 | regulations.gov. We would love to have another letter of
21 | support from the Sport Fisheries Advisory Commission if you
22 | feel that you would like to continue supporting this
23 | designation.

24 | MR. SOUKUP: Is Mallows Bay named after a person or
25 | after --

1 MS. CHOI: It is after a person. It was originally
2 Marlow, I believe, was the family.

3 MR. SUTHERLAND: What was in that person's hand in
4 the previous slide?

5 MR. DeHOFF: Shark's teeth.

6 MS. CHOI: Yes.

7 MR. NEELY: What would you like us to do?

8 MS. CHOI: Ideally we would love another letter of
9 support from the Sport Fisheries Advisory Commission.

10 MR. GRACIE: We actually had a request from several
11 organizations to support the larger boundaries. I don't think
12 we acted on it. What is the deadline for comments?

13 MS. CHOI: March 31. And ideally working with NOAA
14 on these documents, DNR and --- felt like I preferred boundary
15 was Boundary C, which was that middle-sized boundary. Not the
16 largest and not the smallest.

17 MR. GRACIE: I am making the point because maybe we
18 would want to have somebody make that pitch and have a
19 discussion before we decide.

20 MR. SIKORSKI: Right. At this point, we have a
21 different set of -- we have actual choices to make as a
22 commission as opposed to just simply supporting, moving
23 forward with the designation. So Jim is correct. We want to
24 consider how we can retain input from various folks, as Jim
25 said, that provided us input in the past.

1 So we will have to think about how we can do that.
2 David, do you have a question?

3 MR. SUTHERLAND: Yes, is there going to be a lot of
4 NOAA funding associated with this?

5 MR. ORLANDO: (away from microphone) That is being
6 looked at. It is all to be determined. A lot of it has to do
7 with the outcome of the ultimate designation, all the
8 co-management aspect of this, et cetera, et cetera. Budget
9 cycles work in all their mysterious ways.

10 Of course, there would be federal funding that would
11 come along as we are looking at another infrastructure option.
12 Things like a visitor's center that Kelly talked about. We
13 would like to get some more kayaks out there, kind of move
14 around in some launch area. Get some exhibits and some kiosks
15 out there. That would support a lot of this. Yes, I mean, in
16 some form or fashion.

17 MR. SIKORSKI: Can we have your name for the record?

18 MR. ORLANDO: It is Sammy Orlando. NOAA's Office of
19 Management Marine Sanctuaries.

20 MR. SUTHERLAND: How does that tie in with which
21 option we might go with? Is there a reason -- you know, if
22 the funding came in at this, you would go with the larger? If
23 the funding were smaller it would be more suited for a smaller
24 sanctuary?

25 MR. ORLANDO: It isn't necessarily tied to the

1 geography. It really is tied to the priorities that the
2 public helps us decide what they are.

3 Some of those priorities might be related to
4 resource protection, might be related to creating water trails
5 or education programs, and those things have varied costs.
6 And you can go into any of those in the shallow detail or
7 great detail.

8 So it really is a matter of what priorities come out
9 of the management plan and the public comment period, and we
10 are looking for you guys to weigh in.

11 MR. TRAGESER: Could you bump that back to the
12 Option C for a moment?

13 MS. CHOI: Sure.

14 (Slide)

15 MR. TRAGESER: That is the preferred, and I believe
16 that was some of the parties that we have talked to before,
17 this was the preferred designation that we were looking at,
18 the expansion, that first expansion.

19 MR. GRACIE: No, this isn't the expansion.

20 MR. TRAGESER: Well, go back to B.

21 (Slide)

22 MR. GRACIE: Oh, you are saying this.

23 MR. TRAGESER: That was the original, then you did
24 an expansion for C. The D, and you said there was really no
25 ships or anything in that area?

1 MS. CHOI: There is some undocumented but we don't
2 have --

3 MR. TRAGESER: This supports visitor's use and
4 recreational access. Is there more of that in place already
5 that far up than other areas? Is that why it received some
6 consideration, because of that?

7 MS. CHOI: Yes.

8 MR. TRAGESER: Okay.

9 MS. CHOI: And you know, as we increase the
10 shoreline we are going to pick up additional public access
11 points and there were some folks who wanted to locate a
12 visitor's center in Indian Head itself.

13 MR. TRAGESER: To me personally, because we had been
14 talking about this for a long time, and our group was one of
15 the groups that Maryland Bass -- well, actually we are Bass
16 Nation not Federation. So we had been talking at length about
17 this.

18 Personally for our group, it seems to expand it just
19 way too far. I think the Alternative C is, me personally, is
20 the best. Big but not overly. It encompasses what you want
21 to encompass.

22 MS. CHOI: And if it is helpful, we have some form
23 letters and draft resolutions for groups that we can send you
24 to take a look at as well and decide if that would help in
25 your decision as well as some of the information on the

1 different alternatives.

2 MR. SIKORSKI: Okay. So unless other commissioners
3 feel differently, I propose that we would receive these form
4 letters, make sure we have a chance to digest the information,
5 go back to our groups and talk to some folks. Realize we have
6 a deadline of March 30th?

7 MS. CHOI: 31st.

8 MR. SIKORSKI: 31st, and --

9 MR. GRACIE: We have a meeting before that.

10 MR. SIKORSKI: No, we do not.

11 MR. GRACIE: So how are we going to do that?

12 MR. SIKORSKI: I think we could handle it
13 electronically. Tidal fish commission will be reviewing this
14 on Thursday, and the last letter was a joint letter so -- I
15 can report back to this commission on what the tidal fish
16 commission has to say. If it seems like we have areas of
17 commonality there, we could sign a joint letter.

18 MR. GRACIE: I would propose something else then
19 because I was mistaken. I thought the 52 square miles was
20 pre-expansion set of boundaries. If it is not, I think we
21 have already dealt with that. So that I don't know that we
22 need a big discussion for that.

23 MR. SIKORSKI: Okay.

24 MR. GRACIE: Bass Nation and a number of
25 environmental groups approached me to see if the commission

1 wanted to encourage the expansion but if that has already been
2 done then there is no issue left as far as I know so maybe we
3 can make a decision now if you want to.

4 **MOTION**

5 MR. GRACIE: I move that we send a letter of
6 support.

7 MR. SIKORSKI: Okay, do I have a second? Jim has
8 made a motion to --

9 MR. TRAGESER: I will second that.

10 MR. SIKORSKI: Okay, second from Roger. Any
11 discussion on that motion, and that motion is to sign a letter
12 of support for the preferred alternative, which is on the
13 board there, Alternative C. Any comments from any
14 commissioners on that?

15 MR. NEELY: I know that the Chesapeake Conservancy
16 endorses Plan C. They are one of the leading groups on this.

17 MR. SIKORSKI: Any further comments or questions?
18 All right, then I will call the question. All those in
19 support, please signal by raising your hand.

20 (Show of hands)

21 MR. SIKORSKI: Any in opposition?

22 (No response)

23 MR. SIKORSKI: No opposed. Any abstentions?

24 (Show of hand)

25 MR. SIKORSKI: Rachel is abstaining.

1 MR. GRACIE: Do liaisons get votes?

2 MR. SIKORSKI: No, right? Oh, yes, you get a vote.

3 MS. DEAN: Yes, it is in legislature that I get --

4 MR. SIKORSKI: You are a member, that is correct.

5 All right, so we will prepare a letter. And again, I will
6 report back to the commission what the tidal fish commission
7 has to say on Thursday, and we will at least move forward with
8 writing a letter on behalf of the sport fish commission.

9 Thank you very much.

10 MS. CHOI: Thank you.

11 MR. SIKORSKI: Look at that. We are right on
12 schedule. Mike, you have two free minutes.

13 MR. LUISI: I was just going to say we are on
14 schedule two more minutes probably.

15 MR. SIKORSKI: Obviously this is the part that
16 always gets us off the rails here.

17 MR. LUISI: For two minutes we will be on track but
18 I will do my best, as always, to get us through the topics
19 that are on your agenda for the Monitoring and Assessment
20 Division Report.

21 ***Monitoring and Assessments***

22 ***Michael Luisi, MD DNR Fishing and Boating Services***

23 MR. LUISI: My name is Mike Luisi, and I am the
24 division director. I am just going to start out with just
25 making a few announcements about some upcoming meetings.

1 Then I thought I would touch, I would step back
2 through some of the other topics here on the agenda and then
3 wait until we get to some of the more species-specific
4 discussions toward the end of my presentation, Mr. Chairman,
5 if that is okay with you.

6 MR. SIKORSKI: It is.

7 ***ASMFC/MAFMC Updates and Announcements***

8 MR. LUISI: So the Atlantic States Marine Fisheries
9 Commission meets next week. The meeting will begin on January
10 30th through February 2nd. There are some items of interest,
11 which I think the sport fish commission would be interested
12 in.

13 Also on Wednesday, February 1st at 2:15 p.m., the
14 Atlantic Menhaden Management Board will be convening to
15 discuss the addendum Amendment 3 to the Menhaden Management
16 Plan.

17 We have discussed Amendment 3 many times here with
18 you. It deals with ecological reference points, potential
19 reallocation of the fishery and, you know, we are at the point
20 in time now where the amendment has come to a point for which
21 the Atlantic States Commission took it out for public comment.
22 We had a public hearing here in Maryland. It was well-
23 attended, and we received a great deal of feedback on the
24 amendment.

25 I think at this point regarding amendment

1 development, envision that the amendment is going to develop
2 over the next six to eight months to a year.

3 The timing is always a little bit variable given
4 wrenches that get thrown into the mix but we are -- it is our
5 plan, working with our other commissioners and colleagues
6 along the coast, to make sure and ensure that the amendment,
7 which again looks at a number of different things, will
8 maintain the flexibility that we will need in order to
9 properly manage and work with our stakeholders for menhaden
10 management into the future.

11 The importance of menhaden to the ecosystem as well
12 as well our commercial fishery and being able to manage that
13 commercial fishery effectively and efficiently. So there are
14 a number of things in the amendment right now. Our goal is to
15 maintain the pieces of the puzzle that work for us here in
16 Maryland as well as the ecosystem component.

17 Right now because of the feedback and the fact that
18 the board will be meeting to discuss that feedback, we really
19 don't have any additional information to provide at this time
20 but we will continue to keep you up to speed and in the loop
21 as that amendment develops over 2017.

22 The next day, on Thursday, February 2nd, there will
23 be a meeting of the Summer Flounder, Scup and Black Sea Bass
24 Board. The big topic there will be summer flounder management
25 for 2017. The recreational harvest in 2016 exceeds the -- it

1 exceeds the recreational harvest limit, which has been
2 established in 2017 by about 30 percent.

3 So the quota got cut back -- I am sorry. The quota
4 got cut back by 30 percent, and I have reported that to you
5 before. That was as a result of spawning stock biomass
6 declines over the last 5 to 8 years. Those declines have a
7 lot to do with overfishing that has been occurring along the
8 coast not just within one particular state but coastwide there
9 has been overfishing happening as well as poor recruitment.
10 The juvenile populations each year have just been below
11 average.

12 And therefore, we don't have the cavalry coming to
13 save the troops, and the stock has been on a steady slow
14 decline. It was reported to us by the Scientific and
15 Statistical Committee of the Mid-Atlantic Fisheries Management
16 Council that unless the commission and the council do
17 something pretty drastic, that we are going to find ourselves
18 below -- the spawning stock biomass below the threshold.

19 Being below the threshold because this is a
20 federally managed species, would require, under Magnuson, a
21 rebuilding plan. And those rebuilding plans, you can often
22 find yourselves in 50 to 75 percent reductions in harvest
23 coastwide in order to turn that stock around.

24 So the council and commission decided we were going
25 to move forward with -- accept that 30 percent reduction in

1 quota but what translated from that is that the recreational
2 harvest from last year is being projected to be about 41
3 percent over what the quota will be for this year coming.

4 And so the states got together through an addendum
5 and have developed a range of alternatives to deal with this
6 overage. And the good thing about it is that it is kind of
7 simple for us because when you look at all the different
8 options that are presented in Maryland, along with Delaware
9 and Virginia, which we are in a region with, it is all the
10 same.

11 We are very likely to find ourselves having a 1-inch
12 size limit increase. End of story. That 1-inch size limit
13 increase equals between a 25 and a 30 percent reduction. The
14 state of Delaware and Virginia, I believe, are on board with
15 contributing to the effort of, you know, turning this stock
16 around. But however, it is -- we have been talking with our
17 folks on the coast and they are okay with that. It is not
18 something that is going to be all that impactful.

19 There will be some -- there will be less fish
20 harvested but the impacts are not tremendous, and that is as a
21 result of us coming in under our targets each and every year.

22 The impacts are going to be felt more in the areas
23 from New Jersey through Rhode Island. That is where the main
24 hit is going to be. There are a lot of gears grinding and
25 politics working but, you know, for Maryland, I think we are

1 in good shape.

2 But that is an important thing. I know you guys
3 have a few flounder once in a while in the bay but that is a
4 really important coastal issue for us. And that meeting -- if
5 you want to bring some popcorn and see the fireworks display,
6 that is going to be quite something.

7 Right after that meeting that same morning on
8 February 2nd is the Striped Bass Management Board meeting. I
9 am going to hold off because I have a few slides that I want
10 to get to on striped bass, and I know many of you are
11 interested in where we might be in the future for striped
12 bass.

13 So that meeting will be next but I am going to hold
14 off. I will get to that after I get through the rest of our
15 topics of discussion here. Regarding the Mid-Atlantic
16 Council, is going to meet -- has their winter meeting or their
17 February meeting on February 14 through the 16th.

18 It is always nice when they schedule it over
19 Valentine's Day because I miss my anniversary every year
20 because I am with Lynn and Dave in some crazy place along the
21 coast for ASMFC and then I miss Valentine's Day. Not a lot of
22 things going my way.

23 However, at this February meeting -- this is a joint
24 meeting with the Mid-Atlantic Council and the Atlantic States
25 Marine Fisheries Commission -- one of the things that we will

1 be talking about that is of interest for recreational anglers
2 is the establishment of the black sea bass regulations for
3 next year.

4 Again, it is another coastal thing. Our guys on the
5 coast are very interested in where we might end up with black
6 sea bass management but again I don't envision us having to do
7 much, if anything, regarding any reductions that we will find
8 ourselves in.

9 Only 5 percent of the coastwide harvest happens
10 below New Jersey so anything that we were to do as far as
11 adjusting and making modifications due to overages in the
12 previous years end up -- it doesn't equate to much. Even if
13 we make a cut, we are contributing so little to the total catch
14 that the northern states have taken the brunt of most of the
15 reductions that have been needed.

16 Right now you may have read or heard there is a
17 really considerable reduction being considered, upwards to 40
18 percent. However, tomorrow, SSC, the council, is meeting to
19 discuss a new stock assessment that was just approved. That
20 stock assessment indicates that the stock of sea bass is much
21 greater than what we had thought going into the assessment.

22 So it is very likely that any increase in quota that
23 will come from that meeting tomorrow will offset that
24 reduction and we may end up just in a status quo next year for
25 sea bass.

1 Dave and Jim, and then Billy Rice and Steve Lay from the tidal
2 fish commission. We got together with staff and what we
3 agreed to at the time, at that meeting, was -- because we were
4 looking at an overage in the commercial fishery of the
5 previous year of about 14,000 pounds.

6 So there was a 14,000 pound overage from the
7 previous year. And it had to do nothing with the commercial
8 fishermen but it had to do with the timing of our closure.
9 And we were one day off essentially, and we talked about that.

10 So instead of the allocation, which would have
11 offset that overage, instead of changing the 50-50 split to
12 help balance out the overage from the previous year, the
13 working group of those four individuals determined that for
14 this upcoming season, that instead of doing a pound-for-pound
15 payback, which is how we normally do overages. For every
16 pound you go over, you have one less pound next year.

17 They decided on going with a half of a pound payback
18 for every pound over. So instead of having to pay back the
19 14,000 pounds, it was decided that only 7,000 pounds would be
20 paid back this upcoming year, and therefore when we
21 established the quota for 2017, we trimmed 7,000 pounds off of
22 that instead of the 14,000.

23 Now that was kind of, in my opinion, sort of a
24 Band-aid to the long-term approach on how we are going to
25 handle overages. And it was decided by the committee that

1 they would like to reconvene I think maybe after the season is
2 over. We get back together to talk about a longer-term
3 approach in dealing with overages in the commercial fishery so
4 that we don't have to have this conversation each time. We
5 can come up with something that makes sense and that is
6 reasonable and we can go forward from there.

7 Now I will just add -- Jim, I see you have a
8 question. I will just add that this issue, how do we account
9 for commercial overages issue, is something that if we are
10 going to modify it from the current approach, which we just
11 did for the one-year exception, we may want to consider that
12 as part of the amendment to the FMP, which we have talked
13 about now for many, many, many, many rounds.

14 And so the question to you guys at this point would
15 be do we want to finalize the FMP amendment perhaps at your
16 next meeting? Do you want to look at that and finalize it
17 without dealing with this accounting for quota overages as
18 another issue to factor into that amendment?

19 Or would you prefer to hold off on finalizing that
20 FMP amendment until we deal with this issue and come up with
21 an accounting system for quota overages, if we are going to
22 apply some form of method to those overages?

23 And I will say -- and we can stop there,
24 Mr. Chairman, because I see some folks nodding who have
25 questions.

1 discussion. There need to be some ideas on how we are going
2 to assess whatever you want to call it, the harvest quota or
3 the limit because if you have got an expanding population and
4 you catch it the day before, if there are twice as many fish
5 out there to be caught, then the overage is going to get
6 worse.

7 And maybe it is the best we can do in terms of
8 notification to shut it down, but there has got to be some way
9 to assess and protect the population so that we don't have
10 unrealistic quotas because that was my opinion, that the quota
11 was unrealistic based on what was going on in the stock.

12 So that is kind of background that didn't come out
13 in this, and all four of the people in that discussion in the
14 subcommittee from both agreed that is something that we need
15 to do better.

16 MR. DeHOFF: I guess one of the things is the
17 trigger to this was the fishermen continue on until they are
18 closed down by the department. Is there a better way for the
19 department to be more proactive or get a better handle on the
20 poundage that is caught to be a little -- I know it is a
21 difficult thing but is that possible because then if you can
22 head it off then you can kind of reduce the need for that.

23 MR. LUISI: I will say that it is probably the most
24 challenging quota management system that -- because the fish
25 literally get, the full quota gets caught in three days.

1 So when we begin to see the increase in catch, we
2 have 24-hour notification. So once we see that uptick, it is
3 like a fire drill.

4 MR. GRACIE: There is a change in the slope on the
5 harvest.

6 MR. LUISI: The change in the slope.

7 MR. GRACIE: As soon as it changes --

8 MR. LUISI: We know that three days from now we are
9 going to be there and, you know, sometimes we wait just to
10 make sure that the slope has changed. It is very difficult.
11 It happens so fast.

12 MR. GRACIE: The other issue is if you start
13 earlier, then you are going to cut it off too soon. And if
14 you have got an expanding population, you have done something
15 absolutely unnecessary. So the whole idea of having a better
16 cutoff when, if you have 20 or 25 percent more fish out there
17 than you thought you had, if we have a way to figure that out,
18 then we can do a better job of managing it.

19 You are talking about a season that lasts a week
20 total.

21 MR. DeHOFF: No, I understand completely but they
22 are so closely intertwined, that if you could find a way to do
23 that, then you would help.

24 MR. GRACIE: And that is what we thought, that we
25 should have some discussions and put some thoughts together on

1 | how to do that.

2 | MR. LUISI: And there are a number of methods and
3 | techniques that you can use to manage that type of fishery
4 | more effectively. It is just in early discussions with the
5 | industry, one thing you could do is implement a 500-pound
6 | catch limit once you achieve a certain catch level.

7 | However, like I said, even that would be very
8 | difficult to implement because by the time you got it in place
9 | they would already be -- it happens in literally in three or
10 | four days it happens.

11 | And so anything we try to do to slow the harvest
12 | down, it is really tough.

13 | MR. DeHOFF: That is all you can do at that point is
14 | slow it down. So instead of having a 14,000-pound overage,
15 | you may only have a couple thousand pounds over because you
16 | reduce the number of fish they can catch per day after a
17 | certain point.

18 | MR. LUISI: Last year, the example would be we
19 | decided to allow them to stay open on a Saturday. Had we
20 | closed it on the Friday, they would have been 1,000 pounds
21 | over rather than 14,000 pounds over. It just happened that
22 | quickly. One day made a big difference.

23 | MR. SIKORSKI: Rachel, I have you next.

24 | MS. DEAN: I just wanted to go on the record as
25 | saying thank you. I was nervous about answering any phone

1 calls after that meeting but I heard really good things on
2 both sides of the table, and the industry was just really
3 grateful for the conversation that was able to take place. So
4 thank you for those of you who are working in the department
5 for doing that because I think that is where progress is made.

6 So I would appreciate the opportunity for them to
7 meet again and continue these conversations because I think we
8 got a good thing going here.

9 MR. GRACIE: Well, we want to do that but we didn't
10 want to try to do it in this schedule. And for the payback
11 because that really didn't make sense.

12 MR. SIKORSKI: And once the questions are over I
13 have some thoughts on the next steps. So next I have Phil.

14 MR. LANGLEY: Mike, and this is just a question. I
15 mean, I get excited whenever I hear a stock is expanding and
16 doing well. Is it certain geographic locations that this is
17 happening or are we seeing an expansion in the stock in
18 multiple areas.

19 MR. LUISI: The only place we sample is the upper
20 bay. So we are seeing it in the upper bay. Whether or not
21 things are happening in the other systems and other areas of
22 the bay, we don't sample in those areas.

23 But you could assume that if the conditions were
24 right to cause the stocks -- recruitment has been very good
25 recently. So we are seeing a lot of juvenile production. You

1 would assume that those conditions in the bay throughout the
2 bay were probably in that same ballpark. It is just an
3 assumption though as to what those other river systems and
4 what the other areas of the bay would look like because we
5 don't sample there.

6 MR. SIKORSKI: Am I correct, recalling the
7 conversation during the workgroup, am I am correct that there
8 was an underage, the quota was not caught in the Patuxent
9 River?

10 MR. LUISI: Yes.

11 MR. SIKORSKI: And there was comment that was
12 because of the stock situation there. A lot we don't know but
13 commercial harvest can give us a good idea of what is there
14 because if they have quota allocated to them, they are going
15 to try to catch it and if it is not caught, it is generally
16 because the stock may not be there.

17 MR. LUISI: The Patuxent situation is one for which
18 there may be one person fishing in that area so if they
19 decided that year they weren't going to do much then -- It is
20 more reflective of effort.

21 MR. SIKORSKI: A lot of pieces. David, I have you
22 next.

23 MR. SUTHERLAND: Yes, are we talking about four or
24 five days at the end of February? This time period?

25 MR. LUISI: Um hmm.

1 MR. SIKORSKI: Any further questions or comments?

2 (No response)

3 MR. SIKORSKI: Okay, Mike, as far as the -- you
4 mentioned the completion of the FMP amendment and a delay for
5 that in order to solidify some sort of agreement on overages
6 moving forward versus completing that FMP now, just leave it
7 as is with the one-to-one buy back, right? Those are the two
8 options?

9 MR. LUISI: I don't believe the FMP specifically
10 states that there is a one-to-one payback. I think that is
11 something that we have just agreed to do. It is not hardwired
12 into the plan.

13 So if you want to move forward and at your next
14 meeting have the final draft version of the FMP amendment
15 available for review and approval, without this conservation
16 being a part of it, then we can do that and initiate a new
17 amendment that would be just related to the commercial overage
18 issue and keep it small and keep it simple. You could do
19 that.

20 Or we could delay the amendment that is open right
21 now and add this all in. It is just we are looking at
22 probably another six months before the FMP amendment is
23 finalized.

24 And I was asked by Nancy, who is our FMP
25 coordinator, she was here earlier, to just bring that up and

1 get some guidance from you because she is asking me what to
2 do, and I said, well, I am going to throw it back at you guys
3 and get some advice where we go.

4 MR. SIKORSKI: Jim?

5 MR. GRACIE: Yes, let me say something, and it is
6 partly in response to what Rachel had to say. I thought this
7 was an area where recreational fishermen and commercial
8 fishermen could come to an agreement that made sense for the
9 fishery.

10 In a sense, I think that was an important
11 conversation that we had at that meeting. I like the idea of
12 holding off the FMP finalization because it tells everybody on
13 both sides that we are under some pressure to deal with the
14 issue. And that we are going to go ahead and deal with it.

15 So I think -- maybe it is a psychological effect
16 more than anything. But I think it says we are keeping the
17 door open. We want to continue this discussion. We want to
18 be cooperative to the extent that we are protecting the
19 fishery.

20 MR. SIKORSKI: Grant, did you have a question?

21 MR. SOUKUP: I was just agreeing with Jim. I think
22 flexibility is important. I don't think you want to define it
23 in one slot. I would keep it as wide open as possible. I
24 mean, maybe look at the quota. If it is 15,000, maybe it is a
25 half a fish depending on the circumstances.

1 If it is 8,000 it is something -- I mean, because
2 you have only got that three days. You have got such a small
3 window. I would keep it as where you could flex as much as
4 you needed to in benefit of the resource.

5 MR. SIKORSKI: I think, Mike, what you proposed
6 regarding kind of revisiting this stuff once the season is
7 completed and once the data is in on the catch for this season
8 that is in right now, I think it is important to have that
9 information so we have updated information, and reconvene the
10 workgroup to discuss it and begin to discuss potential
11 alternatives for overage buy-back or anything else, which was
12 agreed upon in the last meeting.

13 And, you know, we were a small workgroup at that
14 time but I think it would make sense for any commissioners who
15 would like to join in on that conservation at a later date be
16 able to. From a timing perspective, when do you expect that
17 catch data to be complete so we can start thinking about when
18 our workgroup meeting may occur?

19 MR. LUISI: As soon as the season is over in March.

20 MR. SIKORSKI: We have our April meeting coming up.
21 Would it make sense to add to that agenda a review of what has
22 occurred during this season to at least kick off the
23 conversation?

24 MR. GRACIE: What is the date of the April meeting?
25 I just want to make sure the subcommittee has time to get the

1 information and meet and discuss it.

2 MR. SIKORSKI: I believe it is the first two weeks
3 of April. It is generally before the trophy season.

4 MR. BLAZER: The 23rd, 24th?

5 MR. SIKORSKI: Oh, it is the 3rd week.

6 MR. GRACIE: Okay, then we would have time if we got
7 the data in.

8 MR. SIKORSKI: How about we commit to supply the
9 commission with information regarding the harvest that occurs
10 this season. Any commissioners that would like to join the
11 workgroup are more than welcome to and we will do the same
12 from the tidal fish commission, welcome members there.

13 And once we gain that information, we will look to
14 keep a slot open on the agenda in April to either finalize our
15 recommendations or at least the workgroup to report to this
16 full commission on what to do next.

17 MR. LUISI: We can try to schedule a workgroup
18 meeting in March sometime.

19 MR. SIKORSKI: Or first two weeks of April maybe.

20 MR. LUISI: Just before the next sport fish
21 commission meeting, and maybe you guys at the time will come
22 up with a recommendation on moving forward.

23 MR. GRACIE: That would be my hope.

24 MR. LUISI: We can do that.

25 MR. BLAZER: Just for clarification, I think our

1 next meeting is Tuesday, April 25th because ASMFC meets the
2 first week of May.

3 MR. LANGLEY: I thought had the last meeting we had
4 done some discussion on the possibility of moving that meeting
5 up prior to the start of trophy season.

6 MR. SIKORSKI: We did, yes.

7 MR. GRACIE: Well, there is no reason the workgroup
8 wouldn't be able to have the data and meet in March so we will
9 plan to do that.

10 MR. SIKORSKI: We will work to find a suitable date
11 for the workgroup to meet prior to the April SFAC meeting and
12 provide the full commission with information but any
13 additional members who want to be able to join the
14 workgroup --

15 MR. GRACIE: One of the things that would be
16 important would be if the workgroup is going to meet and then
17 make a recommendation to the commission. Some of us on the
18 workgroup will have to go back to organizations to make
19 sure -- that we attend to represent to make sure that they are
20 in support of what we are going to do.

21 I wouldn't want to hand you a recommendation that
22 all the recreational fishing organizations objected to. That
23 wouldn't be doing my job as commissioner.

24 MR. SIKORSKI: Okay, so we will look for a target
25 date in late March or early April. And address this issue

1 then. So any further questions on it?

2 MR. GRACIE: I am not agreeing with that timeframe.
3 I think we need to meet in early March so that we have time to
4 go back to at least two organizations and give them a chance
5 to hear what we are going to recommend.

6 MR. SIKORSKI: I am sorry. I misheard you. But we
7 can only meet once the data is in and completed. So we will
8 get word from the department once it is --

9 MR. LUISI: And I can't predict when it is going to
10 happen. It has happened in February before, it has
11 happened --

12 MR. GRACIE: It could happen in early March.

13 MR. LUISI: We have extended it before into the end
14 of March. Sometimes the season, just depending on how it
15 comes together, I can't predict that.

16 So if you want wait until after the season is done,
17 when we have all the catch data, which we will have with a
18 day -- the reporting mechanism requires reporting on a daily
19 basis so we will have it the day after the season is closed.

20 As soon as it closes, we can try to set up a meeting
21 as soon as possible after that.

22 MR. GRACIE: I think that is what we should do.

23 MR. SIKORSKI: Yes, that is what we will do.

24 MR. LUISI: And that will trigger it in my brain.

25 As soon as we close I will think of Dave and Jim and say, oh,

1 I have got to e-mail Dave and Jim.

2 MR. GRACIE: You ought to get a list of volunteers
3 for anybody else who wants to join us so they can get on the
4 list for notification. Okay, Roger and David. Any other
5 comments or questions regarding the yellow perch discussion?

6 MR. SUTHERLAND: What is the value of the commercial
7 fishery?

8 MR. LUISI: I don't know. They catch maybe -- I
9 think the quota is up there around 50,000, 60,000 pounds. And
10 they get a couple dollars a pound a think. It is a few
11 dollars a pound.

12 MR. GRACIE: That is why we are not collecting data
13 in 7 rivers.

14 MR. LUISI: Ready to move on?

15 MR. SIKORSKI: Yes, sir.

16 MR. LUISI: Just lastly to close that topic, we did
17 send to the requestors of that allocation change, the
18 Baltimore County Watermen's Association and the Cecil Harford
19 County Watermen's Association explaining that we were not
20 going to consider an allocation change but we worked through
21 the commissions to help alleviate the problem with the overage
22 from last year.

23 So that letter did go out on January 9. Two striped
24 bass topics: The first one I hope we will cover pretty quickly
25 and then we will spend a little time talking about the

1 | upcoming season.

2 | ***Striped Bass Tournament Policy***

3 | MR. LUISI: So on your agenda, you will see there is
4 | an agenda item of striped bass tournament policy. If you
5 | remember back to a previous meeting, this topic was asked to
6 | be brought before the commission.

7 | Currently our policy is such that if a tournament is
8 | requested, if a tournament request comes in for a harvest
9 | tournament prior to May 1, that we would not approve that
10 | tournament as a harvest tournament.

11 | You can have a tournament of a catch-and-release
12 | tournament but even though the season is open for harvest,
13 | this year the season opens on the third Saturday in April. So
14 | between that third Saturday and the first of May, any
15 | tournaments that are operating during that time, we would only
16 | approve that tournament if it was a catch-and-release
17 | tournament.

18 | May 1 comes along, you can have a harvest
19 | tournament. And so that has been our policy. If you
20 | remember, there was a gentleman who came to the meeting and
21 | explained his position in that since the fishery is open, the
22 | trophy season is officially open to recreational anglers.
23 | There is nothing that he can do as a tournament director to
24 | keep the anglers fishing during that open period from keeping
25 | those fish.

1 That is my opinion. Thank you.

2 MR. SIKORSKI: Any other thoughts or questions?
3 Jim?

4 MR. GRACIE: I guess I have been around for a while
5 looking at these issues with striped bass in the springtime,
6 and our harvest is really such a small impact on the
7 population that I am not sure it even makes sense to have that
8 restriction.

9 Furthermore, I am not sure that a Saturday before
10 May 1, if trophy season is in, increases the pressure that
11 much anyway because everybody who is fishing for rockfish
12 wants to get out then.

13 And it really is kind of silly because we have got
14 an unenforceable law. It can't be enforced at all, and one of
15 the things that I think you do when you have a law that can't
16 be enforced is you start breeding more disrespect for the law.

17 So I would disagree with you on that. If the season
18 is open, they ought to be able to do what is being done in the
19 season. That would be my opinion.

20 MR. O'BRIEN: So often you have Friday, Saturday,
21 Sunday tournaments. And it will -- Friday will be the 30th
22 and then Saturday will be the 1st. It seems like it happens
23 every year.

24 So I don't know what flexibility is in order there
25 but I think it ties in with what Jim says to a degree. It is

1 not that big a deal.

2 So you will look at these tournament applications
3 and you still have that rule I am sure. And when you see
4 that, you know, you might look at that favorably -- otherwise
5 they have got to switch until the next weekend in May.

6 MR. SIKORSKI: All right, well, I think Phil wanted
7 to respond to Jim's comments so I will let him go first and
8 then, Mark, you are after that.

9 MR. LANGLEY: Jim, just in response, and I
10 appreciate what you are saying but I can tell you firsthand on
11 the water you don't have to tell me there is a tournament.

12 Okay, whether it is striper season or not. There
13 are people out there. It is like opening day for deer season.
14 People hunt that don't hunt and whatnot.

15 MR. GRACIE: I appreciate that because I am not a --

16 MR. LANGLEY: Tournaments generate a big influx of
17 people. Everybody wants to go fishing and win money or win a
18 prize or whatever. So it puts excess, I believe, at that
19 particular time. Spring season is a very popular season. And
20 certainly people, after sitting around all winter, they are
21 coming out.

22 But even in that early May season that I see, I see
23 probably 3 to 4 to 1 to pressure out there during a tournament
24 than I see any other days during the trophy season.

25 MR. GRACIE: I guess I would ask you to characterize

1 the word excess. If it is more pressure, I believe that.
2 When you talk about excess pressure, the perspective that I
3 have on this is what is our impact on the East Coast striped
4 bass population during trophy season. It is nil. It is so
5 small.

6 MR. LANGLEY: About 5 percent, I think.

7 MR. DeHOFF: And I want to mirror similar to what
8 Phil says. I do indeed see that change in pressure and the
9 number of boats that are out there on those tournament days.

10 And I think that by maintaining a no-harvest
11 tournament prior to the 1st does a lot in that we have seen a
12 lot of new feelings about tournaments in that catch-and-
13 release tournaments are growing in numbers. We would love to
14 see more catch-and-release tournaments if they are willing to
15 have them.

16 And by allowing them to happen during that time kind
17 of promotes the catch-and-release throughout all of your
18 fishing time. And if don't catch that trophy, you don't need
19 to bring that trophy home.

20 If you have a harvest tournament, just about every
21 single legal fish will be brought home, whereas if it is a
22 catch-and-release tournament, at least a good majority of
23 those fish have the chance of being released, and all of the
24 fish in the tournament are going to be released, which, yes,
25 it doesn't make a hill of beans in the coastwide but in the

1 mindsets of the fishermen and of the public and things like
2 that to promote these types of tournaments, I think it is
3 going to benefit everybody from that.

4 MR. SIKORSKI: Thank you, Mark. Roger, I have you
5 next.

6 MR. TRAGESER: The gentleman who was here at the
7 last meeting stated that because the law says that you can
8 keep fish, there is nothing that he can do about it.

9 Bass is bringing large bass tournament up here June
10 14, 15 and 16. On June 14, the smallest fish competitors can
11 catch and bring is 15 inch. But come the 15th and the 16th,
12 that numbers drops down to 12 inches except that tournament
13 director is going to a 15-inch minimum size all three days,
14 partly to simplify -- no confusion or whatnot.

15 But he is setting that rule. He is the tournament
16 director. He can set that rule. If the tournament directors
17 for these fishing tournaments just state, it is catch and
18 release regardless of what the regulation is, then that is
19 what it should be.

20 Maybe I am oversimplifying striped bass tournaments
21 and how they are run but I know with our bass tournaments, you
22 set a rule or condition in place, you abide by it. That
23 supersedes what any rule or reg is otherwise that the state
24 has in place.

25 MR. SIKORSKI: Yes, that fellow -- I made this

1 comment at the meeting when we discussed this previously and I
2 echo what Roger says. I have taken part in managing a number
3 of catch-and-release tournaments, and one opening day at the
4 Boatyard Bar and Grill.

5 And again you can legally retain a fish but if it is
6 in the tournament you will be disqualified if you do kill that
7 fish. In the last couple of years we have actually had a
8 circumstance where the tournament judges had to determine that
9 the fish was killed and therefore disqualified.

10 So, you know, it makes sense -- the regulations
11 don't always have to mirror the actions of the tournament
12 itself. It does allow some flexibility and of course provides
13 a strong statement toward conservation, as you have mentioned.

14 So any other further comments or questions?

15 MR. LANGLEY: Just one last comment that one other
16 thing that tournaments do create at times is excess handling
17 of the fish because everybody wants to win the tournament so
18 you know, fish are caught, and it may not be the fish that
19 they exactly want but there are going to be pictures taken.
20 There are going to be excess handling. Sometimes these fish
21 are big. Everybody is not trained as well as most of the
22 people in this room as far as handling fish.

23 They drop them, they fall, they flop around. So it
24 is, as far as the -- and that is what I mean as far as excess
25 pressure being put on the fish at prespawn conditions whereas

1 most people, if they catch during the keep season, if they
2 catch a decent fish, most of the time, they catch the fish and
3 go on or go home or whatever.

4 Not that I am opposed to tournaments totally but I
5 just think in that early season we put excess pressure.

6 MR. GRACIE: We had a big extended debate on
7 preseason catch-and-release fishing. And one of our concerns
8 is catch-and-release prespawning females is not necessarily a
9 good thing.

10 So we are promoting that too because the earlier you
11 are doing this, the more likely you are dealing with prespawn
12 females.

13 MR.DeHOFF: But that being said, at least she has a
14 chance. If you throw her in the box, she doesn't have a
15 chance at all.

16 MR. SIKORSKI: The intent of the conversation here
17 is to inform. The policy is in place. If the commission
18 didn't feel we should that or not change that, we could make
19 that known. Otherwise we have provided some good feedback on
20 our thoughts, varying thoughts, around the room.

21 MR. SUTHERLAND: What is the status of the spawning
22 stock biomass for spawning females? I mean, I fish a lot in
23 Massachusetts. They catch a lot of striped bass up in
24 Massachusetts, I will tell you. It is putting a hurting on
25 the population.

1 And I read a lot. The Chesapeake Bay stock
2 assessment, juvenile index -- I mean, it is written
3 extensively and everybody has got the microscope on it so I
4 just wanted, make sure we are careful in doing the right thing
5 if in fact, you know, we do promote more take.

6 MR. GRACIE: What percent of that do we affect?

7 MR. LUISI: 2 to 5 percent of the total coastal
8 take. Migrant stock that we are fishing on, which are
9 the -- they are not the resident population in the bay. It is
10 a small percentage in our trophy season that is affected by
11 this.

12 Now to your question about spawning stock biomass,
13 science would indicate that the spawning stock biomass is at a
14 point for which it is getting near the threshold for concern.
15 And I will say however with that because there are many
16 factors that go into perception of what that biomass is at
17 this time.

18 And while anglers got very used to, back in the
19 early 2000s, a biomass, which is what we refer to as a
20 superabundance of striped bass as it resulted from that climb
21 from the moratorium. It hit this peak, and people got very
22 comfortable with the population being 20 percent over the
23 target.

24 Now that it is a little lower, management has
25 engaged to the point for which it is heavily affected states

1 | like Maryland and others on the East Coast.

2 | And that is what I am getting to. It is good segue
3 | into the next discussion but we don't believe the stock is as
4 | unhealthy as what some other states would believe it to be.

5 | And we have been making the argument for a couple
6 | years now with ASMFC that we need to take into consideration a
7 | number of different factors as to why Maryland is so different
8 | because we are fishing so heavily on the resident stock rather
9 | than those migrants.

10 | The migrants are caught along the coast. We get a
11 | small little blip of them for six weeks and catch a couple
12 | percent of the total take for the year. And therefore we are
13 | not affecting the spawning stock biomass as a lot of people
14 | would think.

15 | MR. GRACIE: And that is what is behind my
16 | perspective on this. We are not a very significant impact on
17 | it.

18 | MR. LUISI: You ready to move on, Dave?

19 | MR. SIKORSKI: Yes, sir.

20 | ***Request for ASMFC Change to Striped Bass Regulations***

21 | MR. LUISI: So I mentioned to you earlier that the
22 | Atlantic States Marine Fisheries Commission is meeting on
23 | February 2nd to discuss again -- striped bass is on the agenda
24 | and it is on the agenda because for the past 18 months,
25 | Maryland, Virginia, Potomac River, other states along the

1 | coast have approved the continued work to get to the point
2 | where we are today.

3 | It has been an 18-month saga to get here. So if you
4 | remember -- I have just couple slides. I am not going to go
5 | back through the history and all the work that we have done
6 | over time.

7 | (Slide)

8 | But back in 2014, the board agreed under Addendum IV
9 | that states need to take reductions in their harvests. And
10 | the coastal states, which is the ocean fishery, the migrant
11 | harvest, was required to take a 25 percent reduction from
12 | where fishing mortality was in order to get it to the target
13 | in one year.

14 | The Chesapeake Bay was allowed to take a 20 1/2
15 | percent reduction at the time in the hopes that by 2016,
16 | fishing mortality would be at the target. Now we implemented
17 | measures in Maryland.

18 | MR. SIKORSKI: Just to clarify, the 20 1/2 percent
19 | was for our summer/fall fishery, and our trophy season fell
20 | underneath the 25 percent coastal.

21 | MR. LUISI: That is correct because we harvest the
22 | coastal migrants during the trophy fishery, we cut back by 25
23 | percent from the regulations that we had in place prior to
24 | that. We current have a 35-inch minimum size. I can't even
25 | remember. There is so much discussion about it all the time.

1 Whatever we have in place right now is what we plan
2 to have in place for the future. Now the 20 1/2 percent
3 reduction, we accomplished that by implementing a 20-inch,
4 2-fish bag limit, from May 15 to December 20. That was the
5 season that we had established.

6 MR. : In place of an 18 inch.

7 MR. LUISI: In place of an 18-inch fish. So we went
8 up by 2 inches. By going up by those 2 inches, we achieved a
9 20 1/2 percent reduction that was approved by the ASMFC board.
10 We are argued and argued and argued that it wasn't
11 necessary but at the end of the day, that is where we were.
12 And we had the 20 1/2 percent reduction.

13 (Slide)

14 So moving on from there, we in 2015 asked that an
15 assessment update be done in order to analyze the effect of
16 those regulations for that first year. So '14 we get told we
17 need to put these regulations into effect. We put the 20-inch
18 limit into position. We wanted to know in 2016, what was the
19 outcome of that. What did we achieve? What was the fishing
20 mortality associated with that change.

21 (Slide)

22 And we asked for that analysis to be done, and it
23 was reported to us at the meeting that we had in October at
24 Bar Harbor that we were successful in getting that assessment
25 to be completed and therefore what it showed was that fishing

1 mortality along the coast in the first year of those new
2 regulations exceeded the target and went below the target,
3 which is a good thing.

4 Being down below the target is where the board was
5 hoping that it would be. However, by being below the target,
6 we felt that there was some room in order to get back to the
7 target for some additional harvest that could take place.

8 This target, it is not a threshold value. Anywhere
9 in and above and around the target is kind of -- it is a
10 target. You want to be around the line but it doesn't
11 necessarily mean you have to always be below the line.

12 So we saw this as part of the assessment update, and
13 back in October, we asked for the Technical Committee to take
14 a look at this and to tell us how much additional harvest, not
15 just in Maryland but along the coast, could happen. And get
16 this fishing mortality back to the target line.

17 (Slide)

18 And we just received that report the other day. And
19 what that report indicates is that fishing mortality in 2015
20 was estimated to be about .16. .18 is the target level. .22
21 is the threshold. Anything above this threshold up here, we
22 would be considered overfishing. That is not happening. That
23 is not the case.

24 So what we are seeing and what we have been told
25 based on the Technical Committee report is that in 2017, in

1 order to get F from here to here, we could increase harvest
2 along the coast by 10 percent. We could see a 10-percent
3 increase based on the 2015 estimated landings, both commercial
4 and recreational. We could see a 10-percent increase in 2017.

5 Now what the Technical Committee also reported was
6 that catch in 2016, as estimated recreationally and as
7 considered commercially when you add them together, the total
8 catch, the total removals, was higher and produces a projected
9 F that is above the target line.

10 So this is going to be reported to ASMFC. And while
11 we believe that based on the rules and based on the latest,
12 the most-recent assessment that we were below F, this value
13 here of the projected F in 2016, is going to take a little
14 steam out of the momentum that we had going into that meeting
15 because board members are going to see this and say, well, you
16 know, in 2016 harvest was up. Maybe you shouldn't be
17 considering things to increase that harvest.

18 And that is going to be a comment that we are going
19 to receive from the board. Now the whole point of all of this
20 effort and all of this work was to get back to our initial
21 reaction to Addendum IV, which was even at the time when we
22 did Addendum IV and we took the cuts that we did, we didn't
23 believe that level of reduction was necessary at the time.

24 We felt that the stock was healthier than what
25 was -- as it was estimated. And we have been working for the

1 last 18 months to get to the point in time where we could get
2 the board to consider some form of what I have been referring
3 to as kind of relief to the -- all the challenges. It is
4 relief to the constraints and the confinement that we have
5 been under, under the 20-inch minimum size limit.

6 I have got a number of reasons why that 20-inch
7 limit has -- and you will hear from members here,
8 commissioners who have felt the pain of those confinements,
9 those restrictions that we put on the fishery.

10 And we wanted to go to the board and talk about the
11 idea of lessening the burden of those reductions to allow for
12 a minimal amount of relief not just to us but to coastal
13 states in an effort to find a happier ground around this
14 target.

15 But this is the information that the board is going
16 to see, and the reason why I blocked off this little spot
17 around 2017 is that while to get here is exactly a 10-percent
18 increase, the projection indicates that, if you look even more
19 into the future without any of your harvest information, they
20 are assuming this is around where that F rate is going to
21 fall. So it is going to fall somewhere in and around the
22 target line.

23 And so the plan from here, after we received this
24 information, is to continue to work at the board level,
25 discussing with the board the possibility of perhaps

1 | considering some small, maybe incremental, relief or
2 | liberalization to where we are, in the hopes that, that
3 | liberalization may offset what we have heard a lot about,
4 | which is the mortality associated with the released fish that
5 | are part of the regulatory nature of what is --

6 | So we went up by 2 inches. There are a lot of fish
7 | caught between that 18- and 20-inch limit. And there is a lot
8 | of hooking mortality associated with that.

9 | And part of our effort with the board and things
10 | that I have been talking with colleagues is that by going back
11 | to a 19-inch fish, that is about a 10-percent increase in
12 | harvest but it may offset that spike in discard mortality that
13 | we saw in 2015 because we are going to turn those regulatory
14 | discards into actual harvest.

15 | And I think, you know, if you think about it as far
16 | as along the entire coast, I am sure that is happening not
17 | just in Maryland but in other places as well: Delaware Bay,
18 | Hudson River, other back estuaries where there is a lot of
19 | discard mortality.

20 | And we plan to bring that to the board's attention
21 | and discuss that and ask for the possible consideration of an
22 | addendum. And that addendum would look at this, and it would
23 | take into consideration this 10-percent allowance along the
24 | coast, which, you know, talking with the folks on the
25 | statistical side of things, doesn't necessarily equate to risk

1 | because we are at a point now, even with a 10-percent
2 | increase, there is only a 6-percent chance, based on the
3 | statistics, that in 2017, that fishing mortality would be
4 | estimated above the threshold.

5 | So it is a very low risk. There is a high
6 | probability that we would be in this zone right here, and
7 | therefore we don't feel that it would be very risky to ask for
8 | a 10-percent allowance. Now I say we ask for it. It wouldn't
9 | just be for Maryland. It would be for a coastal allowance of
10 | 10-percent increase in harvest to get to that point.

11 | One other thing before I move to the last slide, you
12 | know, we had the same rules in place here as we did here. And
13 | we see that all the time. Recreational harvest, as it is
14 | estimated, varies greatly, even with constant regulation
15 | because of the MRIP program and the variance that is
16 | associated with that program.

17 | So what we look at here is are we within the range
18 | for which we are comfortable? And if we are, you know, is a
19 | 10-percent increase going to add to that risk to the point
20 | where we are no longer comfortable?

21 | We are okay with it. The state of Maryland is okay
22 | with that, taking that. Now other states -- again, this will
23 | be a challenge when we get to the board because we are going
24 | to hear from other states about, you know, there is just a lot
25 | of things that they might say that will go against our opinion

1 that a 10-percent increase is not going to detract from or be
2 detrimental to the stock.

3 *Questions and Answers*

4 MR. NEELY: Mike are you getting much feedback that
5 there will be much pressure? That people want to go to 19
6 inches? I guess I would like to hear from the charter boat
7 guys. I mean, were you just catching a hell of a lot of
8 19-inch stripers last year?

9 MR. LUISI: Come sit at my desk for 10 minutes
10 tomorrow and you will see. I mean there is a tremendous
11 amount of pressure, and it is mostly from the charter boat
12 industry, because they are suffering at the expense of that
13 20-inch limit.

14 MR. O'BRIEN: 10-4 on that.

15 MR. LUISI: And we will get to -- I want to just
16 finish out my thing here and we will have time for discussion,
17 but yes, there is a tremendous amount of pressure.

18 Ed and Phil, you know, we have been talking a lot
19 and I am hearing that there is a lot of pressure out there on
20 them, coming to me with that same amount of pressure.

21 (Slide)

22 Now just to give everybody and idea on where we
23 might go. There are three different paths we could take. We
24 could -- at the meeting next week, we could ask the board to
25 initiate an addendum to consider a 10-percent liberalization

1 of the restrictions from Addendum IV. That could end at the
2 end of the day. It could fail -- it may not be approved
3 depending on what the board wants to do next week.

4 If the board were to approve an addendum, we would
5 go through a process over the course of two to three meetings
6 where that consideration would happen. Analysis would be
7 conducted and ultimately by August or October, we would
8 probably finalize the addendum and have either yea or nay on
9 whether or not a 10-percent reduction or liberalization would
10 be approved.

11 So we are looking at late 2017 or even into 2018
12 before we could modify our recreational regulations based on
13 an addendum. The other path forward is something that we can
14 do with the board's approval but it is a lot less contentious.

15 We could put forth a conservation equivalency
16 proposal basically saying we would want to go to a 19-inch
17 fish; however, we are saying that by going to a 19-inch fish,
18 there is some tradeoff, and that tradeoff would come in the
19 form of probably season closure dates.

20 And so by closing the season for a certain number of
21 days throughout the year, that 19-inch fish is equivalent to
22 being a 20-inch fish for the longer period of time. And we
23 could put forth that proposal after the February meeting and
24 have that available for the May meeting of the commission and
25 seek approval for that new plan for our summer/fall fishery

1 next year.

2 So that is in -- we can do that. Now the tradeoff
3 might be more than what recreational anglers and the charter
4 boat industry are willing to give up in order to go to 19
5 inches but it is part of the tools that we can use to manage
6 and work with this fishery for next year.

7 If we choose ultimately -- the addendum fails,
8 conservation equivalency is shot down as far as any attempt at
9 going or changing our rules for a 20-inch fish, we are now
10 going to be in the point where no new information will be
11 available until the benchmark is completed in 2018.

12 And the 2018 benchmark, I just found out today, the
13 timeline on that would be a report to the board at the annual
14 meeting in 2018. That is when they hope to have the benchmark
15 results, which means you would initiate an addendum at the
16 time of the benchmark results and that would require almost
17 half a year, maybe even a full year, of work to the point for
18 which we would be able to manage differently based on the
19 newest benchmark assessment.

20 Now the benchmark assessment is intended to include
21 the male/female relationship in the bay and the sex-specific
22 information that we have in the bay going forward, and
23 potentially with that establishing Chesapeake Bay biological
24 reference points to kind of give us back what we had before
25 this addendum went forward, which was we have control over our

1 own ship instead of having the entire coast with one fishing
2 mortality rate.

3 However, with that timeline, management probably
4 wouldn't change until either 2019 or 2020 at the earliest.

5 So if these other options don't carry forward, and
6 we decide not to do this, if we don't achieve our desired
7 approach at ASMFC and we don't do a conservational
8 equivalency, it is very likely that the commercial quota in
9 Maryland and the recreational regulations in Maryland will
10 stay status quo until this benchmark assessment, which is a
11 few years from now when we would make some changes.

12 That is the timeline and the different approaches.
13 That is all I have as far reporting out on this. I have been
14 in contact with other states, my colleagues in other states,
15 just kind of laying it out there for them so they can start to
16 think about what it is, you know, the significance of this.

17 The significance of striped bass to Maryland is more
18 so than in any other state on the East Coast because of the
19 Chesapeake Bay and the fact that the availability of other
20 gamefish -- flounder, black sea bass, tautaug, you name
21 it -- we just don't have them here.

22 And I have been trying to make the point that this
23 is incredibly important to us, and I hope that they will
24 consider at least exploring an addendum. Whether the addendum
25 ultimately passes is another story but at least let's do some

1 analysis. Let's get some information. Let's explore the
2 addendum and see where we fall. That is all I have,
3 Mr. Chairman.

4 MR. SIKORSKI: All right. Jim, I have you up first.

5 MR. GRACIE: I have two questions. First of all,
6 can't you make a credible case that we are killing more fish
7 with a 20-inch limit than we would with a 19-inch limit
8 because of discards and hooking mortality? You don't believe
9 it is true?

10 MR. LUISI: I don't believe it is true.

11 MR. GRACIE: Oh, okay. I am surprised. I guess,
12 the other question is, these three alternatives you have put
13 up here assume that you are not going to get a 10-percent
14 increase.

15 MR. LUISI: So number one on the left --

16 MR. GRACIE: Oh, a new addendum.

17 MR. LUISI: That is the request for the 10-percent
18 increase. If it fails, we move on to the next one and the
19 next one.

20 MR. GRACIE: Okay. I guess my other question was
21 what would the equivalency look like on the coastal states for
22 a 10-percent increase?

23 MR. LUISI: I have not explored what that would be.

24 MR. GRACIE: Well, that might be your selling point
25 if it is something that is attractive because part of what we

1 deal with at ASMFC, and I am not intimately as familiar as you
2 and Ed and some other people are, is that there is a perceived
3 competition or rivalry between New England states and us.

4 They tend to think that we are hurting their
5 fishing. So if you had an addendum that they liked and
6 thought they could live with, you might get more support for
7 this. That is all. That is a question.

8 MR. LUISI: Sure --

9 MR. GRACIE: So understanding what that would mean
10 to them might be --

11 MR. LUISI: It is tough because all of the states
12 now, not all the states in the coast, have the same rules and
13 regulations. The focus -- one of the focus points that we
14 want to make has to do with the catch-and-release mortality
15 that is associated with the 20-inch fish and that by going to
16 19 inches, it doesn't necessarily mean we are going to kill
17 more fish.

18 There are more fish available to be harvested. To
19 your first point, I think we would probably still kill less at
20 20 inches because many of those fish that are returned --

21 MR. GRACIE: I am just saying that water
22 temperatures during that season --

23 MR. LUISI: During a certain part of the season
24 there is a tremendous amount of mortality. I would like to
25 make the point to the board that by going to 19 inches and

1 increasing our harvest by 10 percent, we are going to turn a
2 lot of those throwbacks into actual harvest. Fishermen are
3 going to get off the water sooner and there is going to be
4 less throwback and it is going to be better for all stock.

5 That is a selling point to the board in my opinion,
6 and I hope that others --

7 MR. GRACIE: So an increase in harvest is offset by
8 a decrease in hooking mortality.

9 MR. LUISI: Yes.

10 MR. GRACIE: That is what I am saying. And you
11 don't think they cross over.

12 MR. LUISI: I still think we will harvest -- there
13 will be more removals --

14 MR. GRACIE: More dead fish.

15 MR. LUISI: -- I think there will be more dead fish
16 but to a small degree because it will offset. The increased
17 harvest will cause the --

18 MR. GRACIE: How would you document support for
19 that? I mean, if you just use the average hooking mortality,
20 I would submit that releasing 19-inch fish in the Chesapeake
21 Bay in July and August is higher than the average hooking
22 mortality.

23 MR. LUISI: Right.

24 MR. GRACIE: Because of the warm water and the
25 handling.

1 MR. LUISI: But we use an average because it is for
2 the whole year. We take it into consideration the whole year
3 but at the one point in time --

4 MR. GRACIE: And everybody else is fishing for them
5 in cold water up the coast. So, I mean there are some points
6 to make.

7 MR. LUISI: There are some points to make, sure.

8 MR. LANGLEY: I will try to keep this as short as I
9 can with this. In the Chesapeake Bay, we are restricted to
10 species that we harvest, and despite what is happening on the
11 coast in the flounder fishery, I can tell you that we don't
12 see flounder in the Chesapeake Bay anymore.

13 13-inch flounder, 14-inch, all sublegal founder. I
14 think I have caught two legal flounder in the last two years,
15 and I fish a lot, okay, in the Chesapeake Bay, and I am in the
16 lower portion of Maryland portion of the Chesapeake Bay.

17 I am just not seeing a lot of flounder. The croaker
18 and spot were off last year. They didn't show for -- to give
19 alternative species to fish for. And it is surprisingly, the
20 weakfish, the sea trout, the last three years. We have seen
21 enormous numbers, as much as -- well, Captain Carter who runs
22 out of Crisfield --- .

23 But I have drifted a mile in the channel down the
24 bay and trout were 20 feet deep. And you could not help from
25 catching them. What concerns me -- I have seen this three

1 years in a row but trout is a species that grows fast and each
2 year we are still seeing juvenile trout.

3 They are getting a little bit bigger must most of
4 them are running 10 to 15 inches. Majority of them are 10 to
5 12 inches but that is kind of getting off the subject here.
6 As far as the striped bass fishery, when we went to a 20-inch
7 fish, it is a couple things here combined.

8 There has been a migration of the fish to the
9 northern part of the bay. Some of it I think could be water
10 quality, okay, that is pushing them up there. But there has
11 been a large migration of those fish in the upper part of the
12 bay.

13 Last year it was a heavy concentration from the Bay
14 Bridge actually north up in that area. The rest of the bay
15 was suffering for legal size 20-inch striped bass. Most of
16 the summer, majority of the fish that were being caught were
17 16 to 19 3/4 max that was being caught. Recreational and
18 commercial both, we have been struggling.

19 And if you got on these fish, in that summer season
20 when we are catching these fish, the mortality rate, the catch
21 and release, I know will -- well, Marty Gary is not in here.
22 He is secretary of PRFC but he actually took a trip in the
23 upper bay last year and I think they caught 150 fish and kept
24 3.

25 I know in my trips, I have documented 60, 70 fish to

1 keep 1, to keep 2. And I know the ASMFC uses the 9 percent
2 mortality but it is, I agree, it is much higher than that.

3 And every fish that some of these guys are throwing
4 overboard aren't surviving. There are guys downstream --
5 okay, there are groups of boats fishing up the bay, and the
6 groups of the boats fishing down below them are seeing just
7 streams of fish floating. They said somebody needs to fly
8 over it with a helicopter and see how high the mortality rate
9 actually is on these fish.

10 So I think in conservation, it does make sense. The
11 Chesapeake Bay, I think, is structured -- and Mike kind of hit
12 on this here, and we haven't gotten into detail on it but in
13 the Chesapeake Bay, if we ever do establish Chesapeake Bay
14 reference points, as far as the sex ratio in the bay, most of
15 the fish that are sampled here in the bay, it is better than
16 80 percent male fish, okay, that we have here in our summer
17 fishery.

18 On the coast, you have got probably 80 to 90 percent
19 female fish that come out of the bay. The big females leave
20 and that is your spawning stock. The pressure that we are
21 putting on these fish in the bay, okay, out of that summer
22 fishery, is predominantly on a male fish but the problem is
23 they haven't determined exactly at what age these fish leave.

24 They feel they start -- it is much earlier than what
25 they originally thought but that is why we don't have, to my

1 understanding, the sex ratio or the Chesapeake Biological
2 Reference Points until they resolve exactly what it is: 20,
3 21, 22.

4 But I just, I strongly believe we would benefit the
5 fishery by reducing the size. I would like to see it go back
6 to 18 because I think that is what the Chesapeake Bay and the
7 summer fishery is designed for, is an 18-inch fish.

8 I opened up an old tackle box of my wife's
9 grandfather the other day accidentally and just looked at a
10 couple lures. And I happened to look in the top of the box,
11 and there was an old printout from the Department of Natural
12 Resources: striped bass, 12 inches, you know, which goes back
13 many years.

14 And I certainly don't want to go back to that but I
15 do believe that the bay itself is set up to harvest that 18-
16 inch fish, especially with the male-to-female ratio that it
17 appears we have in the bay.

18 MR. O'BRIEN: That is good, Phil. You covered a lot
19 of it. I would just like to add when a fish is 20 inches,
20 they are gone. Most of them are gone. They have gone out
21 into the ocean, and that is the female.

22 Now sometimes I think people have said that there
23 are males mixed in with them too but by the time they are 20
24 inches, they are gone, and that is the problem we have.

25 Now you talk about your experiences. Believe me,

1 that is similar to the middle bay and at certain periods of
2 time even the upper bay, like late in the season.

3 The word has gotten around to the customer base that
4 is out there for charter fishing just what is going on. You
5 catch all these fish and you have to throw them back.

6 And just like a guy who runs a pretty significant
7 company brought out 18 people on my boat and we caught over
8 100 fish; kept 3. Kept 3. Now the opportunity for Maryland's
9 citizens, it is the length of the Chesapeake Bay to the
10 Virginia line. That is pretty far when it comes to coast, and
11 you have got two sides to that coast. And you have got people
12 on both sides who want to rightfully participate in this
13 fishery.

14 When we went down to Orlando we really -- we had
15 strong commercial representation, charter boat, recreational.
16 And it looked like we were gaining some steam down there.
17 They actually gave us a favorable vote in the policy
18 committee.

19 So once we start making progress, that political
20 situation up north, which is a very organized situation when
21 it comes to striped bass, and they have been that way ever
22 since I have been dealing with it for 35 years when they
23 opposed any trophy fishery for us, any spring fishery.

24 But they are silent. And they have people who get
25 into different slots, and they are good people but that basic

1 feeling is still there: the northern states versus the
2 Chesapeake Bay, and it is a fact.

3 Now, Mike, first of all I support Mike where I can
4 behind the scenes. And he has worked as hard as any head of
5 fishery has ever worked in this situation we are involved with
6 right now to get us some votes around the table. And which I
7 am hopeful that New York and New Jersey could come our way.
8 If we get Washington, DC, there, I mean, I could see where we
9 could win this thing.

10 Now, 19 inches, that one inch means so much based
11 upon the fish that decide to stay for a while or are going to
12 leave. Now, what this has brought on, and again we used to
13 have a significant rank of the marine police who would stay
14 through our whole meeting. And if they stayed and discussed
15 what they are seeing, it would support that respect for this
16 law has really gone down.

17 Particularly among frequent fishermen, which is
18 Hispanic people who maybe don't understand the regulations but
19 we at Chesapeake Beach, we watch these boats go through every
20 day. And we see what is going on.

21 Now they did make some arrests and now they are
22 getting the Spanish language into the whole situation here but
23 the main point I want to make is that these fish leave the bay
24 when they are 20, 20 1/2 inches, something like that. Our
25 catch reports for the 2015 class certainly showed this.

1 And that curve that went down in 2015. Now all of a
2 sudden in 2016, which we are seeing the same conditions, they
3 are saying it goes way up. Now that northern bay fishery that
4 we have had, we have always had that. That migration has
5 always been up there in the late spring/early summer.

6 But we have 80 percent of the bay, both sides,
7 charter boats, fishing communities, you know, that aren't
8 participating because of the situation that we have to deal
9 with. Now when it comes to the data I know other people would
10 disagree with me. I think a lot of those fish are going out
11 to the EEZ and staying there for a while.

12 So, I mean, there are some real holes in this whole
13 MRIP thing. And it is the same kind of thing that is showing
14 up in other parts of this country that I am familiar with
15 being an officer of the National Charter Boat Association.

16 We have always -- in the past we have had fish and
17 wildlife voting with us but he is gone and there is a new
18 person in there who is highly influenced, I feel, by the
19 National Marine Fisheries Service because that is MRIP. That
20 is where it all comes from.

21 We had the best data available coming out of the
22 fishery, and we got many complements on that for years and
23 years and years. It was log books when it came to charter
24 boats. And a lot of people picked up on that. You remember
25 that, Jim, in the meetings. And we just got a lot of new

1 thoughts involved with this.

2 Now the department gets a lot of criticism on this,
3 but the fact of it is unless we can turn these votes around,
4 it is stacked against us. Nobody has worked harder than Mike
5 on this. And I am hoping it is going to influence New York
6 with one part of their team definitely against us, and New
7 Jersey.

8 And again, get DC there and we could have a very,
9 very close or winning vote. So often over of the years we
10 have won or lost on these striped bass issues, us versus the
11 far north, by one vote. We have had tie votes. So it is a
12 critical situation, and I know the department is looking at
13 this relative to the seriousness of it to the charter
14 boat/recreational fishery.

15 Now the recreational fisherman doesn't feel quite as
16 strong as we do. It is different with them but a lot of them
17 would like to see fish they could keep too. Our people are
18 particularly impacted, I would say from Chesapeake Beach,
19 Deale, on down the bay for 90 percent of the season, for 90
20 percent of the season, because everything they are seeing they
21 have to throw back.

22 And they are not seeing as much down there. So we
23 need for our people to get some equity in this. The charter
24 boat industry, its losses right now are devastating because
25 people know, hey, we went out there and we could only keep a

1 few fish and had to throw all these other fish back, and some
2 of them were really hurt.

3 That is the word that is spread around there, and
4 that is why our customer base has really gone down, and that
5 is why the fishery itself, that is why charter boat fishing
6 and young guys getting into it is something that is --

7 We have a lot of guides on the bay who have this
8 kind of thing too. They typically fish shallow water up
9 against the rocks. And they probably do a little bit better
10 that the boats out on the bay, and they have got maybe two or
11 three people, four people on board max.

12 So we have different inputs and a different feel for
13 this fishery from so many different constituencies. So I
14 would like to comment on what Phil said on the perch, on the
15 trout. We are hopeful there but we have seen this -- I have
16 seen it five times where the trout really get strong and by
17 the time they are up there to the inches we can keep, they go
18 out of the bay.

19 And Bill Goldsborough would tell you and has told
20 that those trawlers from up north come down and suck them up.
21 And then you see in the papers three or four cents a pound.

22 So us having alternate fisheries is difficult. Now
23 I know Mike has dealt with some of his colleagues. And for
24 instance, on flounder we give them some of our pounds. And
25 hopefully that will influence them to help us here where we

1 need it.

2 So again, my hat is off to you, Mike, for what you
3 are doing, what DNR is trying to do to help us on this. And
4 we need it.

5 MR. SIKORSKI: Thank you, Ed. Thank you. All
6 right, so we are right at 5:00 p.m. We have got Mack and then
7 Rachel and then we will try to wrap this up.

8 MR. WOMMACK: I wanted to kind of piggyback off what
9 Phil said because I fish this whole bay from the top all the
10 way down to the bottom.

11 And the rockfish need to be at 18 inches. That is
12 ridiculous. I disagreed when you went to 20 in the
13 beginning.

14 It needs to be at 18 because number 1, just like Ed
15 said, from the center of the bay, Tilghman's Island on down
16 through Tangier and on through, the only place you are going
17 to catch a 20-inch rock in the middle of the summer is you
18 better be up in one of those creeks, the Nanticoke or
19 something, with a boat pushed up on the marsh hoping to catch
20 one coming down the creek because they are not out in the bay.

21 And it makes no sense for the recreational fisherman
22 or the charter boat fisherman to sit there and catch all these
23 fish that are 19 and keep throwing them back. And, you know,
24 they are at the crossroads right now. They have got nowhere
25 to go because your spot fishing is terrible. Your croaker

1 fishing is terrible, and everybody can't run when you get a
2 school of croaker up in the Solomons and Deale. Every charter
3 boat just can't come across the bay to go up there to fill the
4 parties.

5 Your flounder fishing seaside from Chincoteague on
6 our in the last two years has been terrible. We are not even
7 catching the flounder coming in to spawn anymore, and I don't
8 even have to talk about the salinity level in the lower bay
9 Deale's Island, Crisfield. We can't even catch flounder on
10 the --- anymore when I know they are supposed to be there.

11 And my other point to this is this trout fishing,
12 these sea trout. It makes no sense to wait that late in the
13 season when they show up and not change it to at least more
14 than one fish. I mean, that is just ridiculous. What are the
15 charter boat captains to do? You don't have the spot, you
16 don't have the croakers, and the guys are catching -- luckily
17 this year was a lot of kingfish in the water.

18 But they are catching the trout and they have got to
19 keep throwing them back, and the people are not going to come
20 after a while. It is not making any sense for the
21 recreational fisherman to hook up a boat and take it up and
22 down the bay or travel and you can't keep it.

23 I mean, it is ridiculous to say one seatrout. I
24 mean, I don't even know where you came up with that theory
25 because number one, they don't travel up the bay that far to

1 be -- to make any difference up around the Bay Bridge anyway.
2 So everything is in the lower bay, and they do show up in
3 abundance in late season.

4 And you need to at least look at some time in that
5 season, upping the amount of seatrout that can be caught at
6 that size limit. And I am just going to say that in my
7 opinion, you are at the crossroads because you are going to
8 put a lot of charter boat people out of business because they
9 don't have anything else to catch.

10 And if we don't get a good spot run or some
11 croakers, and which by nature, after a while, the croakers
12 will leave here anyhow and go away for a long time before they
13 come back. So they are at the crossroads, and a lot of
14 fishermen are looking at the same thing. I am not going to
15 keep registering the boat and we can't catch anything. That
16 is my statement.

17 MR. SIKORSKI: Thank you, Mack. Rachel?

18 MS. DEAN: I have a question and a comment. As a
19 representative on ASMFC, I think that it is very noticeable
20 when the seat next to me is continuously vacant, and that is
21 the position or seat that is held by DC.

22 It is my understanding that the do have a vote? And
23 I would like to suggest that somehow either this commission or
24 the department reach out to bring them into the conversations
25 because I think that would be very powerful. So I wanted to

1 kind of reiterate what Ed said, and how important that might
2 be, and if that is a seat here on sport fish, if that
3 is -- something, but I really think that we should follow
4 through on that.

5 MR. LUISI: We will reach out to them, and in the
6 past, for these important striped bass issues they have been
7 absolutely part of the picture. It was just this one past
8 meeting in Maine that there were conflicts with the folks who
9 were able to travel to that meeting, that they weren't there.

10 MS. DEAN: I have been on three now and I haven't
11 seen them yet.

12 MR. LUISI: These last 18 months there has been a
13 lot going on but we will reach out. We always do and we will
14 make sure to make that happen.

15 MR. NEELY: I am listening carefully to you guys,
16 and so much of what you do is education. And candidly what I
17 am hearing from DNR is that our juvenile recruitment is really
18 strong since we went to 20 inches. The upper bay stocks are
19 really strong since we went to 20 inches. But from an
20 economic standpoint, you guys are just really going to make
21 that much of a difference going to 19 inches? I am 100
22 percent behind you guys to at least go to that level because
23 this is your livelihood.

24 And unless we here that science dictates otherwise,
25 I don't see any reason not to go to 19 inches. Unless I

1 am -- I mean, it is going to put us right up there at the
2 ASMFC, right at the 22.22 coefficient because the 10 percent,
3 going down one inch, is going to reduce our stocks by 10
4 percent and that is going to put us right up at the upper
5 ceiling by 1/100th of a basis point, if I hear you correctly
6 on your numbers.

7 MR. LUISI: Well, not necessarily.

8 MR. NEELY: Okay.

9 MR. LUISI: A 10-percent increase in the harvest, if
10 we go back.

11 (Slide)

12 -- we are talking about a 10-percent increase from
13 here. A 10-percent increase brings us right to the target
14 level from the harvest that was associated with this fishing
15 mortality right here.

16 MR. NEELY: At what slot limit?

17 MR. LUISI: This is at 20 inches. So there is a
18 total catch of approximately 3 million pounds that happened as
19 a result -- now coastwide. That is commercial and
20 recreational.

21 There were a number of fish, pounds of fish caught
22 associated with this fishing mortality at this level. If we
23 increase that poundage by 10 percent, it puts us at about 3.4
24 million pounds, which the associated fishing mortality rate
25 puts us right here.

1 Now if we increase from the projected F in '16 then
2 you are right. It is going to go 10 percent higher than the
3 .19, which puts us closer to the threshold line. But the
4 point is that this is just a projected F based on preliminary
5 MRIP results from this past season, and we would make the
6 argument that the only F rate, the only F that is calculated
7 as a result of an assessment is the 2015 rate.

8 MR. GRACIE: What was the projection for 2015 before
9 you had that?

10 MR. LUISI: What was the what?

11 MR. GRACIE: Projection. If you projected the 2015
12 catch, mortality, like they have done for the 2016 mortality,
13 what would it have been.

14 MR. LUISI: Well, what we said as part of the
15 addendum was that in 2015 we wanted to be at or below the
16 target. It happened. It got us there because of the
17 reductions along the coast, including ours.

18 MR. GRACIE: So is the projection .18?

19 MR. SIKORSKI: No, it was a 50 percent chance of
20 staying below the target.

21 MR. GRACIE: I am trying to figure out what the
22 difference between the projection and the real number.

23 MR. SIKORSKI: They didn't provide a numerical
24 projection for that in 2015 but they knew if they took certain
25 management action, there was a 50/50 chance, which is the --

1 MR. LUISI: Think of it as this, Jim. This F is
2 calculated based on a full assessment of all the inputs that
3 go into calculating fishing mortality and all of the different
4 inputs that go into the assessment.

5 It was explained to me that the projected F is based
6 solely on was the anticipated catch is for 2016, and I am not
7 a stock assessment scientist but it is --

8 MR. GRACIE: A fair question would be is the
9 projected F a .19? Is that maybe even lower than it really
10 was? You don't know?

11 MR. LUISI: What the retrospective bias would tell
12 us is that the next time we do an assessment, because fishing
13 mortality -- as the retrospective bias is always
14 overestimated, .16 is going to go down, .19 is going to come
15 down, and whatever 2017 would be is going to come down. So
16 fishing mortality is always inflated. The next time we run an
17 assessment, it always drops.

18 MR. GRACIE: Why does that argument hold no sway
19 then?

20 MR. LUISI: We try. We try as hard as we can to get
21 that argument incorporated into the discussion, and this
22 Technical Committee report that is going to be presented does
23 include both the inclusion of retrospective bias and
24 retrospective bias and it shows the different patterns.

25 MR. GRACIE: So you got a fair set of data.

1 MR. LUISI: We are going to have a good set of data
2 to work with but I will just say -- I want to manage
3 expectations, and I have been talking with a lot of people
4 about expectations.

5 The votes that we have had to get to this point,
6 which is only just exploratory in nature -- assessment update,
7 technical committee and --- reports, we have only won those
8 votes by one vote each time. We are now getting into the
9 picture of management change, and it is not just in Maryland
10 but managers in Massachusetts and New York, they are going to
11 have to consider whether or not do they want to go out to
12 their public suggesting a 10-percent increase in harvest?

13 Many of those states are functioning under the
14 assumption that we wanted to stay where we are. We love a
15 superabundance of striped bass. We love to have them grow up
16 big and become available to our stakeholders.

17 And not that we don't but we are in a completely
18 different situation in Chesapeake Bay than we do -- so one
19 last point.

20 MR. SIKORSKI: Yes, we are 11 minutes over.

21 MR. LUISI: One quick thing. We felt that we have
22 achieved the Addendum IV objective. There are two objectives:
23 Reduce fishing mortality to the target, at or below, and
24 protect the 2011 year class. We believe we have done that.

25 The 2011 year class is 7 years old, 6 or 7 years

1 old, they are off shore. They are going out. We have
2 preserved as many as we can. We won't get access to them
3 again. They only come back for six weeks at a time, six weeks
4 a year for us to gain access to them.

5 We feel we have accomplished those tasks and we are
6 going to be asking and seeking some relief on the rules we
7 have in place. End of story. We will see what happens. Come
8 for the show if you are interested.

9 MR. DeHOFF: Just one thing. If I understood
10 correctly, I believe that if we do go to that conservation
11 equivalency route and we do want to go to 19, we have to give
12 up something somewhere else in order to make it, correct?

13 MR. LUISI: Yes.

14 MR DeHOFF: So we are looking at a shortened season
15 or closures in the middle so it is not all, hey, let's just
16 make it 19 inches and be good. That CE is going to require
17 someplace else that gives someplace else to get that.

18 MR. O'BRIEN: Perhaps. Don't rub it in.

19 MR. GRACIE: How much of season -- have you
20 calculated how much of a season?

21 MR. SIKORSKI: Not yet, right?

22 MR. LUISI: It is too preliminary. 19 inches at the
23 time when we were doing all this was about a 14 percent
24 reduction. We didn't achieve the 20 by then. So we are
25 looking at maybe a 6, 7 percent need to get to 19 inches. It

1 is probably, from preliminary looks at numbers, maybe a 70-day
2 closure on any side of the season so it is a significant
3 closure.

4 MR. SIKORSKI: And something to consider with regard
5 to those day closures, not each day is weighted equally
6 because of availability of fish throughout the season because
7 you could close the season and --- .

8 MR. GRACIE: We don't have that kind of data to
9 support that, do we? We have had that discussion before.

10 MR. LUISI: The conservation equivalency is -- so we
11 just started working on ideas for conservation equivalency, so
12 we have been exploring it.

13 I don't have anything that I can report at this time
14 but from my understanding of how many days you have to give up
15 for the different waves, we are looking at two months
16 probably, from one side or the other. You know, that has kind
17 of been the general theme when you are looking at a 10 percent
18 allowance or 8 percent allowance so just where we stand but it
19 could be a tough call at the end of the day.

20 MR. SIKORSKI: All right, I am going to have Ed have
21 the final word here and provide an opportunity for any public
22 comment. I know there is a charter captain in the room. I
23 know we are over but it is an important topic.

24 MR. O'BRIEN: There are new ladies and gentlemen
25 sitting around that ASMFC table, with Mike, Rachel and I. And

1 they don't remember that we got put out of business, literally
2 put out of business as a group for five years -- the
3 moratorium. And then we had to fight to get back.

4 And it was that same block that was just trying to
5 compress us and luckily New York at the time flipped against
6 them and said we have to have a certain kind of fishery. And
7 we were talking about a trophy fishery and then how we would
8 go later on in the year because it is necessary. It is just
9 as necessary now on this issue of a one-inch fish. I wish it
10 was 18 inches we had a chance to get.

11 But it is that important to us right now. And
12 remember, when you hear stories -- fish come in from the ocean
13 in the spring. They come through that Delaware canal, they
14 come different ways. They still got this lice all over them.
15 It is something that occurs every year typically in the upper
16 bay.

17 But there is the whole rest of the bay that declines
18 in opportunity. And that is what we have got to remember. So
19 anyway, thanks for your patience everybody. But fish and
20 wildlife always supported this, if you can make any input
21 there.

22 MR. SUTHERLAND: Who is the --- ? Is that who you
23 are talking about?

24 MR. O'BRIEN: His name was Jamie --

25 MR. SUTHERLAND: Geiger.

1 MR. O'BRIEN: His name was Jamie Geiger.

2 MR. SUTHERLAND: Yes, he is gone.

3 MR. O'BRIEN: Very objective person.

4 MR. SIKORSKI: Anybody from the public want to
5 comment on this topic?

6 ***Public Comment***

7 MR. LEWIS: Ken Lewis. Just one question to Mike
8 regarding yellow perch. Mike, one of the issues that Carrie
9 talked about earlier was the really low reporting instance
10 from many of the fisheries. And my question is did the latent
11 reporting of the yellow perch harvest play any role in this
12 pretty significant overage this past year?

13 MR. LUISI: No, because of the situation. For
14 anyone who has a yellow perch permit, they are required to
15 report via telephone call to the department on a daily basis.
16 And it is not even when they fish. It is every day, no matter
17 if they fish or not, they have to call, and if they don't, we
18 call them, and they tell us what they did.

19 MR. LEWIS: I realize were are only 23 people who
20 fished in this fishery last year.

21 MR. LUISI: The reason why we can do that is because
22 there are only 20-something people that are doing it.

23 MR. SIKORSKI: Further comments from the public?
24 Okay with that we are adjourned.

25 MR. LANGLEY: Just one comment. This is just

1 information, guys. I guess a most of you, a lot of you have
2 probably seen in the papers or whatnot that they are going to
3 replace the 301 bridge going over to -- from Maryland to
4 Virginia Potomac.

5 I think the new bridge is going to go just north of
6 the existing bridge that is in place right now but I would
7 like to see this commission, if possible, be proactive and
8 start working with the Maryland transportation authority to
9 possible gain access, as we did with the Woodrow Wilson
10 Bridge, and possibly gain some concrete or bridge material for
11 artificial reefs, you know, in the Potomac or in the
12 Chesapeake Bay.

13 And maybe possibly if we could get to the
14 transportation authority soon enough, maybe at minimal cost
15 because they could maybe write it into the contract for
16 disposal of the old bridge. I just wanted to announce that
17 prior to adjournment.

18 MR. SIKORSKI: Great information. Thank you.

19 MR. SUTHERLAND: The MARI committee is already
20 working on that, and the coordinator, Mike, is all over that
21 and it is even closer than the bridge upstream that they
22 dismantled, and they used that material. They are already
23 planning on doing the same.

24 MR. GRACIE: Having it in the contract makes it a
25 lot easier. We didn't have it in the contract for the Woodrow

1 Wilson.

2 MR. LANGLEY: The last time it was not. This time,
3 I think if we are proactive, it would be an opportunity to
4 maybe get it written in the contract so whoever the contractor
5 is.

6 MR. SUTHERLAND: Okay, yes, I can maybe give an
7 update on that or whatever I can find out.

8 MR. SIKORSKI: All right, we are adjourned.

9 (Whereupon, the meeting concluded at 5:18 p.m.)

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