

Maryland DNR
Spring Meeting of the Sport Fisheries
Advisory Commission(SFAC)

Tuesday,
April 25, 2017

Held at the
Tawes State Office Building
Annapolis, Maryland

Maryland DNR
Spring Meeting of the Sport Fisheries Advisory Commission

April 25, 2017

SFAC Members Present:

Phil Langley, Vice Chair

Micah Dammeyer

Rachel Dean

Mark DeHoff

Jim Gracie

Dr. Ray P. Morgan II

John Neely

Ed O'Brien

David Sutherland

Roger Trageser

James Wommack

Maryland DNR Fisheries Service

David Blazer

Paul Genovese

Maryland DNR
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KEYNOTE: "---" denotes inaudible in the transcript.
 " * " indicates word is phonetically spelled.

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

(2:00 p.m.)

Welcome and Announcements

by Phil Langley, Vice Chair, SFAC

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

MR. LANGLEY: All right, if I can have everybody's attention, we would like to bring the Sport Fish Advisory meeting to order. I am filling in for Dave Sikorski, who was our chair. And you can go into more details, I guess. Dave resigned his position due to a conflict of interest, I guess. He had to register as a lobbyist with his new position with the CCA. And I can tell you I miss him already.

(Laughter)

MR. LANGLEY: So, you know, Dave is a terrific guy and did a terrific job, and there may be a possibility of him coming back to the commission, which would be great. Until that, I will act as chair for Dave until probably the June meeting.

MR. BLAZER: And I will just take it from there, because there are a couple things going along. Phil has articulated Dave Sikorski's situation but several of you, your terms are expiring June 30 of this year. So if you are interested in continuing on, you are going to need to reapply to the Appointments Office.

It is a new process now for applications through the

1 Appointments Office. Paul is going to send everybody here in
2 the next couple days the link where you have to go on and fill
3 out the application. There is a scroll-down screen where you
4 are going to have to go on put Sport Fish Advisory Committee
5 and check that box or click on it and fill out all the
6 information.

7 We are also going to promote and advertise if other
8 people want to join so we have get pool of applicants. The
9 Appointments Office will get that list of people together. We
10 will see it and provide some recommendations and comments,
11 like if you have been on SFAC or TFAC in years past. So you
12 have to go through that process before June 30.

13 And really quick, the people whose seats expire are
14 Dave Sikorski, Ed O'Brien, Mark DeHoff, Roger Trageser, Micah,
15 Val Lynch, the new David Sutherland, Jim Gracie and Tim Smith,
16 who also resigned earlier.

17 We have had a couple resignations. Not only Dave
18 Sikorski but also Tim Smith resigned and Rob Hardy resigned a
19 couple weeks ago. So we have some replacements. But since
20 term for about half of you is coming up, we will try to do all
21 this over the next couple weeks, months. And then our July
22 meeting or the meetings after July, we will get reorganized
23 with the new chair and new vice chair, et cetera.

24 I have talked to Phil. Hopefully he will fill -- we
25 have only got one more meeting in June before that time. And

1 | we will go from there at that point as far as our structure if
2 | that is agreeable with everybody.

3 | MR. LANGLEY: And thanks to Dave, if you have a
4 | comment you would like to make on any subject today, please
5 | just put your card up on edge. That way, we can recognize you
6 | and won't miss any hands. Thank you.

7 | MR. BLAZER: Continuing on --

8 | MR. GRACIE: Do we have a card somewhere for Ray
9 | Morgan?

10 | MR. GENOVESE: Yes, I have got them.

11 | MR. BLAZER: I also want to welcome Dave Sutherland.
12 | It may sound like a repeat. I have to tell you we made a
13 | mistake here. There are two Dave Sutherlands that live in
14 | Queenstown that both applied. They both applied for a seat on
15 | sport fish.

16 | The Appointments Office designated this David
17 | Sutherland, and we welcome and thank you for being here and
18 | sorry for the confusion. And we had contacted the other Dave
19 | Sutherland. Again, my apologies to you.

20 | MR. SUTHERLAND: No apology necessary.

21 | MR. BLAZER: But also welcome you to the Sport Fish
22 | Advisory Commission, and glad you are here with us.

23 | MR. SUTHERLAND: Thank you. I look forward to
24 | working with everybody.

25 | MR. BLAZER: I have a couple other announcements if

1 I can. I have talked about the applications for the Sport
2 Fish Advisory Committee. Three other things I wanted to talk
3 about or just follow up on.

4 At the last SFAC meeting, we had a question about
5 electronic copies of recreational fishing licenses. They are
6 now being acknowledged by NRP as a proof of license so if you
7 have it on your phone or whatever, that is good to go.

8 We don't need the paper copy any longer. We have
9 got that cleared up. No signature is required. There was
10 some question about that and we confirmed that so I wanted to
11 follow up on that.

12 Also crabs, 'tis the season for crabs. It is going
13 to be a busy time over the next couple weeks. Hopefully you
14 all saw the results of the winter dredge survey. The press
15 release was released last week from the winter dredge survey.

16 Over the next several weeks, we will have meetings
17 with the industry workgroup in May. I believe tentatively
18 right now it is May 11. But then that is why we also inserted
19 those June sport fish and tidal fish meetings. We will be
20 coming back, and those will be focused on crabs.

21 So we will talk more in depth at the June meeting.
22 Not too much here but basically there are a couple themes, if
23 you will, out of the winter dredge survey. We have a lot of
24 mature female crabs at this point that over-wintered, and that
25 population seems to be doing well. So that is kind of the

1 | good news.

2 | On the other side, male crabs have dropped a little
3 | bit from previous years. And also the other concern is the
4 | amount of juveniles that are out there is below average. So
5 | we will take a lot of this winter dredge survey information,
6 | talk to the industry workgroups, come back and talk to you all
7 | and TFAC to talk about any tweaks or modifications we need to
8 | make on the crab fishery for the upcoming year or years as we
9 | go through.

10 | Oysters: Just a really quick update on oysters. We
11 | canceled the last oyster advisory committee meeting back in
12 | April. We will have another one. The next scheduled one is
13 | May 15. The legislature concluded May 12, I believe. I
14 | believe Sarah will probably talk a little bit more about some
15 | of that.

16 | The bill, House Bill 924, was passed that basically
17 | said the department may not alter the sanctuaries until the
18 | stock assessment is done. So the strawman the department had
19 | worked with OAC on and put out and were seeking comments on, a
20 | lot of those proposals that were in that have kind of been
21 | scrapped at this point.

22 | So we will meet in May to talk about steps forward
23 | with the oyster fishery and what is going on there. I will
24 | comment that the stock assessment is moving forward.

25 | That will be one of the agenda items probably at the

1 next Oyster Advisory Committee to talk about terms of
2 reference and trying to really establish the process and the
3 information that will go into that stock assessment and
4 biological reference point, which the legislation linked to.
5 So that process is still moving along pretty well.

6 So I think from there those are my announcements at
7 this point. Are there any questions on crabs, oysters or
8 anything else that is not on the agenda?

9 (No response)

10 MR. BLAZER: Great, thank you.

11 MR. LANGLEY: Thanks, Dave. Moving along, we have
12 the NRP Activity Report. Is Lieutenant Timothy Grove here?

13 LT. GROVE: Yes.

14 ***NRP Activity Report and Priorities***

15 ***by Lt. Timothy Grove, MD DNR NRP***

16 LT. GROVE: Good afternoon. I did add a little bit
17 of a supplement to what you had in your binders with some more
18 of the updated warning information.

19 The citations are probably the same, which is the
20 sheet that you are used to seeing after all these years. This
21 one is going to be going away just so you know what is
22 happening with us. This format is kind of going away because
23 we are going to a new reporting system for our citations and
24 warnings.

25 We are being dovetailed in with e-tickets,

1 | electronic tickets, along with all the traffic and State
2 | police and all the other law enforcement agencies are using.
3 | E-tickets, which get generated and sent straight to the
4 | courts.

5 | So we are phasing out of our paper ticket phase.
6 | And in such, the old database that we were using is being
7 | phased out.

8 | We stopped using that database for warnings as of
9 | January 1st of this year so all the paper warnings that came
10 | in -- but we weren't spun up to actually start using e-tickets
11 | so all the paper warnings that were written had to be hand
12 | entered by some of our dedicated cadets into the new database.
13 | They just finished up with those on Friday or almost finished
14 | with those on Friday.

15 | So that generated this -- this is what things are
16 | going to look like now. It generates this new format, which
17 | actually gives you the violation and breaks it down kind of
18 | much further as to what is actually being written out there.

19 | And that will be something that is able to be pulled
20 | up pretty much at any time once we are fully functional with
21 | that. As of May 1st, officers are not allowed to generate
22 | paper warnings anymore or if they do, they have to hand-enter
23 | them into this new system, this new e-ticket system.

24 | Once officers go through their probation -- we have
25 | to write 50. The people who mandate and oversee the e-ticket

1 system say that each officer has to write 50 warnings before
2 they can start writing citations into the new e-ticket
3 situation.

4 So as we phase into that, probably by late May and
5 June, officers will be generating all their citations through
6 this same e-ticket format so we will be able -- we will be
7 able, within the next six months, be able to pull up all of
8 our stats in this format as to tickets and warnings and what
9 the actual breakdown is.

10 Whether or not that is important to you -- you can
11 kind of give us feedback. If that is too much information,
12 let us know and we will kind of pare it back to what we used
13 to get in generalities a little more.

14 The other sheet, and you can see that things
15 probably, I will say, were a little lighter this year on some
16 of the citations and warnings issued in this first quarter.
17 One just because our officers are being tagged with a lot of
18 stuff that get spun up into this new e-ticket situation.

19 You are going to hear -- you may hear of officers or
20 see officers doing traffic stops and that kind of stuff. That
21 is kind of where we have to go to get the e-tickets program
22 spun up because we have to write those warnings, and the
23 easiest thing to do is just crank out 50 traffic warnings or
24 something. So a lot of officers are trying to knock that out
25 so they can get back to their real jobs. It is problematic.

1 But we have had some good cases out on Church Creek,
2 Randy Bowman and his officers have written quite a few
3 citations for striped bass violations up in that area during
4 the closure season.

5 On the Susquehanna Flats, I don't know if any of you
6 heard anything with regard to that. We had some issues up
7 there that kind of came to light and generated some discussion
8 between fisheries and ourselves with the catch-and-release
9 areas.

10 We wrote three citations up there for essentially
11 not immediately returning the fish to water. Well, what is
12 immediate? That kind of thing.

13 So we had a discussion with fisheries and kind of
14 came to a consensus that if they are pulling them out of the
15 water by their gills, passing them around, taking pictures,
16 measuring them, that kind of stuff, and then putting them back
17 into the water, that is not immediate and does affect or can
18 affect mortality of the cows that are spawning at that time.

19 So we kind of tried to do a combination of education
20 and enforcement, depending on how egregious the situation was
21 up there. We did issue, I know, at least two or three
22 citations for the upper reach there above the line there at
23 Lapidum up to the dam.

24 We had a couple guys in Deer Creek, at the mouth of
25 Deer Creek, attempting to catch in the middle of the night.

1 And some of those were addressed as well.

2 So the striped bass has been addressed to some
3 degree. I did throw an extra sheet in here. It is these
4 CADs. CAD is a computer-aided dispatch. This is what we get
5 pushed out to us by the Communications Center. If we get a
6 call, they create a CAD.

7 If we come upon an incident ourselves, we generate a
8 CAD. Essentially it is a unique identifier for that
9 particular situation. So you can see, within the three
10 months, officers responded to like 79, at least 79, different
11 closed season incidents.

12 That is -- there could have no citations or no
13 warnings issued out of that. It may have been unfounded or
14 there could have been five or six enforcement actions taken
15 with regard to that one CAD but there were 79 of those.

16 You can look down through -- the fishing
17 miscellaneous at 354, those can be just checks of a section of
18 a stream. An officer goes into a section of a trout stream
19 and just does a foot patrol. That is when I open a CAD for
20 that section, just as he does his patrol, that type of thing.

21 All of your commercial fisheries inspections, that
22 is why they are -- every one of those gets generated a CAD.
23 That is why that was so high. And the same with the oysters.
24 If you have any questions about those, give me a holler.

25 Priority wise, you know, we are going to be focusing

1 on the striped bass season, the various aspects of that. With
2 regard to -- we are just going to, the spring season that we
3 are already in, of course.

4 Then there are going to be the closure on the flats
5 during the beginning of May there. That sometimes can
6 generate some stuff for us because people don't like to be
7 told they can't fish that area. So I am sure we will have
8 some pretty egregious enforcement in that area during that
9 two-week period.

10 And then opens again on the 16th. That usually
11 doesn't cause us any problems until everything opens up on
12 June 1. So we will do that.

13 The end of the clamming season down, you know, the
14 Eastern Shore sections, we will have officers focused on that
15 as well. Like I said, things are in the mix, and I apologize.
16 We have had a total of 55 promotions within the past few
17 months, promotions and reassignments within NRP. So one is
18 doing their job.

19 I am not even the commander of the area that I was
20 the last time we met so I have been shipped over to Area Six
21 so people are being pushed around. A lot of learning is
22 taking place so I am going to ask for a little bit of patience
23 with some of this because a lot of people are being thrown
24 into a lot of new positions, and it is a major, it is kind of
25 a major reformation of the agency.

Questions and Answers

1
2 MR. GRACIE: I have two questions. First of all,
3 maybe I misunderstood you but you said nobody could write
4 citations until they had done 50 warnings in the e-system?

5 LT. GROVE: In the e-system but they can still write
6 the paper.

7 MR. GRACIE: Let me ask my question. Does that mean
8 that a violator could get up to 50 passes on a violation
9 because a person who stopped him can't do an e-citation yet,
10 can only do a warning?

11 LT. GROVE: No, sir. He can still write the paper.

12 MR. GRACIE: Oh, oh, they are still using -- I
13 thought you said --

14 LT. GROVE: No, warnings have stopped. The warnings
15 have stopped being able to be issued paper-wise. The
16 citations are going to follow, like I said, probably within
17 the next few months.

18 MR. GRACIE: I was hoping I misunderstood that.

19 LT. GROVE: And we can always write paper. We just
20 can't essentially send it to the courts. It has to go
21 electronically to the courts.

22 MR. : I think benefited from the State
23 police then two weeks ago because I got a warning.

24 MR. GRACIE: My other question is I am not sure I
25 understand about the flats. A lot of people fish for bass up

1 | there. We can't fish for bass up there?

2 | LT. GROVE: Sure you can. It is just that we ask if
3 | you do catch the stripers, that they are returned to the
4 | water.

5 | MR. GRACIE: Yes, you talked about the period it was
6 | closed. You said when the flats are closed.

7 | LT. GROVE: For striped bass.

8 | MR. O'BRIEN: I certainly appreciate your
9 | presentation. We have had a lot of different people from
10 | Marine Police come in to address this meeting. And I can see
11 | that you have really got it together. So I am going to take
12 | the opportunity to bring up one of the biggest problems that
13 | charter boats have.

14 | I am vice chairman of the National Charter Boat
15 | Association again. And from Alaska around to Maine right now,
16 | one of the biggest problems we have is people running parties
17 | for hire for consideration who don't have Coast Guard
18 | licenses.

19 | And they are typically smaller boats because they
20 | can be of any size, and here in Maryland we have had
21 | complaints. We have had some come up around this table about
22 | some practices that are going on. Sometimes people run more
23 | than six people. Yet they have a six-person license.

24 | So Uber has really brought it to a head. Really
25 | brought it to a head. Certain districts, states, have really

1 got into it, particularly Florida, Texas, and Maryland we have
2 talked about it. Different inputs as to what is going on out
3 there but I know you all, when you stop boats, and I know you
4 all know that when a boat has certain decals on it, they are
5 certified boats.

6 It is usually not a problem but it usually is a
7 problem on smaller boats. And I know you all check for
8 licenses. If you have any intuition, any suspicion that it is
9 a boat for hire. So that is major right now, and Maryland
10 hasn't taken off into any deep discussions about it.

11 We have got a couple instances that have happened
12 recently with loss of life relative to these kinds of
13 operations. And representing our people and the Coast Guard,
14 it is, I would say, their number one problem right now, even
15 more than marijuana on the boats, and that is a problem also
16 because of the different state laws on the subject.

17 So I just thought I would bring these things up. I
18 hope you are going to be continuity, which we used to have
19 here. I mean, we used to have officers who were permanent or
20 semi-permanent coming to our meetings but we have had this
21 discussion with previous people, and I can see that you have
22 listened to what I have said and to what other people might
23 add to this.

24 LT. GROVE: I appreciate that. I will not guarantee
25 the continuity. Unfortunately, like I said, usually this

1 position goes to the area -- our Area Five lieutenant usually
2 handles this position, and I have recently been transferred
3 out into another area but we will see what we can do with
4 that.

5 With regard to the unlicensed charter boats, I know
6 last year, we actually did work undercover with one up in the
7 Susquehanna area. We found out about it kind of indirectly
8 that he was offering trip. We surveilled him for several
9 instances and then we did run an undercover operation where we
10 actually had two officers who were taken out on the trip and
11 paid the money to go and everything.

12 And he was cited for that. Unfortunately we did
13 not -- it not go as well as we would have liked. We didn't
14 catch what we were hoping to, to see if he would encourage
15 going over the limit or any of that type of thing. But he was
16 cited for operating the charter boat without the license.

17 And we know that does happen quite a bit. The
18 problem, a lot of times, is getting the initial information.
19 So by all means, if you can supply just that initial inference
20 that somebody might be doing that, make sure that information
21 gets pushed up to the district officers or the area
22 lieutenant, and then they will assign it to initially probably
23 to the local officers to do some background checks and stuff
24 on --

25 And then if we have to, we have had a couple new

1 | people put into our covert unit, and if we need to we will see
2 | if that is applicable for them to get involved in it as well.

3 | MR. O'BRIEN: This is encouraging that you are doing
4 | that.

5 | LT. GROVE: And also I did have a conversation with
6 | one of the western Maryland sergeants who is kind of -- the
7 | fishing guides even up in the upper Potomac, you know, need to
8 | have those Coast Guard certifications, and a lot of them are
9 | not aware of that so we are actually addressing that as well
10 | with those local guides.

11 | MR. O'BRIEN: Well, that is good. I appreciate
12 | that. Now is there any publicity on these cases that you have
13 | dealt with because that is what really helps. A lot of people
14 | just don't know, particularly people who are looking for a
15 | charter.

16 | LT. GROVE: I cannot answer specifically about that
17 | particular case, whether it was pushed out or whether they
18 | were trying to keep it low key because we thought that he
19 | would go right back to doing it again, and we wanted to see if
20 | we could snag him.

21 | MR. O'BRIEN: --- is pretty good if you want to get
22 | some publicity. That is for sure.

23 | LT. GROVE: Oh, yes. We try to push quite a bit out
24 | to them.

25 | MR. WOMMACK: What is going on in Somerset County?

1 It looks like they have thrown the book out the window. Just
2 everything is going on down there looking at this report. You
3 know, my fear is every one you catch, seven you didn't catch.

4 LT. GROVE: I am sorry. Could you say that again?

5 MR. WOMMACK: I said my fear is that every one that
6 you caught, seven of them you didn't catch.

7 LT. GROVE: Oh, most definitely.

8 MR. WOMMACK: Do you have enough police presence in
9 Somerset County? To be a small county, they sure are on here
10 an awful lot for possession of crabs and rockfish.

11 MR. BLAZER: He is looking on tab three, the
12 noteworthy cases.

13 LT. GROVE: Oh, I don't have that.

14 MR. WOMMACK: What is going on down the bay here?

15 LT. GROVE: That I can't speak to overly. I am not
16 as familiar with that area but I know those guys have been,
17 they have been trying to hammer things out. We have got a lot
18 of new officers. We had officers out on the -- the 27
19 officers that came out of the academy were in field training
20 during this quarter.

21 So there was a lot of extra activity going on and
22 extra people -- they were all assigned with an officer but
23 they were trying to dig and get into everything they could to
24 get these officers experienced in that training period. So I
25 will --

1 MR. WOMMACK: Well, maybe reach out and try to find
2 out what is going on down there.

3 LT. GROVE: I can address that or have that
4 officer --

5 MR. WOMMACK: Have him call me.

6 LT. GROVE: Have that lieutenant give you a call.

7 MR. WOMMACK: Okay, that would be fine.

8 MR. LANGLEY: Any other questions for Officer Grove?

9 MR. SUTHERLAND: You had mentioned a reorganization
10 for NRP? What is the goal of that reorganization and
11 how -- whatever that is, is there a way that we can understand
12 that better? Maybe it is a presentation so we --

13 LT. GROVE: I won't say, and I apologize at the word
14 reorganization. We are not really reorganizing but we have,
15 in the scope of our departmental size, if you have 55
16 promotions in that very short span of time -- we have officers
17 who are being promoted to sergeant who have five years on the
18 job.

19 They are good officers but it is still just, it is
20 kind of the demographics or the way our department is
21 currently laid out. We have a huge amount of retirements in
22 2017 and 2018. There will be a fair number and again in 2019,
23 which were big hire years for both NRP and in the Park
24 Service, which merged in 2005.

25 So because of that we kind of hit a cliff and a lot

1 of the more seasoned officers and the upper echelon are
2 dropping off so you are having officers being promoted very
3 quickly. You know, five years is what we kind of used to say
4 takes an officer to get familiar with the job as a whole. And
5 now we have officers who are being promoted to corporals and
6 sergeants at five years.

7 So it is going to be a little bit of a learning
8 curve on some of this. Those people are well-qualified for
9 the positions. It is just a new era for NRP and the fact that
10 our intrinsic knowledge, to some degree, is dropping off with
11 the retirement of some of these officers who have been here
12 for 30 years. And now their direct replacement is coming in
13 with maybe 2 years of service or 2 months of service.

14 So you can't -- even though they may be both officer
15 first class or officers, the two aren't synonymously
16 interchangeable.

17 MR. SUTHERLAND: So it is not really like a
18 mission-driven change.

19 LT. GROVE: No, sir.

20 MR. BLAZER: And if I can, just really quick, there
21 is an announcement this week for a new recruiting class so NRP
22 is recruiting for another group of people to go to the
23 academy.

24 LT. GROVE: The 21st it opened up for new applicants
25 to apply to become officers.

1 MR. SUTHERLAND: Is the attrition actually
2 benefiting the overall budget? You had some people who
3 obviously were being paid at certain levels who are now
4 retiring, and then you have, as you described, some people who
5 are corporals, sergeants.

6 LT. GROVE: That is kind of outside my bailiwick but
7 yes, I would say in some respects you are getting a little
8 more bang for your buck with these younger officers coming in.

9 MR. LANGLEY: I have got Rachel.

10 MS. DEAN: I was just going to ask, to address some
11 of the more egregious things, especially with the striped bass
12 violations this time of year and at those public sites up and
13 down the bay, we have kind of done some outreach here and
14 tried to put more signs up, different things that we could to
15 get the word out.

16 If that is not working, I guess nothing says don't
17 do that quite like a fine so I guess my question is, as these
18 cases are going to court, are you finding that you are getting
19 more support from the courts or are we still running up
20 against it is a slap on the wrist and the word is not getting
21 out?

22 LT. GROVE: I wish I could give you a definitive
23 answer on that. It seems to be, from what I get back, it is
24 court to court. The more urban areas, more metropolitan
25 areas, you definitely don't seem to get the judicial support

1 | maybe that you do in some of these Eastern Shore counties and
2 | southern Maryland counties just because it is not as much of a
3 | way of life and they don't understand it the magnitude of what
4 | is involved, I think. That is kind of my personal opinion.

5 | The metropolitan areas, we are not quite getting the
6 | support that we would like to see.

7 | MR. LANGLEY: All right, any other questions for
8 | Officer Grove?

9 | (No response)

10 | MR. LANGLEY: Thank you so much.

11 | MR. BLAZER: One thing I forgot in my announcements
12 | section. I need to go back. We talked about the appointments
13 | and reapplying and so forth. With Dave Sikorski resigning,
14 | one of the positions we need to fill is a liaison with the
15 | Tidal Fish Advisory Committee. And they meet on Thursday
16 | afternoon.

17 | Kind of the way it has worked in the past is, you
18 | know, Bill and Dave had agreed to do that as chair of SFAC.
19 | Phil if you are willing to fulfill that or do you want to take
20 | nomination or is somebody willing to -- how do you want to
21 | handle that?

22 | MR. LANGLEY: Well, I would fill that but I would
23 | like to have a proxy because this came up all of a sudden, and
24 | I know I am very busy fishing right now and it would be tough
25 | for me to make Thursday's meeting.

1 So certainly if we could have a volunteer or a
2 proxy, it would be very appreciated.

3 MR. GRACIE: I would like to suggest David
4 Sutherland.

5 MR. SUTHERLAND: I will raise my hand. How about
6 that?

7 MR. LANGLEY: Okay. David, if you are willing to do
8 it that would be great.

9 MR. SUTHERLAND: I would be more than happy to.

10 MR. LANGLEY: Thank you.

11 MR. SUTHERLAND: Thank you, Jim.

12 MR. BLAZER: We will get you all the information
13 about Thursday's meeting. Thank you.

14 MR. LANGLEY: We have got an MRIP update from
15 Dr. Linda Baker.

16 MR. BLAZER: If I can really quickly, while Linda is
17 getting set up, one of the things that I want to try to do is
18 bring issues before you that are kind of primers for things
19 that are going to happen in the future.

20 MRIP used to be MRFSS, the Marine Recreational
21 Fishing Survey. They changed the name. They changed a little
22 bit of the process but there is still controversy around it.
23 And it is undergoing a significant change at this point, and
24 that has been done by NOAA as we go through.

25 So there is a lot of controversy right now related

1 to black sea bass and flounder and a couple species at the
2 Mid-Atlantic Council and ASMFC. So you are going to be
3 hearing more and more about MRIP and some of the issues
4 associated with that.

5 So our staff specialist who is involved with MRIP
6 and some of her staff or folks are here as well. She will
7 introduce them. We just thought it would be good to give you
8 kind of a primer on what is MRIP, what does it do, what are
9 some of the issues. So we asked the very intelligent
10 Dr. Linda Barker to come and give you an update about that.
11 So, Linda, you want to take it from there?

12 ***Marine Recreation Information Program (MRIP) Update***

13 ***by Dr. Linda Barker, MD DNR***

14 DR. BARKER: Well, good afternoon. It has been too
15 long since I have been here because I don't know most of you.
16 And I used to come pretty often, once or twice year, and do
17 little statistics things, make you all do some math. We had a
18 good time.

19 So maybe we need to go back to that. One of the
20 reasons you haven't seen me so much the last few years is that
21 the vast majority of my time has grown over from doing a lot
22 of the statistical support for the department to becoming our
23 de facto mom of our interaction with the federal survey that
24 is done to gather recreational fishing information.

25 And so I will talk a little bit about that. We have

1 | now come to fruition with that effort but we are still
2 | remaining involved both as a State and as a participant in
3 | MRIP. So I would really like to come back maybe every and do
4 | an update as you all are bringing new folks onto the
5 | commission because this shouldn't happen again that I don't
6 | know anybody.

7 | (Slide)

8 | Well, I am going to do a primer working with the
9 | idea that some of you really don't know much about MRIP at
10 | all. What is it? It is stands for the Marine Recreation
11 | Information Program.

12 | It is a project conducted by NOAA. It is a federal
13 | project. The purpose is to produce estimates of recreational
14 | saltwater fishing. So not any freshwater at all and no
15 | commercial.

16 | Most important for you all to understand is that
17 | MRIP is made up of many, many surveys as well as a whole cadre
18 | of people and effort to produce the estimates from the raw
19 | data.

20 | (Slide)

21 | So how does that work? Well, in theory, it is a
22 | very simple idea. There are a couple of surveys designed to
23 | get at the number of angler trips taken. And you multiply
24 | that by the number of fish caught on any angler trip and that
25 | is by species of fish.

1 And then you should be able to come up with
2 estimates -- estimates of the total number of fish caught, the
3 number of fish harvested, some biological information about
4 those fish. So it is a simple idea, right? The devil is
5 always in the details.

6 (Slide)

7 So I thought you all might be interested in some
8 statistics because I love statistics so I know you do too.
9 What does MRIP tell us about Maryland's saltwater recreational
10 fishery? Well, duh, most of our saltwater fishing is done in
11 Chesapeake Bay, right? Comparison between the Atlantic area
12 and Chesapeake Bay.

13 There are approximately 2 1/2 million saltwater
14 trips estimated to be taken in Maryland each year. And out of
15 that 2 1/2 million trips, there are about 3,500 actual
16 interviews with anglers taking those trips.

17 So that should give you an idea that the process of
18 scaling up what is observed, to the estimates that are coming
19 out, is a big deal.

20 (Slide)

21 So looking through those data, these one, two,
22 three, four, five, six, seven, eight species are our top
23 caught fish. And if we look at -- I looked at the 10-year
24 average harvest, annual harvest, on each of these species and
25 put them in order. And I want to talk very briefly about

1 precision.

2 MRIP produces these estimates of harvest and
3 estimates of how good those estimates are. The technical term
4 they use percent standard error but without going into a
5 mini-statistics lesson, generally speaking a number lower is
6 better in this and generally speaking a number less than 25
7 has deemed by our Technical Committees through ASMFC that are
8 doing stock assessments, to be pretty good for their purposes.
9 So that is where that decision is coming from.

10 And you will see that in general, on an annual
11 basis, across all fishing modes -- for hire, shore, private
12 boats -- across all of Maryland, our precision values are
13 pretty good.

14 Now I want to point out to you that precision is not
15 the same as correct. Precision is an estimate of how much
16 uncertainty there is around that not. And it is a statistical
17 value, so again -- you know, you can come take my classes --
18 but other than that it is measuring observed variability.

19 It is not an absolute measurement of how correct
20 that number is but it is the best that anybody has got to go
21 on about the quality of the number. So in three words, what I
22 will tell you is you can possibly have a pretty good
23 precision, look at black sea bass, but your number not be very
24 good.

25 It is a statistical value that comes out of the data

1 that are observed. So in general then, given the information
2 that we have to go on, we are doing pretty well. We think we
3 are doing pretty well on annual estimates. But even so we
4 continue to have some suspicion about our coastal fishery
5 estimates.

6 *Questions and Answers*

7 MR. GRACIE: Can I ask a question before I get lost?

8 DR. BARKER: Sure.

9 MR. GRACIE: Is the standard -- that is a standard
10 error in the right-hand column. Is that a percent or a
11 number?

12 DR. BARKER: It is a percent standard error.

13 MS. DEAN: Can I also ask a question before we go
14 on?

15 DR. BARKER: Sure.

16 MS. DEAN: You said that it was 2.5 million trips
17 estimates, and it was 3,500 anglers. How many of those
18 anglers are on the same trip? Is that a possibility?

19 DR. BARKER: But it is 3,500 anglers are estimated
20 on an angler trip so it is apples to apples. I gave you
21 numbers that are apples to apples. So it is angler trips and
22 anglers being interviewed on an angler trip.

23 So you can consider that angler trip to angler trip.

24 MS. DEAN: So let me ask it in a different way. If
25 there is a boat that goes out and it has 25 people on it, and

1 10 people on that boat are interviewed, do they count as
2 separate intercepts?

3 DR. BARKER: Yes.

4 MS. DEAN: It is how I am wording it. I know what I
5 am trying to get at. Of the total number of trips, which is
6 estimated at 2.5 million, it was said that there were 3,500
7 angler intercepts. How many of those anglers were on the same
8 boat? Is it a possibility?

9 DR. BARKER: Are you asking if the 3,500 is
10 relatable to the 2.5 million?

11 MS. DEAN: It should be. No, I assume it is.

12 DR. BARKER: Is that the question you are asking?

13 MS. DEAN: Somebody help me?

14 MR. GRACIE: She is asking are these independent
15 trips, and I don't think in MRIP there is any way of knowing
16 whether two different interviewees were on the same trip or
17 different trips.

18 DR. BARKER: The answer is yes. Some of them are on
19 the same boat.

20 MS. DEAN: And are charter boats included. So if a
21 charter boat comes in with 30 people on board, they are
22 included in it? Charters are separate or together?

23 DR. BARKER: Probably not. There is going to be
24 more than one interview off of that charter boat.

25 MS. DEAN: A head boat. Thank you.

1 (Slide)

2 DR. BARKER: So how is the MRIP information used?
3 Well it is used in two ways. Now remember it is saltwater
4 fishing that we are talking about so the vast majority of
5 these fish are migratory. It is used as input for stock
6 assessments, which you hear a lot about.

7 And the vast majority if not all of these stock
8 assessments are multi-state groups, where our information is
9 going in with other states' information, where these fish are
10 passing across state boundaries and the vast majority of these
11 species will go in and out of federal and state waters. So we
12 have got multiple states, we have got states and feds.

13 Secondly, then once those stock assessments are
14 done, those numbers are used again to adjust the regional and
15 state harvest quotas.

16 (Slide)

17 So who is doing that? Who runs MRIP? And I have
18 heard, a lot of folks have heard, over the last four or five
19 years about a lot of changes. The National Marine Fisheries
20 Service runs MRIP. Why? Because of what we just talked
21 about, these fish that are saltwater fish are often migratory
22 and running across state boundaries.

23 So the idea, when the federal legislators made up
24 this law, was that they wanted the data to be collected in a
25 consistent way from state to state and to have consistent

1 communication about sharing that information.

2 So in 1981, as Dave mentioned, they began with the
3 MRFSS, the Marine Recreational Fishing Statistics Survey. In
4 2006, the National Research Council produced a review that
5 looks about that thick if anyone wants one of my copies. And
6 they had studied it for about four years, and they recommended
7 very substantial changes in every area of the survey.

8 So MRIP is the new MRFSS. So we have had MRIP as a
9 name around now for about four years, three or four years.

10 (Slide)

11 So what changes have already been made? First, in
12 2008-11, they started with those estimation procedures, how do
13 you scale up from those interviews to the estimates of what is
14 happening on these 2.5 million trips, right?

15 So they started with that, and redid the statistical
16 design of those, and in 2012 they published a revised time
17 series. So they went back and they ran their raw data through
18 new equation so to speak, and recreated 1981, 1982, 1983 all
19 the way up through 2011's numbers.

20 (Slide)

21 I am going to talk about this later but I am going
22 to talk about how things have affected Maryland. When those
23 were published we were not heavily affected like a lot of the
24 other states were. Our numbers did not go crazy. Our numbers
25 stayed fairly stable.

1 Second big change is that the access point angler
2 intercept survey, which is never called that. It is either
3 called APIS or APAIS. Some people will call it that. It is
4 the survey that interviews fishermen when they are coming in
5 from their recreational trips.

6 And it is the one that is used -- remember that
7 original image? Effort times catch rate equals the estimates?
8 This is the one that gets catch rate. How many fish were
9 caught on each angler trip and what types?

10 In 2013 the design changes started, and those came
11 into effect starting in '14/'15, and in our big news is that
12 last year in 2016, we took over the field management of APAIS.
13 And I would like to introduce our DNR employees who are now
14 managing the folks who go out in the field and interview
15 anglers in Maryland. Angela Dender* is our program manager
16 handling our administrative side. And Nestina Jackson is our
17 program biologist.

18 So we chose to take over this portion of MRIP. It
19 is not the whole thing. We are not doing MRIP but this
20 management of the field staff who are actually interviewing
21 anglers in the field, we are now in charge of so we know the
22 quality of those data, we know the behavior of those
23 interviewers.

24 (Slide)

25 The third big change is in 2002, the National

1 Saltwater Angler Registry was implemented. This was part of
2 changes for the effort survey.

3 (Slide)

4 And the last change that is happening with the
5 effort survey, and this is the one that you may have heard
6 some buzz about right now, especially in the last year, is
7 that this has traditionally been a telephone survey, a random
8 digit dial survey.

9 It was very inefficient. It started having more and
10 more problems as folks went over to cell phones and could
11 block the calls and whatnot. We also started seeing more and
12 more bias. That household telephone, if you have a landline,
13 that was no longer representing the general population.
14 So this has now been piloted for a year and they are
15 transitioning over to a mail survey.

16 (Slide)

17 What changes are still coming? Well, as I said, so
18 now they have changed the catch rate survey, right? They have
19 changed the methodology on that. They have made massive
20 changes to how they are going to be doing the efforts survey,
21 and they are now running the -- so they are starting to
22 develop, as they are running the new and the old effort survey
23 side by side, they are gathering two sets of data.

24 And they are looking at developing what they call a
25 calibration model. So how big are the changes going to be?

1 How do we put these new methods in and combine that with old
2 data to come up with something consistent over time. That
3 should be completed this year.

4 Second upcoming change: Once they have approved
5 that, they are going to publish a new set of these catch
6 statistics. So just like they did in 2012, they are going to
7 publish a new time series of these catch statistics of the
8 harvest estimates. And they will discontinue use of the
9 telephone survey.

10 Right now they are running them side by side. So
11 they will have done that for two years.

12 (Slide)

13 After they finish that, then these revised
14 estimates, starting next year, they think they will begin next
15 year for the primary species, so think striped bass, for us
16 definitely. They will take that new revised time series and
17 start reworking as the updated stock assessments come up in
18 their schedule, reworking those into the stock assessments.

19 What the pilot work has shown is that very likely,
20 the effort estimates are going to be higher. Remember that
21 calculation: If the effort estimates go higher, then the catch
22 is going to probably be estimated to higher through this time
23 series but if you are putting a higher catch, and
24 remember these estimates are used two ways, if that rolls back
25 through the stock assessment that there were more fish caught,

1 | then what does that mean? There were more fish available.

2 | So the stock sizes are probably going to be
3 | restimated as larger. So we, quite frankly, do not know what
4 | the end result is going to be of all of this. We do know that
5 | it is not just a 1 to 1. That if the estimates of catch go
6 | up, then we are going to be dinged that proportion and amount
7 | down.

8 | We don't know that it will have -- it may wash out.
9 | We just don't know. It is an extremely complex process.

10 | (Slide)

11 | We do, however, have some particular interest in our
12 | coastal fisheries: Summer flounder, black sea bass and
13 | tautaug, and particularly now that we have more of a direct in
14 | with the folks who are designing the sampling through us
15 | managing the field sampling with APAIS, we actually have the
16 | ability in our new role to get them to adjust sampling to what
17 | we feel is a more representative way of looking at our coastal
18 | fisheries.

19 | So we do not anticipate working with them to make
20 | those changes until '18 or '19, 2018 or '19. We are still,
21 | you know, getting our feet under us. We want to be very
22 | confident about our knowledge of our fisheries. And Nestina
23 | and Angela are coming up to speed really fast on that.

24 | But I would say within three years I will be coming
25 | back to you and talking about that.

1 MR. GRACIE: When you say adjust sampling, does that
2 mean change the number of letters they send out or do you mean
3 to adjust it with different areas?

4 DR. BARKER: We are talking specifically about the
5 catch rate survey because the effort survey is a blanket
6 survey asking statewide. So the only one we will have control
7 over is the sampling of where we go interview anglers.

8 I did an analysis about two years ago and my
9 preliminary analysis, it looked like we could, without paying
10 more money -- because we have no more money -- without paying
11 more money, we could shift some sampling from Chesapeake Bay
12 over to the coastal bays without affecting our estimates of
13 fish, especially striped bass in Chesapeake Bay.

14 But we could improve our estimates over in coastal
15 bays.

16 MR. GRACIE: In other words, you still think you
17 would have a large enough sample size in Chesapeake Bay that
18 you would have reasonable standard errors and get some
19 information on the coast up. So you actually do mean shifting
20 the loci of the sampling.

21 DR. BARKER: Yes. So that was that initial analysis
22 I did. It really didn't move those percent standard errors at
23 all, especially for striped bass because it is caught --

24 (Slide)

25 MRIP generally provides really good annual estimates

1 for species that are caught often across a wide area by a lot
2 of anglers. It will never produce good estimates for rare
3 event species -- tautaug, cobia -- for short time periods. If
4 you have a burst fishery. Or for specific fishing modes. If
5 you are talking just shore or just party boat.

6 So this is why we are hoping for our coastal
7 fisheries -- the analysis that I did was looking at what if we
8 take some of our summer sampling in Chesapeake Bay and put it
9 specifically to these modes in the coastal bay in this short
10 time period to try to catch that burst, localized fishery.

11 MR. GRACIE: As we understood it in the past --
12 maybe I am going back 10 years -- one of the problems with
13 MRFSS was that it is an annual estimate, and you start looking
14 at our trophy season for striped bass, they have no
15 relationship because it is a short time period and MRFSS can't
16 an MRIP isn't set up to accurately predict something that is
17 compressed like that. That is still a problem, correct?

18 DR. BARKER: Yes, that is still an issue. Again,
19 what Florida has done is for some of their burst fisheries,
20 they have negotiated to shift sampling away from where they
21 have really good sampling and they can afford to lose some
22 sampling over to a burst fishery.

23 But since we moved away -- and I don't remember how
24 long ago that was. That was a while, maybe seven years ago,
25 we moved away from having a quota for our recreational

1 fishery --

2 MR. GRACIE: And that was one of the arguments we
3 used. It was when Howard King was head of fisheries.

4 DR. BARKER: So we have not been as worried about it
5 since then because we haven't been under a quota.

6 (Slide)

7 So toolbox: Are MRIP results reliable? Well,
8 problems happen when odd MRIP estimates -- you know, these
9 short timeframes, these estimates within a specific fishing
10 mode, these estimates for not encountered often fish --
11 because you will get completely crazy, impossible, shouldn't
12 be believed estimates when you break that annual estimate away
13 down into its component parts, when odd MRIP estimates are
14 applied by management without accounting for the limitations
15 we just talked about.

16 There are two solutions. One is to spend millions
17 of dollars to sample a lot more anglers, and nobody has got
18 that money. And the other one is to modify management to
19 account for MRIP's limitations. I thought that was a pretty
20 nice way of saying that.

21 MR. GRACIE: That battle has been going on for 12
22 years.

23 DR. BARKER: That battle has been going on a long
24 time. Mike is still fighting that good fight. Alexi is still
25 fighting that good fight. There may be some change coming on

1 | the horizon. But I do want you all to understand that this
2 | process is not just something -- why can't you, Maryland
3 | management, fix that?

4 | What I hope you are coming away from this lesson
5 | with is understanding that it is a cooperative process, that
6 | we have limited influence but we have stepped up to the plate
7 | to get to take over the influence that we were offered.

8 | So we have done that. We have stepped up, and now
9 | we have got this tiny little piece that we are responsible for
10 | and we are hoping to leverage that to start managing a shift
11 | in our sampling that will be a benefit to us.

12 | But the big picture is going to be long and complex
13 | and involve people. So if anyone has any questions, if we
14 | didn't answer them as we went through, I will be happy to
15 | answer them.

16 | MS. DEAN: I was kind of interested in how you said
17 | we are moving away from the telephone to the mail. And in
18 | some ways my initial thought is we are going backward here.
19 | And I understand that not everybody has the access to
20 | electronics but I feel like we could reach more people by
21 | interfacing with the idea that when you buy a fishing license
22 | in Maryland, you provide an e-mail.

23 | Do you think that the benefits of snail mail
24 | outweigh what you would have lost electronically lost because
25 | I feel in some ways people would be -- it is quicker to

1 | respond electronically. It costs less to send out a survey
2 | that way than through mail so what were some of the reasons
3 | for that?

4 | DR. BARKER: I can't answer why they said, why they
5 | are saying mail, and I don't know -- I would be surprised if
6 | there is not the option to reply to that mail survey
7 | electronically. I don't know.

8 | But remember that the effort survey is still a
9 | statistical sampling. So it is not a voluntary thing. It is
10 | not if you want to report your catch you do. If you bought a
11 | fishing license then you report when you want.

12 | This is still a statistical, random sampling survey,
13 | and that ties into what I said earlier about that National
14 | Saltwater Registry. So that is exactly what happens. When
15 | you buy a license in Maryland, your contact information goes
16 | into essentially a phonebook of people who should be sampled.

17 | And then in this methodology then on these certain
18 | timeframes, they will pull a random sample from those people
19 | who have licenses.

20 | MS. DEAN: You are talking about the paper one too
21 | or is it too soon? We haven't implemented the paper.

22 | DR. BARKER: The mail survey?

23 | MS. DEAN: Yes.

24 | DR. BARKER : Well, one reason they went to the mail
25 | survey is because in the pilot work that they did -- they ran

1 a pilot for two years in four states, and they found that the
2 response rate was more than double. Well more than double
3 what they were getting with the telephone survey.

4 MS. DEAN: But it might not be more than double what
5 they would get if they did an electronic survey. Okay.

6 DR. MORGAN: Quick question on the table. You have
7 typical precision listed for eight species. What do those
8 estimates of precision look like for some of the other states
9 for those same species? Are they generally higher, lower,
10 about the same?

11 DR. BARKER: Again, if it is a species that is
12 caught often in that state, so if it is one of their dominant
13 species -- so striped bass up and down the board, the Atlantic
14 seaboard, those values are going to be down in the teens any
15 state.

16 So you can look at --

17 DR. MORGAN: You are building a model, a coastwide
18 model for a number of species so the more precision that you
19 have, the better the model is going to be, correct?

20 DR. BARKER: For the species that are caught often
21 the answer is yes. If you are talking about a rare-event
22 species --

23 DR. MORGAN: No, I am not talking about rare event.

24 DR. BARKER: Then generally the answer is yes.

25 DR. MORGAN: Because one of the concerns with this

1 group is obviously the striped bass fishery up and down the
2 coast for a number of reasons. And obviously the more
3 precision you build in by state then the better your
4 prediction should be for the entire coastwide population as a
5 whole.

6 DR. BARKER: You are absolutely correct, yes.

7 MR. LANGLEY: Dr. Barker, I do have one kind of
8 follow-up question, kind of what Ray touched on there. The
9 Chesapeake Bay is a very large estuary compared to a lot of
10 states, a lot of rivers, a lot of fingers. And with your
11 sampling. Is there any way to predict or geographically,
12 there seems to be a migration pattern of fish over the last
13 few years, several years, as far as northern bay, middle bay,
14 southern bay.

15 As far as the sampling process and whether, you
16 know, you could identify any patterns there with the sampling
17 process as far as the fish being caught. And there are so
18 many little tributaries and whatnot within the Chesapeake Bay
19 and so many ports. Unlike the coast, the number of ports are
20 limited.

21 And in the Bay you have got the eastern shore, you
22 have got the western shore, you have got the rivers, the
23 fingers and so many areas that when we are talking about
24 possibly focusing, taking some people and transferring some of
25 that effort to the coast, do we feel that we have got the bay

1 | pretty much covered?

2 | DR. BARKER: Well, the sampling sites are actually
3 | set. Is it 234? Yes, so in Maryland, and Chesapeake Bay is
4 | probably 170 of those, 185? Yes. So we know the big number.
5 | There are 234 set sites for Maryland. And we are talking
6 | about the catch rate survey, the APIS, where we interview
7 | anglers, not the effort survey.

8 | And I used to know but I don't anymore the exact
9 | number of those that are Chesapeake Bay but it is dominated by
10 | Chesapeake Bay so I am guessing maybe 185 or more, 185 to 200
11 | of those, are in Chesapeake Bay.

12 | So the National Marine Fisheries Service has a
13 | program that they will do what we call a sample draw, and they
14 | will say, okay, in this next two months, you are going to go
15 | here on this date at this time. And you are going to go here
16 | on this date at this time.

17 | And so it is this -- as you can imagine, sort of
18 | light coming down and pinging all over with the idea that has
19 | been randomly sampled Maryland in that timeframe.

20 | So what we are talking about doing is not so much
21 | shifting people or shifting sites but saying take some of
22 | those pings that you were aiming in Chesapeake Bay and ping
23 | more over on the coastal bays. Does that answer the question
24 | you asked?

25 | MR. LANGLEY: Yes, I think so. It is just I didn't

1 know, as far as how random those sites were and geographic
2 areas, whether it was a consistency at the geographic sites in
3 the middle, upper and lower bay, or is there a possibility
4 that one area get hit harder than the other area, which may
5 give a false --

6 DR. BARKER: Absolutely. And the answer is yes and
7 no because the sites are very well distributed to be, you
8 know, pretty even coverage all over Maryland. And some of you
9 -- Jim, you have been on forever. Ed, you have been on
10 forever. You remember back in 2012 when we were doing that
11 project.

12 So we are very pleased with the sites themselves but
13 just because of the nature of random chance, that is exactly
14 right. In any given timeframe, you could pull, by chance,
15 more from one areas than another but there is some
16 stratification in the design to try to work against that.

17 So in Maryland -- we are one of the few states where
18 the National Marine Fisheries Service does this -- they
19 actually have us split up into three areas. So it can't
20 happen that all of our samples are drawn just up here.

21 So we are what is called a stratified draw to make
22 sure that they can't go too far off and clump everything
23 together.

24 MR. GRACIE: I think you answered my question
25 because I think one of things that is behind Phil's question

1 is that there is reason to believe that the location and
2 concentration of the fishing in the bay have been changing
3 recently.

4 So you didn't say you had a stratified random sample
5 until just now so it would have be stratified otherwise you
6 would see changes in precision if that was really happening.
7 If the patterns were you had a much higher density in one
8 section and you didn't have a stratified random sample.

9 You wouldn't know what was going on. You would see
10 changes in precision, I would think. If your numbers went
11 down if you had too many samples concentrated in the areas
12 where the fish weren't. Is that part of your concern, the
13 changing location of fish?

14 MR. LANGLEY: Absolutely. Thank you, Jim.

15 DR. BARKER: We have no way through this survey to
16 actually track movement of fish in Chesapeake Bay though.

17 MS. DEAN: Those sites -- and Jim, you probably know
18 better because you were here when it was happening -- are they
19 marinas, boat ramps and public fishing sites? No private?

20 DR. BARKER: Yes, it is all public access. Good
21 question.

22 MR. BLAZER: I just want to say thank you, Linda.
23 Great job, great summary. This is something you are going to
24 hear more about with black sea bass, flounder, tog -- this is
25 the best available science, the system that we have got. It

1 is not perfect but it does pretty well, and we hope we can
2 make some improvements but you are going to be hearing more
3 and more about it in the upcoming years. But thank you,
4 Linda. Great job.

5 DR. BARKER: I have got a couple handouts from you.
6 I sent you an expanded version of this presentation ahead of
7 time in your notes, and we have got a couple handouts that we
8 give anglers when we interview them that has some basic
9 information about MRIP and some contact information, and then
10 I have my contact information in the notes I sent you earlier
11 if anybody has any other follow-up questions.

12 And it was good to be back. And I guess I will see
13 you in another year or so. I got something else to talk
14 about.

15 ***Policy Program***

16 ***Sarah Widman, MD DNR Fishing and Boating Services***

17 MS. WIDMAN: So you all should have received I think
18 a couple weeks ago our normal Regulatory and Penalty Update
19 Report. Because of the hiatus that the state takes from
20 issuing regulations over the winter as we go into session,
21 there is not a lot of new stuff on here.

22 In the effort of trying to save you guys a little
23 time, unless someone has questions, there is not a lot to say
24 about this at this meeting today.

25 Moving ahead then, scoping: Just because we are

1 | awesome, we are going to make scoping super short too. There
2 | are only two items. One of them is something we do every
3 | year.

4 | By law we have to adjust the commercial license
5 | targets so we are working on that, and the reasons we do that
6 | are for instance, right now we have 10 individuals who
7 | downgraded an unlimited tidal fish license that let you do
8 | everything into its component parts. So we have to adjust the
9 | numbers for each of the different license types when that
10 | happens, and we do that once a year. So we are doing our
11 | annual corrections to those numbers that happens every year.

12 | That will be, as noted on the handout, on our
13 | Website and all the normal social media stuff for feedback as
14 | a scoping item.

15 | And then a second one is more specific to
16 | commercial. Some of the commercial pound netters wanted the
17 | ability to essentially share their pound nets to make better,
18 | more efficient use of their gear and so we are scoping that
19 | ability to permit folks to have pound net authority to be able
20 | to essentially co-use a pound net together as long as it is
21 | registered that way that we know, for enforcement purposes,
22 | there are two people registered to that.

23 | Again on our Website, social media for scoping.
24 | Questions on scoping?

25 | DR. MORGAN: How many pound nets do we have left in

1 | the Maryland portion of the Chesapeake Bay?

2 | MS. WIDMAN: I would have to look up that number. I
3 | do not know.

4 | DR. MORGAN: You should have it off the top of your
5 | head.

6 | MS. WIDMAN: I know, I should have, and I don't have
7 | the current number but it is actually on our Website.

8 | Let's move on to legislation. So we didn't have a
9 | really busy session in comparison to some other years so that
10 | was good, I guess.

11 | Some things to be aware of that passed -- I will go
12 | through the stuff, the failed ones related to fishing or
13 | fisheries I have on here too -- but the stuff that passed that
14 | you will see, we have a couple of veterans'/Purple Heart
15 | recipients' licenses that will have some sort of discount for
16 | those folks coming up here that you will see. After the 30th
17 | of June, we will start working on that.

18 | Some of the require reports. Some of them have us
19 | looking at what other states are doing, and if they do
20 | something similar, we would reciprocate.

21 | Crab harvest times: Something I guess more for
22 | commercial but so that you are aware that on the summer
23 | holidays, I am trying to remember which ones. Memorial Day,
24 | Fourth of July, and Labor Day, the day of the holiday and the
25 | day before, you might see commercial crabbers having different

1 ability to go outside the normal time period that we give them
2 on those specific days.

3 So it is normally a set time and a catch time for
4 them, and it is going to be expanded on those holidays to help
5 them, a, get out in the summer months when it hotter, to get
6 their catch in earlier so it doesn't spoil. And also around
7 the holidays when there is more need for folks who want to go
8 have their crab, that there will be more available for them.
9 So be aware of that.

10 I think Dave brought up House Bill 924 under the
11 oysters so essentially it was amended a little bit but it is
12 going to have us looking at the oyster stock assessment in
13 terms of our fishery management plan before we are able to
14 either reduce or alter the actual boundaries to our
15 sanctuaries.

16 So some of that work that was ongoing is sort of put
17 on hold for a while, while that happens.

18 Cownose Rays: So we did have a bill pass on cownose
19 rays. It is asking us to essentially come up with a fishery
20 management plan kind of denoting -- the general assembly
21 recognized that some of that is commiserate with the funding
22 we have to study cownose rays.

23 And we have until the end of 2018 to try to start
24 working on that and put something in place. In the meantime
25 though, until July 1, 2019, there is a moratorium on cownose

1 ray fishing tournaments. So anything that is deemed as a
2 tournament, under that statute, would not be allowable until
3 after that timeframe.

4 Our seafood marketing program has moved over to the
5 Department of Agriculture. There is some stuff on leases and
6 submerged aquatic vegetation when we are looking in terms of
7 shellfish leases, setting up a program to better analyze that,
8 and the impacts it might have.

9 That was supported by -- the Aquaculture
10 Coordinating Council was actually looking at putting it in
11 place anyways, and this bill just kind of solidifies the
12 process for us. There were two bills that weren't cross-filed
13 but they were the same thing on that, and essentially those
14 were all the bills that passed.

15 Questions on any bills, passed or failed?

16 MR. BLAZER: Sarah, maybe we could mention to this
17 group about the FMP workgroup for cownose rays.

18 MS. WIDMAN: Oh, yes. Thank you for reminding me.
19 So it is starting to look at creating a cow nose ray FMP. We
20 would want essentially kind of groups of various
21 stakeholders -- every time we create an FMP, we have a whole
22 workgroup that meets, that would meet a couple times and kind
23 of look at things and discuss things.

24 So generally speaking we are looking for people, we
25 would want people in place kind of around the time you guys

1 meet at your July meeting so that those meetings could start
2 occurring.

3 And we are kind of looking for a group of 10 to 12
4 people with various representations, so some from charter boat
5 and commercial, environmental groups, recreational components,
6 aquaculture as well.

7 So if you all have, you don't have to decide
8 tonight, but if you have recommendations of folks in those
9 general categories you would like to see on the workgroup,
10 that would be super helpful. You could either send them to me
11 or Nancy Butowski, who does our fishery management planning.
12 Or Dave. And just let us know whom you would want to
13 recommend to sit on that.

14 But especially the sport fish and tidal fish, we
15 would like some representation from you guys or people you
16 think would be good to represent the groups that know a lot
17 about cownose rays or have an interest in it. Any other
18 questions on legislation?

19 (No response)

20 MS. WIDMAN: So I think at your request, and we have
21 had, let me see, the reorg, so I am kind of becoming the
22 person who handles a lot of intercept with licensing. So I
23 drew the short straw so I am here to present this to you.

24 This is just a quick rundown of license sales from
25 the recreational, and it goes all the way back to I think '04.

1 It denotes that in 2015, if you all remember, we all went from
2 an annual cycle -- so you purchased your license in January,
3 February or March and it would expire in December. And it is
4 a 365-day license. So if I purchase it right now, it expires
5 a year from today.

6 So that kind of -- keep that in mind when you look
7 at the numbers but essentially our numbers looked fairly
8 consistent from last year when that was implemented. A couple
9 ups and downs, but generally speaking somewhat close to last
10 year's numbers.

11 So if anyone has specific things they want to ask or
12 address, I may not have answers but I can certainly find them
13 out.

14 MR. DeHOFF: Any idea what proportion of the license
15 sales are coming through Compass and what is coming through
16 dealers?

17 MS. WIDMAN: I don't but I can find that out.

18 MR. DeHOFF: Because that says -- like somebody said
19 earlier, that is a great place for us to gather contact
20 information. If they can do that online through Compass, we
21 get so many more ways to reach out to them.

22 MS. WIDMAN: That is a good point, and we are really
23 trying to be more interactive electronically, so I know --
24 even with commercial license renewals this year, we reminded
25 them, give us your e-mail because we can remind you of stuff

1 | if we can get a hold of you electronically.

2 | MR. BLAZER: One of the things that we have kind of
3 | been looking at and working with our BFF, Recreational Boating
4 | and Fishing Foundation, is better ways to retain license
5 | holders so like, for example, going to a year-round was one of
6 | the thoughts they had. Are there other marketing ideas and
7 | other ways to do promotions?

8 | If you remember last year, we had -- your 16th
9 | birthday you could get a free license for your first year out
10 | to try to recruit new anglers so we have been working with
11 | some of the national groups to try to figure out strategies to
12 | retain the licensees that we have but also hopefully increase
13 | because as I am looking back at some things, some of the
14 | numbers you look back at 2004, 5, and 6, where you have got
15 | the resident nontidal. You have got about 135 to 140,000
16 | people. Now it is about 115 to 120.

17 | You know, is there a reason for that in 10 to 15
18 | years? What is the trend and -- so I don't think we are the
19 | only state in that category so our BFF, this group, has been
20 | trying to figure out ways to do better outreach, better
21 | marketing to help with the license sales in a lot of the
22 | states.

23 | MS. WIDMAN: And then also just quickly on the
24 | penalty, I now a couple meetings ago we kind of let you know
25 | with e-tix, which you heard more about tonight. And the

1 Interstate Wildlife Violators' Compacts. If you get suspended
2 or revoked in one state -- there are 46, soon to be 49 -- you
3 could be suspended or revoked in all the other states.

4 So we are working on implementing that. We are
5 really close to having it fully implemented. So if you hear
6 of constituents or people who get suspended here, we do reach
7 out. If they are licensing with us, and they will be getting
8 letters if they are a Maryland resident.

9 But essentially that -- I am hoping in the next few
10 months that is fully implemented and those people would see a
11 restriction show up in their account with us if they have one.

12 MR. LANGLEY: Any questions for Sarah before she
13 goes?

14 (No response)

15 MR. LANGLEY: Sarah, thank you. Okay, we have
16 freshwater fisheries.

17 MR. BLAZER: Roger, do you want to talk about the
18 Black Bass Advisory Subcommittee?

19 ***Black Bass Advisory Subcommittee Report***

20 ***by Commissioner Roger Trageser***

21 MR. TRAGESER: We had a meeting on March 30. Took
22 care of a little housekeeping first off. We approved what our
23 procedures will be moving forward with minority reports.

24 We went back to the haul seining issue again. We
25 had a video presentation. Our natural resources planner

1 Bob --- gave us a video from a study that was done back in
2 1996. It was an upper bay study, summertime, and deeper water
3 haul seining on well-established grass beds.

4 The purpose of the study was to see what the effects
5 were on the grass beds. Apparently their results gave little
6 to no impact on these grass beds.

7 The thing is, it is kind of apples and oranges to
8 what our concerns are. Our concerns are shallow water haul
9 seining, springtime with emerging grass and with spawning
10 beds, bass spawning beds, already in place, and what the
11 results could be for that.

12 So Dr. Love suggested that perhaps the department
13 could perform a stud to maybe evaluate what these haul seining
14 effects in springtime nesting habits might be because right
15 now these are just observations that a lot of our fisherman
16 have seen.

17 There is no real science, there is no real study or
18 any science, and if we are trying to move forward with any
19 type of regulatory action on this, there has to be some
20 science that would back up what are claims are to the problems
21 with the shallow water haul seining in the springtime.

22 Joe said he is going to consult with Virginia's
23 Marine Resource Commission, Virginia's Department of Game and
24 Inland Fisheries and/or the Potomac Fisheries Commission for
25 data or reports on the effects of commercial haul seining on

1 submerged grasses during the spring.

2 Another item on our agenda was habitat. Tom Parham,
3 who I believe as actually given a presentation down here
4 before, gave us a Powerpoint presentation on water quality
5 monitoring across the state and emphasized that water quality
6 has been improving; however, land development, agricultural
7 practices, are still very much an issue, posing threats to a
8 healthier bay system.

9 Information obtained within the presentation
10 provided reviewers information needed to access water-quality
11 data, report habitat problems to the state and become involved
12 in management decisions. The presentation was going to be
13 delivered electronically to all the subcommittee members.

14 Out of that, we have also decided to form a habitat
15 workgroup within the subcommittee. Myself and Steve Jaconis*
16 will be on that along with the department heads Dave. I think
17 Joe is going to sit on that as well.

18 The workgroup will work with department staff to
19 examine legislative or regulatory actions that may be of
20 interest to black bass fishery management. The workgroup will
21 report to the subcommittee, and the subcommittee may act as a
22 unit for providing input regarding such actions.

23 Our subcommittee decided that we did indeed want to
24 get our number back up to 13. We had a resignation that
25 brought it down to 12. So the department has sent out,

1 | already sent out applications, and they have had four
2 | responses on that. Pretty much close, those four responses.

3 | We were going to close off -- today was supposed to
4 | be our close-off day for the subcommittee members to respond
5 | to those applications. But we didn't have a significant
6 | number. Actually the number right now of the 12 who have
7 | responded is 7 because we had some last-minute ones today. So
8 | we have got 7 out of the 12.

9 | And I think Dennis, our chairman, wanted to extend
10 | this at least one more day. I think we needed to, through an
11 | e-mail between him and I, we needed to put a little fire under
12 | some people's backside to even remind them, oh, yes, we are
13 | supposed to review those applications and get back.

14 | I think we will get a few more of our subcommittee
15 | guys to give us some feedback. Are all the applications then
16 | going to go to sport fish or are we going to look at the
17 | overwhelming -- right now between the seven, we have two who
18 | are recommending one individual, and five who are recommending
19 | another individual.

20 | MR. BLAZER: Right. We are going to bring those
21 | recommendations back to this committee. If you remember with
22 | the Black Bass Advisory Subcommittee, this group approved
23 | those original 13 members way back when we first started this
24 | almost a year ago.

25 | So the subcommittee wanted to look at the

1 applications. They will provide a recommendation. We will
2 bring that to you all for you all to make a recommendation to
3 the department.

4 We want to kind of go through this process because,
5 if you recall, with some of the issues we have had with the
6 Black Bass Advisory Subcommittee, there was a lot of concern
7 about the original makeup that we had. There were a lot of
8 tournament anglers. There were a lot of fishing guides.

9 Originally the department tried to balance out with
10 our original recommendation so we want to make sure we are
11 going through a pretty thorough process here to make sure we
12 have a good diversity of people who go through. So we are
13 going to bring that back to you all --

14 MR. GRACIE: You all, meaning the commission as a
15 whole?

16 MR. BLAZER: The commission, yes. I am sorry. The
17 subcommittee is dealing with it now. We will bring it all
18 back to you all probably in June because we will have
19 everything all wrapped up by that time. And then let you all
20 deliberate over that and make a recommendation to us.

21 But again, knowing the issues that we had, as we
22 kind of evolve through this process -- and again, we want to
23 make sure that we have got a diversity of stakeholders, not
24 too many of one particular component, if you will, on that
25 committee. So we will bring that back to you all in June.

1 MR. TRAGESER: Just a couple items or closing
2 remarks coming out of our meeting. Dennis Fleming, who is a
3 member of the PRFC, spoke about the multijurisdictional
4 meeting that was held on February 8 at the District of
5 Columbia's Aquatic Resource Education Center.

6 So you had Maryland there, Virginia there and
7 District of Columbia giving presentations. They are, meaning
8 the PRFC, is going to work on a program that would incorporate
9 multiple, yearly interagency meetings. Right now we just have
10 that meeting once a year, and there is a lot of information
11 that comes out on that.

12 It is not just information that a random spectator
13 gets. It is information that Virginia gets from Maryland and
14 Maryland gets from Virginia and DC and back and forth.

15 So in my opinion the more times within reason that
16 those groups could meet, the more information they can share
17 and maybe compare notes a little bit better and maybe even
18 tweak the way they conduct some of their surveys and do some
19 of their monitoring to fit it a little bit better. So looking
20 into that.

21 One of our members requested that the DNR look into
22 the possibility of lifting the springtime no possession rule
23 on the nontidal fisheries. Between March 15 and June 15, no
24 possession whatsoever. Noting that perhaps making some of
25 these fisheries available to potential tournament sites might

1 take some of the pressure off of the river system.

2 It is an issue that we will visit at a later
3 meeting, maybe even 2018 because we have got a pretty busy
4 parking lot list that we are going to go over. That we still
5 have things to address on.

6 I think our next meeting we have NRP enforcement and
7 was it education or did we bump education for something else.
8 I can't remember now. No, education ideas and outreach and
9 National Resources Police enforcement, that is on the next
10 meeting. And the next meeting is scheduled for October 3.

11 The other item I want to bring up is early on there
12 was a potential proposed regulation that dealt with one 15-
13 inch fish in possession within the creel 5 between June 15 and
14 I think that was February 3.

15 This wasn't just for tournament anglers. It was
16 going to be for anybody fishing in that timeframe but
17 nothing -- only one over 15 inches.

18 While this commission gave the department the
19 authority or the okay to scope that, the department did scope
20 it in house but actually decided not to pursue that regulation
21 any further than that. I think we are making some strides
22 through education, through getting the message out with our
23 anglers about fish care.

24 Now what was in place last year is pretty much still
25 in place. There is still the need for tournaments that are

1 larger than 10 boats to register. We encourage every
2 tournament to register, whether they are 2 boats or 10 boats
3 because that provides the department with information that
4 they use.

5 But any tournaments over 10 boats are required to
6 register as long as they meet the waiver requirements for fish
7 care. Then they can bring in more than 1 15-inch, a 15 or
8 larger inch fish within their creel limit.

9 And the waiver information is available on the Black
10 Bass Subcommittee Website. You can see that information there
11 if you haven't already looked it up. So that is about it.
12 Any questions?

13 MR. BLAZER: I just have one quick update on the
14 haul seine discussion. Joe has reached out to some of our SAV
15 biologists and also some of the haul seiners down on the
16 Potomac. He has been in touch with Billy Rice and Rocky and
17 the grinders. And they had a meeting I think was it last week
18 just to talk about some things and some issues and some way to
19 try to get some of the information that we talked about at
20 that subcommittee meeting.

21 They have had some of those discussions. They are
22 formulating work plan to move on from there so we will have
23 more information. Those discussions have kind of taken place.

24 MR. TRAGESER: Thank you.

25 MR. LANGLEY: Any questions for Roger?

Questions and Answers

1
2 MR. DeHOFF: Roger, those waiver requirements, those
3 are the requirements to have tanks and things like that? That
4 is what that is?

5 MR. TRAGESER: It is tanks. It is also providing
6 information, making sure your angler, while they are out on
7 the water, are doing the right thing, keeping the live wells
8 running, changing water frequently, icing down later in the
9 summer when the water gets hot.

10 MR. DeHOFF: That is what I thought it was. The
11 reason I asked is some of the people I have talked to kind of
12 feel that those are a bit restrictive to the local
13 tournaments, the small clubs and things like that sometimes.

14 MR. TRAGESER: Well, small clubs -- like I said,
15 this is going to impact tournaments that are over 10 boats.
16 Most small clubs, and I am a small club, if we have five or
17 six boats, that is about it.

18 However, take a page out of what we are doing. We
19 are practicing, we are doing what is called major-league
20 fishing. We get a fish, every boat had a scale, we weigh it
21 right then and there, we record it and --- on the score
22 tracker and the fish go right back in the water.

23 That is easy to do for club tournaments. That is a
24 little more difficult if you are talking about tournaments
25 where there are money and prizes and whatnot involved in it.

1 That gets into the bigger scale and then those requirements
2 have to be met.

3 MR. DeHOFF: I just wanted to let you know. I am
4 sure you heard that feedback. The guys that I talk to are
5 generally smaller guys and they were concerned about that.

6 MR. TRAGESER: It doesn't take that much, even for a
7 small outfit, to set something up that is a little bit better
8 carewise than what they have been doing. For instance, we
9 have seen this in bad, bad tournament practices where even if
10 it is just five or six boats, they come in, and two guys in a
11 boat, they each have their bag of fish, and they all come in
12 at one time.

13 They don't have a tank sitting there, and they are
14 waiting there to weigh their fish. Why do that? You are
15 right there. You leave your fish in, we will call you when we
16 need you. You bring your fish in, you come right up, you
17 weigh them, they go right back in.

18 It is really little things like that, that just need
19 to be addressed to clean it up.

20 MR. DeHOFF: I agree with what you said about
21 education. That is a major part of it.

22 MR. LANGLEY: Thank you, Roger. Appreciate your
23 presentation. All right, we have got John?

24 MR. PROCHASKA: I am going to say a few words if
25 that is okay. So I have decided to mix things up a little bit

1 today. Instead of sitting up here talking about our
2 initiatives and projects and deliverables, I asked John
3 Mullican to come in and give a presentation on some of the
4 work that we are doing with other fishes other than
5 largemouth, smallmouth and, of course, all the trout species
6 that we work with.

7 I think most folks probably know John Mullican. I
8 thought this would be a good opportunity for folks here to get
9 to know him a little bit better.

10 He has been in freshwater fisheries pushing 30
11 years. Started as a conservation associate, was a regional
12 manager for West II, Washington and Frederick counties, for
13 almost a decade. And recently was promoted to serve -- the
14 old Charlie Gudjen*, he oversees all our regional managers.

15 So it is an opportunity to meet John and also learn
16 about some of the other work we are doing. He is going to
17 talk about Northern pike and Muskie, two large top predators
18 that get, as you will learn here, many of you probably already
19 know, they get very large in our freshwater system. So with
20 that, I will turn it over to John.

21 ***Muskellunge and Northern Pike***

22 ***by John Mullican, MD DNR Fishing and Boating Services***

23 MR. MULLICAN: It is little question that black bass
24 are the most sought-after freshwater sport fish in Maryland.
25 Nationally they are a great gamefish. And they are readily

1 available pretty much no matter where you live.

2 Although not as widely distributed, we are fortunate
3 in Maryland that we do have some exciting other freshwater
4 fisheries, and I am going to talk about two of those today.
5 And these have attracted a pretty dedicated following. The
6 two I want to talk about are the Potomac River Muskie fishery
7 and the Deep Creek Lake Northern pike fishery.

8 When it comes to Muskie, we really only one fishery,
9 and that is in the Potomac, the nontidal Potomac River. And
10 we have some limited populations of Northern pike in some of
11 the Baltimore and WSSC reservoirs but primarily our most known
12 and highest-quality pike fishery is in Deep Creek Lake. I am
13 going to talk about Deep Creek Lake first.

14 (Slide)

15 Maryland and Deep Creek Lake are at the extreme
16 southern end of the Northern pike's range. They are native
17 more to the northern regions of Canada and the Midwest.
18 Generally, in the southern portions of their range, trophy
19 size pike are very rare.

20 Deep Creek Lake, as you probably know, is our
21 largest impoundment fully within Maryland. It is just under
22 4,000 acres and it is far to the west in Garrett County.

23 (Slide)

24 Both of these species are what Linda -- a prime
25 example of what Linda referred to as rare event species, which

1 makes them very difficult to sample in a statistically valid
2 way. They generally -- we had little information on this
3 species previously because they were generally just bycatch
4 during more standardized surveys for black bass.

5 So what do we know? What we found is that trophy
6 specimens are present. We see it on the anglers' log, in some
7 of the tackle stores in the area, and there is anecdotal
8 evidence that a pike greater than 40 inches are perhaps a
9 little more abundant than they used to be.

10 And again a Pike over 40 inches is a pretty rare
11 fish in even some of the Canadian areas for pike so we have a
12 pretty special though limited fishery. And I would imagine we
13 also know that Northern pike are going to be difficult to
14 sample. They are a rare event species. It is very difficult
15 to collect enough of them to get both life history data as
16 well as data on relative abundance.

17 We know that some harvest occurs. We see pictures
18 of it. Primarily a lot of this will occur during the ice
19 fishing season. And we know that anglers like big fish.

20 So we are trying to get more background information
21 on this fishery so that we can continue to provide those big
22 fish and protect this resource for the future and maintain its
23 trophy quality.

24 So to do that, we have to gain more life history
25 information, age, growth. How fast do they grow, how old are

1 they at maturity, what is the size distribution? And can we
2 in an efficient manner determine relative abundance or changes
3 in abundance?

4 So we have to try to determine the most efficient,
5 accurate sampling methods, and we also have to get information
6 on the anglers themselves. Are they targeting this species?
7 How much effort do they invest in it? What is the harvest and
8 related mortality?

9 (Slide)

10 We have tried different things. We found that the
11 highest precision for survey is a spring electrofishing survey
12 early in the spring prior to the fish spawning, and targeting
13 the spawning covers.

14 Generally, as Linda mentioned, a relative standard
15 error. We tried sampling in the fall, targeting SAV habitat
16 and the standard error was very large, and based on those
17 samples we would not be able to detect any kind of change in
18 the relative abundance.

19 But we found by using fixed sites early in the
20 spring, and based on the number of samples, our relative
21 standard error is around 25, which is actually pretty good for
22 this type of fishery.

23 Again the fish was targeted in spawning coves,
24 particularly ones that have active, incoming streams. These
25 fish move into, right after ice out when the main lake is

1 still in the 30s, and these bays start to warm up early. They
2 are in the 40s. These pike will move into the very headwaters
3 of these coves in very shallow water, eventually spawning in
4 the incoming streams or over detritus and vegetation in the
5 upper part of the cove.

6 (Slide)

7 We also this spring deployed some hoop nets to try
8 to capture fish in areas that were very difficult to get into
9 electrofishing. The picture on the upper right, you can see
10 some of the headwater areas that these fish, even large fish,
11 will move into. These areas are typically less than three
12 feet deep and can be hard to get the electrofishing boat into
13 some of these areas.

14 Anybody who has fished in Deep Creek in March knows
15 a boat ride in Deep Creek is very cold in March. Pretty icy
16 mornings. One of the benefits of using passive gear like the
17 hoop nets, we were able to capture a pretty valuable fish to,
18 as far as studying the life history.

19 This is a male pike that was one of the original
20 fish tagged in 2014. It was tagged at 29 inches, which is one
21 inch shy of the current minimum size. And based on scale
22 analysis was aged at age 7.

23 This fish was recaptured in a hoop net this spring
24 at 29 and less than 3/4 inch at age 10. So in 913 days at
25 large, this fish only grew a quarter of an inch. And this

1 | also shows that based on its age, it is unlikely that many of
2 | the male Northern pike will reach a size that they can be
3 | harvested under the current limit.

4 | MR. SUTHERLAND: What is the state record?

5 | MR. MULLICAN: The state record is 43.7 inches and
6 | around 25 pounds.

7 | (Slide)

8 | MR. MULLICAN: So another project that we have been
9 | doing to arrive at more of this data and to get the
10 | preference, the effort that is put toward this fishery,
11 | freshwater conducted a statewide angler preference survey.

12 | We know that fish like black bass and trout are
13 | going to be more sought after but we are hoping to get some
14 | feedback on how important these other fisheries are to anglers
15 | and we have also established a tagging study, and there are
16 | some signs around the lake and at the boat ramp indicating to
17 | anglers that if they catch a tagged fish, to report the length
18 | and the tag number.

19 | And those tagged fish will help us verify the ages
20 | that we determine from scales. Particularly for larger, older
21 | individuals, scales are very difficult to read. As the fish
22 | growth slows, growth rings become closer and closer together
23 | so the tagging should help us verify the ages that we are
24 | getting through the scale analysis.

25 | There was a female that was recaptured this spring,

1 and she is also at the upper limit of sizes that we might
2 expect, and we see the growth is pretty slow.

3 (Slide)

4 So what have we learned so far? We have learned
5 that the spring electrofishing at the fixed sites is the most
6 precise for determining relative abundance. You can see in
7 the upper right we had what our catch per unit effort is, that
8 is basically many fish we caught per hour of electrofishing.

9 In 2016 and then in 2017 we caught a few more. But
10 based on the power of our sampling and the sample size that we
11 have, it would have to decrease to 2.2 or increase to 9 before
12 we could statistically say that we have seen a change in the
13 population.

14 The size distribution suggests that recruitment is
15 fairly low. We could see that larger, older individuals make
16 up a larger percentage of the population. Generally when you
17 have the predators, the percentage of mature fish over fish
18 that are recruited to the population is over 70 percent. It
19 suggests that recruitment is fairly low.

20 Another possibility is that spring sampling, our
21 sampling is biased toward larger fish. We did find this
22 spring a very interesting fish. It was a 16-inch female that
23 was mature. That was quite a surprise that they would be
24 mature at that small size.

25 And the largest male collected to date measured only

1 31.3, and that was to 18 male to reach 30 inches so it is
2 pretty clear the current minimum size, we are protecting
3 nearly all males.

4 Other things we have learned is looking at the
5 growth of this population, it is a bit faster than the
6 national average but a bit less than --- Region 9, which is
7 basically some of the Midwestern states within the native
8 range. On average, this is males and females. It takes 6.2
9 years to reach the minimum size of 30 inches, and we can also
10 then predict that the theoretical maximum age is about 10.8.

11 So some of those fish that we had recaptured earlier
12 were most likely toward the end of their life span.

13 We are attempting now, and another reason to do the
14 spring samples, is both Northern pike and muskies have sexual
15 dimorphism where the males and females will grow and mature at
16 different rates.

17 And so that is an important consideration when we
18 look at growth rates and looking at regulations that may
19 protect that fishery.

20 Based on catch curves, the total annual mortality we
21 estimate at about 44 percent with a harvest rate of around 20
22 percent. We haven't had a lot of returns from the tagging.
23 Two of the eight tagged fish that were reported to us were
24 kept, and both of those were during the ice fishing season.
25 And the fact that we didn't have ice last year probably

1 | protected a few pike.

2 | (Slide)

3 | So what is next for the pike fishery? We are going
4 | to continue to monitor the relative abundance. We are going
5 | to continue to gather life history for both males and female
6 | in the population.

7 | And we are going to continue to encourage anglers to
8 | participate with the tagging program, and use that information
9 | to model the population under various length limits and
10 | mortality rates to determine if that is a viable option for
11 | maintaining or improving the trophy quality.

12 | It looks like at the current time that might be
13 | fairly limited based on current growth rates and ages of the
14 | fish.

15 | Next I want to talk about Maryland's muskie fishery
16 | that occurs in the nontidal Potomac River. Muskie's occur
17 | from Cumberland, and they have been captured all the way down
18 | by the DC fisheries group. Yes?

19 | MR. NEELY: Can we go back to the pike really quick?
20 | Just curious. How much of an effect are these fish having on
21 | the walleye in Deep Creek Lake?

22 | MR. MULLICAN: Well, there is no indication -- we
23 | have no information that would indicate that they are
24 | impacting the other species.

25 | Walleye are extremely in Deep Creek Lake and produce

1 large year classes so there has been no decline. These fish
2 have been in this system for many, many years. It is kind of
3 a background fishery. Whether people had targeted them now
4 with larger lures and they are discovering larger fish than
5 are typically caught, or whether these are a little more
6 abundant than they used to be, we just don't know.

7 MR. GRACIE: I have got to tell you, most of the
8 tiger muskie I have seen have been up at Black Oak Flats. So
9 they are way above Cumberland. I flyfish up there. I never
10 hooked one of them but I had a lot of them follow big flies.
11 They come up to the boat, turn around and go away.

12 They are pretty plentiful -- maybe they are just
13 easier to see up there because it is smaller water but they
14 are definitely plentiful at Black Oak Flats, which is
15 20-something miles above Cumberland.

16 MR. MULLICAN: There are two muskies that we have
17 had in Maryland. There is the hybrid muskie --

18 MR. GRACIE: I am talking about the tiger muskie.

19 MR. MULLICAN: What I am talking about here, this is
20 going to be true muskies. This is a pure strain true muskie.
21 This is not the hybrid. And they are found throughout the
22 river with the strongest populations generally occurring from
23 the eastern portions of Alleghany County down through
24 Washington County and to a lesser extent below that.

25 (Slide)

1 We had a tiger muskie stocking program. As I
2 mentioned, this is a sterile hybrid between a muskie and a
3 northern --- .

4 MR. GRACIE: That is what I am talking about.

5 MR. MULLICAN: And they were stocked from 1989
6 through 2006. We have pure strain muskie. The origin of that
7 is kind of a mystery but even back in the '80s when I first
8 started working, we occasionally would collect an adult muskie
9 in the system, and reproduction seemed to -- whether there was
10 kind of enough of them over time that the population took off,
11 we documented reproduction in the mid-90s, and the population
12 has expanded from that.

13 With VHS, viral hemorrhagic septicemia -- it is a
14 highly contagious fish pathogen in the Great Lakes -- and with
15 this fishery taking off, that is one of the reasons that we
16 discontinued stocking the tiger muskie in the Potomac.

17 We still do stock Black Hills Lake and a few other
18 impoundments in Maryland with the tiger muskies but we no
19 longer stock the main river.

20 This population is entirely supported by natural
21 reproduction, which in the southern portion of the range,
22 which this is, is fairly rare. And currently the minimum size
23 is 36 inches, one fish per day.

24 (Slide)

25 Our management objectives for this fishery is to

1 maintain a high-quality fishery with a desirable size
2 distribution. And we -- again, this is a rare-event species
3 so typically the number that we would collect during our
4 standardized FAS surveys in the fall, we would only get a
5 handful of these fish.

6 So to increase our sample size, we developed an
7 angler creel diary program using muskie fishermen to record
8 the length of the muskies they catch, whether the fish are
9 tagged or not, whether they are harvested or released.

10 And this enables us to have a larger data set of
11 muskie lengths, and then using a length age key, we can
12 determine catch curves, and from that we can estimate
13 mortality.

14 (Slide)

15 And this is some of the historic data where we are
16 with the fishery. The table on the upper right in highlighted
17 is the total catch per hour. As you can see, not
18 surprisingly, these are fairly low by other standards, whether
19 if you are looking at bass.

20 However, these are comparable to the catch rates for
21 muskies in Ontario. So, I mean, we have a pretty high-quality
22 fishery. The predicted maximum length is, from or aging data,
23 came up to 50.4 inches, and last fall or the fall before that
24 we actually found a dead muskie that was 50 1/2 inches. That
25 was the largest fish we have ever encountered.

1 And we removed the --- bone from that fish to age it
2 and also provided that to Dr. Casselman in Ontario, who is the
3 leading expert on aging muskies with that structure. And aged
4 that fish at -- best guess was 14 but it could be anywhere
5 from 13 to 18. So that is our largest fish.

6 Harvest is generally low. That is very common.
7 Catch and release is very common throughout the muskie fishing
8 fraternity no matter where they are found. And our harvest
9 was estimated to be only 2.7 percent. And based on the
10 tagging study, it was even less than that.

11 But the tagging study generally the returns are from
12 avid muskie fishermen.

13 (Slide)

14 As you can see, the growth rate, once they mature at
15 about age four, the females grow faster and obtain a much
16 larger size than the males. The chart at the bottom we also
17 get from the angler creel diary program as angler effort,
18 number of trips per month and their catch rate.

19 (Slide)

20 And what we have noticed in more recent years is
21 typically with muskies they become a little bit stressed in
22 the warm summertime temperatures, and catch rates are
23 generally highest from October, November, through the winter
24 but we notice the peaks in July.

25 And the reason for that is these fish, when water

1 | temperatures become warm, they seek cooler waters. So they
2 | are seeking these thermal refuge areas, and anglers have
3 | picked up on that, and now specifically target these fish in
4 | those areas.

5 | So this a concern. We are working with the southern
6 | division of the American Fisheries Society. And this a
7 | concern for a lot of southern states that have muskies is this
8 | summertime stress and targeting of those fish and the related
9 | mortality.

10 | (Slide)

11 | So to kind of get some answers on how big a factor
12 | that is or how important some of these thermal refuges are to
13 | the survival of muskie, particularly as we get into global
14 | warming, we established a telemetry study that kicked off this
15 | year. And the purpose was to identify seasonal habitat use,
16 | specifically two important features: Where these fish are
17 | spawning and some of these thermal refuges.

18 | And also to determine the angling mortality of fish
19 | that were targeted that are taking refuge in these sites. The
20 | study area is one of the more popular areas along the Potomac
21 | for muskie fishing. It is near Williamsport. That is out
22 | near Hagerstown.

23 | The study site is about 12 kilometers long and
24 | extends from Dam Number 5 downstream to the Alleghany Energy
25 | Dam. There is a low head dam from a power plant that used to

1 operate there.

2 And there are a number of known thermal refuge sites
3 that are noted here.

4 (Slide)

5 So what we did this spring is prior to the fish
6 spawning we went out electrofishing. A lot of these fish move
7 upstream toward the dam and we were able to collect 7 female
8 and 7 male for 14 total.

9 About midpoint we established a surgery station on a
10 small island, gaining access through some private ground.
11 Each of the fish were brought in. They were measured,
12 weighed, double-tagged to be able to identify those as
13 radio-tagged fish. And then they were placed in an
14 electronarcosis tank in preparation for surgery.

15 That electronarcosis tank was pretty slick. We
16 borrowed that from the anadromous group, and it is essentially
17 a large cooler with a plate on each side and a cradle in the
18 middle. And it sets up a mild electrical current that you can
19 adjust and it acts as anesthesia. The fish just rolls right
20 over, complete docile. Enabled the surgery to take place.

21 Surgery generally was only several minutes. That
22 shows the size of the transmitter that is used. And that is
23 just a small incision of about two centimeters, and the
24 transmitter is pushed into there and sewn up.

25 And then the fish were placed in a recovery cage and

1 then went through the whole series to make sure everything was
2 working properly before they were released, and the release
3 site was about centrally located in the study area.

4 The plan is to sample weekly through the spawning
5 season. And then bi-weekly after that until the fish start to
6 occupy some of these thermal refugia. Each time the fish is
7 located, the GPS coordinates are recorded as well as water
8 quality, depth, flow. And this will enable us to use some
9 principle component analysis to cluster habitat use and how
10 these fish are using the river.

11 (Slide)

12 This is a GIS map from some of the sampling that has
13 occurred so far this spring. The white area on the upper left
14 is Dam Number 5. There are several island complexes there,
15 and you can see the concentration of muskies around that
16 island. That was found to be a spawning site. And then we
17 found another spawning site further downstream.

18 (Slide)

19 So this is what we hope for the outcome of this
20 project. We want to identify important habitat, primarily
21 spawning, and the thermal refugia. This will help us protect
22 some of these habitats through the environmental review
23 process, and also, as it turns out, through the stewardship
24 review process.

25 That particular chain of island below Dam Number 5

1 recently came up for sale. So that is working out already.

2 And then to determine direct and indirect angling
3 mortality related to fish targeted at these thermal sites.

4 And primarily, based out the outcome of that, it
5 will involve angler outreach to improve fish handling,
6 survival, make people aware of the stress in the summertime.
7 Regulating that activity is pretty impractical for a number of
8 reasons.

9 (Slide)

10 And these are, if you want more information on
11 Northern pike in Deep Creek Lake, Alan Klotz* is the West I
12 manager and Michael --- is the West II regional manager, and
13 the West II is doing the muskie study and West I is doing the
14 Northern pike study. Any questions?

15 ***Questions and Answers***

16 MR. GRACIE: We had a presentation two years ago, a
17 proposal actually about a special area in Deep Creek Lake for
18 Northern pike. And I remember it being a little critical that
19 we didn't have any science to back it.

20 I am really thrilled that we have collected this
21 data, and it certainly puts things in a different light.

22 MR. MULLICAN: Well, the whole purpose of that
23 project was to get that data that we need. And there were
24 some earlier surveys that were done of anglers that generally
25 showed that anglers would be favorable toward --

1 MR. GRACIE: There was an opinion survey but no data
2 on the fish.

3 MR. MULLICAN: Right. So I think we are on our way
4 and we are getting a lot of that data that we need to make
5 those decisions, and then we can then model the populations
6 and see if we would be able to gain in the size distribution
7 and protect that trophy aspect of the fishery.

8 MR. LANGLEY: Thank you. We have Jim Gracie with
9 the MDE Classification Update.

10 ***Maryland Department of the Environment (MDE) Classification Update***

11 ***by Commissioner Jim Gracie***

12 MR. GRACIE: Thank you. Yes, I am happy to report
13 that I and a representative from Trout Unlimited had a very
14 good meeting with the Department of the Environment, hosted by
15 Ben Grumbles and five of his staff.

16 This all goes back, you may recall, our subcommittee
17 got involved and got interested in this issue of
18 reclassification and redesignation of trout streams, and it
19 came to a head in an effort to solve a problem at the Harestad
20 Sewage Treatment Plant by putting half of the treated sewage
21 over in another stream that was designated Use 1 but had a
22 trout population.

23 The Department of Natural Resources had recommended
24 that it be redesignated as Use 3 I think two years ago, and
25 there has been no action on that. And they are getting ready

1 to issue a permit under the Use 1 standards with no
2 temperature in it.

3 And we were concerned that is not going to protect
4 the existing use of the natural trout population. But the
5 issue is a little more complex than just a simple permit 1.

6 And I know, because I have been around forever as
7 somebody said, that we have had this issue come up at least 3
8 times in the past 40 years, where the Use 3 designation is 68
9 degrees maximum, and everybody knows that brown trout can
10 survive water up to 82 degrees for short periods of time.

11 So the 68 degree maximum seems like an onerous
12 standard to some people who want permits. And actually it was
13 DNR back in those days, and then the Environmental Programs
14 Division in the Health Department, and the MDE have tried to
15 come up with a higher temperature standard for trout streams.

16 And we think that is a pretty dangerous thing to do
17 without having things well vetted. In the meeting, what -- I
18 think I am pretty sure we convinced Secretary Grumbles that we
19 needed to have pretty broad stakeholder input and talk about a
20 possible separate standard for a different kind of trout water
21 as long as we are not eliminating the potential of it becoming
22 brook trout water.

23 And we asked for wide stakeholder input. Toward the
24 end of the meeting, Grumbles indicated that he wanted his
25 staff to work with us. I indicated we wanted broad

1 stakeholder input, including DNR fisheries and several units
2 because there is some expertise there.

3 I also asked to have our Wild Trout Subcommittee
4 included because we have some people who are very interested
5 in that, and we happen to have an international expert on
6 brook trout sitting at the end of the table in Ray Morgan, and
7 I wanted him involved in that, and he has agreed to
8 participate.

9 The most encouraging thing was toward the end of the
10 meeting, Grumbles turned to his staff, and particularly Ed
11 Stone, and said, you make sure you tell Carroll County that
12 this permit is not a done deal so I think we are going to have
13 an honest, well-thought-out discussion before anybody jumps to
14 something.

15 I get a little nervous when our policy is ready,
16 fire, aim. Or fire, ready, aim. So I am very encouraged.
17 That was the first time I have really had a meeting with
18 Grumbles. I was pretty favorably impressed. I like the way
19 they are going to approach this. So we are moving ahead I
20 think on a good track. We don't have the answer yet but we
21 are headed there.

22 MR. BLAZER: And I will just comment, Jim. I know
23 Tony has been working with you, you know, on this, giving
24 whatever information we have got. Again, anything that we
25 have got as far as information, make the request.

1 | during a particular period of time in the summer where they
2 | localize around the canyons.

3 | And there has been a growing directed fishery
4 | commercially on chub mackerel, and as that information became
5 | available, the Mid-Atlantic Council stepped in and is now
6 | considering taking on management of chub mackerel through
7 | addition of that species in an FMP.

8 | It would likely look at harvest limitations, whether
9 | they would be time and area specific due to the nature of that
10 | fish being in those canyons while white blue marlin, blue
11 | marlin, tuna are occupying those same areas.

12 | It is of great importance to those fishermen
13 | recreationally on our coast who -- the white marlin open and
14 | all the interest on HMS species off-shore. So you guys will
15 | likely hear about that as it develops over the next year.

16 | Another thing that you may have read about or that
17 | you might read about is that the council took a position not
18 | to support the designation of the Hudson Canyon for sanctuary
19 | status. This was out of a concern regarding the sanctuary
20 | programs' overall authority to manage fisheries within the
21 | federal waters.

22 | The council has fisheries management authority over
23 | now through the Magnuson Stevens Act. It was a long
24 | discussion. The council understands the importance of where
25 | those individuals who put this proposal forth were going as

1 far as protecting the Hudson Canyon from off-shore oil
2 drilling and other bottom-affected practices.

3 However, the council at the end of the day felt that
4 the fisheries issues in the canyon were something that they
5 didn't want to have given up or taken from them. So you may
6 read a press release or see interest on that.

7 That is some council news. Moving to ASMFC, the
8 Atlantic States Marine Fisheries Commission will be meeting
9 in two weeks beginning on May 8. Items of interest here -- I
10 will do striped bass last since I know that is of great
11 interest to all of you.

12 The council will be deciding whether or not to take
13 forward an FMP that looks at regionalization of our tautaug
14 fishery. So we would be lumped into a group with Virginia and
15 Delaware in the hopes that we might find some commonality in
16 our recreational regulations in our region.

17 We are not looking at taking any reductions. Put it
18 that way. We have a fishery that is pretty strong right now.
19 It is slightly overfished but we are not overfishing anymore.
20 So we have been working with our state partners in Delaware
21 and Virginia to try to figure out where we are going to move
22 forward with this as it goes out to the public. So you may
23 some of that cross your e-mail bins.

24 We are still in a state of flux regarding summer
25 flounder and black sea bass management along the coast. This

1 has been an ongoing debate that is -- it has been something
2 special this year. I won't get into the details of it. I
3 just happen to be right now the chairman of the board for both
4 the Atlantic states commissions' summer flounder/ black sea
5 bass board and the council chairman.

6 So it is all just coming together because it is
7 jointly managed with ASMFC and the Mid-Atlantic Council.
8 There has just been a lot of moving parts and --

9 MR. GRACIE: Do you feel like you have a bullseye on
10 your back?

11 (Laughter)

12 MR. LUISI: It has been tough. We are moving
13 forward. We are making progress but it is slow and there are
14 consequences to actions and decision that are made by both of
15 those bodies.

16 Now summer flounder has moved forward further than
17 black sea bass, and we look like we are in range of being able
18 to just have what I have referred to before to you as our
19 regulations for next at 17 inches and 4 fish for the whole
20 year.

21 New Jersey has appealed the decision that the board
22 and the council made back late last year. And that appeal,
23 after being reviewed by the ASMFC leadership, they have
24 decided to grant New Jersey one of a number of different
25 criteria or elements that they appealed on.

1 They have granted them one of those issues to bring
2 to the policy board for the policy board to determine if this
3 appeal should hold up and we should revisit all of the
4 decisions that were made back last year, which would then
5 delay anything that we are doing now, and would likely
6 trigger the federal government into taking action because it
7 is April and it will May, and they need to put federal waters
8 measures in place.

9 So a lot of moving parts. I feel the appeal is
10 mostly a technicality on process that we following given all
11 the moving parts -- there were a couple gears grinding along
12 the way. We will see how it goes but we will need to talk
13 about it internally and with our other commissioners on ASMFC
14 to determine how we go forward with that.

15 I know that you are all interested in the outcome of
16 the spot and croaker benchmark assessments. Those assessments
17 have been completed and will be -- the information will be
18 delivered to the board on Thursday, May 11 during the South
19 Atlantic Federal Fisheries Management Board.

20 I don't have the details right now in front of me to
21 give you any indication about what those benchmark assessments
22 are going to tell you but what has been of interest to this
23 group has been the issue between gill netting and charter
24 fishing, head boat fishing, and the user conflict associated
25 with the spot and croaker fisheries.

1 And we have kind of put off any further discussion
2 on that until we had the information, this benchmark
3 information.

4 So I guess it is our point moving forward from here
5 would be that if the board decides that this benchmark stock
6 assessment on these two species would be applied for
7 management use and is approved for management use, it will
8 likely, depending on the results, trigger into some form of
9 management action, which we could then sit down as -- maybe
10 get a group from tidal fish and a group from sport fish and
11 sit down and talk about what we might do as a state in
12 managing these species.

13 I am sorry I don't have all the details but I think
14 for this point we just need to wait and let's see what ASMFC
15 thinks of the assessments and we can go from there.

16 Lastly at the ASMFC meeting, the Striped Bass
17 Management Board is going to be considering the Draft Addendum
18 V and whether or not the Draft Addendum V would go out for
19 public comment.

20 Draft Addendum V was something -- it is something
21 that we in Maryland and our other bay jurisdictional partners
22 along with other partners on the coast have been supportive of
23 for the last year and a half, two years. And what it is,
24 Addendum V is very simple: We either are allowed in increase
25 our coastwide landings of striped bass by 10 percent, given

1 | the latest stock assessment information or we are not.

2 | So that is what this document contains. It is very
3 | simple. It is only a few pages long. It doesn't have a lot
4 | of meat to it. The board is going to need to ultimately
5 | decide at the end of the day if commercial -- if all entities,
6 | all groups, all states, all sectors are going to be given the
7 | opportunity to increase striped bass harvest by 10 percent.

8 | We have been very supportive of this effort. We
9 | have argued and discussed and debated that Addendum IV
10 | restrictions that we took on as a state have been overly
11 | burdensome based on what we have in the Chesapeake Bay versus
12 | what is available along the coast.

13 | And that the increase in size limit that we
14 | undertook through Addendum IV to go to 20 inches has really
15 | been economically hurtful to our charter fleet. The
16 | commercial fleet lost 10 percent of their quota. I am sorry,
17 | 20 percent of their quota, and we have been working very
18 | tirelessly at the ASMFC level to get to the point where we are
19 | right now.

20 | In May, we will not be deciding whether or not a 10
21 | percent increase in harvest will be allowed or not. In May we
22 | are going to decide if the addendum is complete enough to take
23 | to the public, to allow for the public to weigh in on that
24 | addendum.

25 | Now we have had a lot of support from both the

1 and I am going to take a little while here.

2 First of all, you have done a tremendous job at
3 ASMFC just to get that amendment. Now initially we thought
4 that amendment would relate to the bay, to us, relative to
5 that 20 inch fish. But something happened right at the end of
6 that, to where somebody must have gotten together and made it
7 more universal for everybody.

8 I can understand that, and I can understand where
9 that gets us a few votes like Delaware, but I am worried it is
10 going to lose us some votes too from New Jersey northward.

11 The key thing we are up against here, and we can't
12 forget it, is ever since I have been involved with this, and
13 that goes probably back to the Roosevelt administration --

14 MR. : Which one?

15 (Laughter)

16 MR. O'BRIEN: Anyway, we thought we had won a war
17 but we won a battle because of you and your consistency in
18 pushing this over the last four meetings that we have had with
19 ASMFC.

20 But we are, as we all know, we are up against a
21 group of states that is always against us when it comes to
22 striped bass, and that is that northern combine. And some of
23 the, not all, but some of the organizations that promote
24 saving the fish, we call them, and it is not good to say it,
25 but the environmental organizations, they seem to be pretty

1 much in unison with that group of states up north.

2 And right now they are very active and writing
3 letters. They blamed our governor for this. They say this
4 all started with our governor, which we know is not the case.
5 He wrote a great letter for us and I think we should try to
6 get some more letters.

7 When this is hopefully going to at least stretch
8 until the October meeting before a final decision is made.
9 But we are up against a coalition at ASMFC that is very
10 difficult to compete with. And anybody who disagrees with
11 that, fine, but that is the way that I have seen it. I have
12 seen it for a long time.

13 Even when we came out of the moratorium where we
14 shut down for five years, and a lot of people kept fishing
15 along the coast. So again thanks for what you have done. I
16 know it has been a heck of a mountain for you to climb, and
17 you have climbed it but we keep getting pushed down.

18 But you didn't get pushed down. You have stayed on
19 this, the department has stayed on this. I think the
20 commercial, the recreational and the charter boat industry has
21 been pretty much together on this. Every ASMFC meeting since
22 we started on this, commercial people have been there along
23 with recreational and charter boats.

24 The problem is at ASMFC. Now Phil has asked me to
25 mention, you know, at our last charter boat meeting, the

1 charter boat, particularly the people from Chesapeake Beach on
2 down, are very alarmed as they see our customer base falling
3 off. That is a lot of votes too.

4 But they are falling off because of this 20-inch
5 fish. They keep throwing back fish that they know are going
6 to die. And there is a factor figured in for that. So we
7 have tried to come up with a couple of ideas that might help
8 in this.

9 First of all, tournaments. Maybe we have too many
10 tournaments. They seem to be proliferating. Every
11 stakeholder group has got tournaments now. That is a lot of
12 mortality and that is a lot of catch and release.

13 That leads to our catch-and-release season in the
14 spring. Recreational, charter boats, there is nothing else
15 for them to do. They go out there and catch and release and
16 throw them back and catch and release and throw them back and
17 throw them back. And that is one hell of a lot of mortality.

18 And people who witness this are aware of this. It
19 is hard to knock another stakeholder's group. Another idea
20 that came up again, looking for things that we can do to try
21 to avert what we are up against on this 20-fish decision. And
22 again, that 20-inch fish can go on and on and on for years.
23 That is the way it is set up. It can keep going on and on.

24 Was 18, went to 20, we tried to come up with a
25 compromise at 19. So anyways that was about what I wanted to

1 say. One other thing the charter boat captains came up with.
2 You know, they are desperate right now. We used to have a
3 program where we raised striped bass and then released them.
4 Striped bass in a hatchery. And there are different opinions
5 as to how that worked out.

6 Certainly if we did that, that would make some
7 people feel better. There would be some more fish to catch,
8 particularly in rivers. And then the other side of it that we
9 have fought with over this is that, hey, there are more fish
10 produced by survival of these big catfish than is raised in
11 the catch-and-release fishery.

12 But it is not that easy just to dismiss something
13 because of that, because we have got a lot of people who are
14 really affected by this. From Chesapeake Beach south we have
15 every business that relates to fisheries, every single one, is
16 down. Charter boat fishing is way off. We are down to 125, I
17 think, in the association where it used to be 250. It is a
18 real problem.

19 And the only other thing that you alluded to, and we
20 have talked about a lot, is this commercial hook and line in
21 the summertime. Now this is the third year that this is being
22 discussed. We have had meetings. The Secretary has come to
23 the meetings. The watermen have come to the meetings.

24 And there has been, for those in the meetings, I
25 think a real understanding. A head boat out at Chesapeake

1 Beach, he talks to the gill netters. They come out of Deale
2 or wherever.

3 And it just seems to come out that there are things
4 the department can do that can make it better on everybody.
5 We have got these lines of part of the bay can do it, in the
6 middle can't do it, down south can do it. It is just a
7 convoluted situation.

8 So anything that can be done there. It has slipped
9 now as to where we face it because of other priorities like
10 striped bass, oysters, crabs. So I understand that but sooner
11 or later it would be good if we sort of sit down and talk
12 about this one.

13 To me it has got the potential certainly to bring
14 people together. We have had good discussions again with
15 local watermen and senior people in the watermen community so
16 that is about it. Thanks for letting me take the time.

17 MR. LANGLEY: Thank you, Captain Ed. The only thing
18 that I would like to add to that, it was brought up as far as
19 I think it was the hatchery program that was in existence
20 until 1992 I believe if I am not mistaken. And it was phased
21 out I believe primarily because there was no way a hatchery
22 could keep up with the natural reproduction of striped bass.

23 And we had some pretty good year classes coming up
24 and the natural reproduction was doing very, very well. So
25 the program was kind of phased out because it was felt like

1 that it wasn't necessary.

2 In the last four or five years we have had a couple
3 good year classes but we have had a couple of the poorest year
4 classes that we have seen.

5 And we are wondering if the department could look
6 into back when that program, if you have records on it, when
7 it was established, how successful it was. The fish that were
8 released, how many of them actually made it to, back into the
9 migration, into the coastal migration.

10 And if nothing else, if there has been a decline in
11 the spawning stock biomass, it certainly would look better for
12 our state that we were the only state that was actually
13 promoting it and putting the effort into bringing back the
14 striped bass in year classes that are down.

15 MR. BLAZER: You have mentioned this before. I
16 think what we will do is we will take a look at the hatchery
17 operation, prepare some report just giving you some of the
18 basis of the history.

19 You know, one of the reasons that it was
20 discontinued back in the '90s was because the population was
21 doing so well. You know, mother nature can outdo anything we
22 can do in a fish tank. So when the population rebounded and
23 the fishery reopened, we didn't seem to need to supplement the
24 population at that point.

25 So we will put together some background information,

1 | been discussion leading up to now about dealing with quota
2 | overages in the commercial fishery. And while we had the best
3 | of intentions to get a small working group that came
4 | together -- a couple members of this commission, a couple
5 | members of the tidal fish commission, some of my staff got
6 | together. We talked about how to handle the 2016 overage as a
7 | one-time shot.

8 | We would like to engage that group again. There was
9 | an interest there to talk about how we look to the future and
10 | how we deal with quota overages for the future. However, I
11 | feel at this point, the best course of action, since this
12 | amendment has been open now for a number of years, and what we
13 | find ourselves doing is just updating it and updating it with
14 | new data each time we have new information.

15 | I would recommend that if you are happy with the way
16 | this stands right now, that we finalize this amendment, and
17 | then we will commit to re-engaging that smaller group of
18 | individuals to have this more broad discussion over the future
19 | of how we manage quota overages.

20 | There were a lot of ideas that were thrown around.
21 | We would head that up, maybe get that group together sometime
22 | over the summer and then look to a future meeting of the
23 | commission as to getting a recommendation from that committee
24 | as to whether or not you would want to formally initiate a new
25 | amendment to address quota overages in the yellow perch

1 conversation was that overage, and let's take some of that
2 recreational allocation that we know isn't being caught and
3 let's shift it over to the commercial side.

4 Well, we debated it here, we debated it at tidal
5 fish. We talked about it internally. Our internal group
6 decided to recommend to the commissions that we do not pursue
7 the allocation debate but that we figure a mechanism for the
8 future on how to deal with quota overages.

9 And so that is when we got this committee together.
10 The quota overage was high. It was 15,000 pounds but we are
11 in a position right now where the stock is very healthy. The
12 yellow perch stock is very healthy.

13 So weighing those two, weighing those two things --
14 you had the high quota overage, relative to the quota, and
15 this stock that is healthy and appearing to, it is going to
16 continue to be in a very healthy condition -- the committee
17 was happy with just halving that overage. Taking the 7,000
18 pounds or 7,500 pounds as a payback rather than 15,000.

19 Now it was decided at that time that was a one-time
20 shot. We don't want this to be the thing that we are going
21 to -- you are just going to automatically default to each time
22 we go through a quota management process.

23 So with all of that said, we have some work to do to
24 determine how we are going to work with quota overages for the
25 future and so with the understanding that -- and I was going

1 to give you the update on the 2017 harvest.

2 The 2017 harvest came in under its Chesapeake Bay
3 quota, as did the upper bay quota. So we won't have to even
4 deal with this issue next year. There is no quota overage to
5 even have a discussion about, which gives us time to get a
6 committee together to potentially initiate a new amendment to
7 address this particular issue in the event that it happens in
8 the future.

9 And so the idea is we would always keep the stock
10 biomass condition in mind when making these payback decisions.
11 And just so -- I want you to be aware if you turn to page 10
12 of the document, because this has been brought to my
13 attention. I figure I might as well make sure everybody is
14 aware of it.

15 Page 10 of the amendment, about $\frac{3}{4}$ of the way down,
16 the second paragraph, if you go all the way to the right-hand
17 side, there is a sentence that starts with if.

18 If commercial harvest exceed the TAC, all or a
19 portion of the overage is subtracted from the TAC of the next
20 fixing year. And we added a portion into that language
21 because that is what we did last year.

22 We did a portion of what the overage was. We didn't
23 take all. And so if that is -- I felt this was more accurate
24 to reflect how we are managing right now. Now it doesn't go
25 into detail about the portion that we did but it was something

1 that was brought to my attention as potentially causing some
2 concern.

3 That we now have language in here that allows the
4 department to follow -- that is only going to give back a
5 portion of any overage in any particular year. What I am
6 telling this group is we have every intention to convene a
7 group to address that sentence more completely in another
8 amendment.

9 And I also am saying that this time -- we won't even
10 have to deal with this for at least another two years because
11 we don't have an overage from last year so we will look to you
12 now, I guess, we will look to you to decide if moving forward
13 with language as modified to this point today, if this course
14 of action is what you want to do or would you rather delay
15 this amendment and do all the work with the quota overages
16 before we finalize it?

17 We will throw it back out to you, Mr. Chairman, to
18 see what you would like to do on this.

19 MR. LANGLEY: I see some cards going up here. I
20 might have missed the order but I will make sure I get to
21 everybody. Jim?

22 MR. GRACIE: I have three concerns with the
23 fisheries management plan. One of them is I am not sure that
24 I am willing to -- and I was a member of that subcommittee by
25 the way. I am not sure that I am willing to only consider and

1 amendment on how we pay for overages because one of the things
2 that came up in the subcommittee discussion was how we do
3 stock assessments and how we set quotas.

4 And in fact, if you think about it, what happens is
5 we think that we have had a growing population of yellow perch
6 for several years so that is one of the reasons that there is
7 an overage because there are more fish out there and they are
8 more easily caught.

9 The other side of the coin is how fast you can
10 notify people and stop the fishery. But if you think about
11 the progression of three successive increases in population,
12 then what you get, as the population gets longer, then the
13 penalty gets larger.

14 As the population increases, we are going to
15 penalize people more and they are going to get less and less
16 in a growing population. So we had a concern about how the
17 stock assessment relates to the quota. And I think that needs
18 to be part of the discussion, not just how you pay for the
19 overages.

20 So that is one concern. That we just can't simplify
21 it to that. I guess that is two in one. I am sorry. Because
22 the overage is one part of that but the stock assessment and
23 how it relates -- I see you making some changes in your stock
24 assessment. I am not sure I fully understand all of these
25 elements yet so I will need to think about that a little bit.

1 I am glad you are taking a harder look at stock assessment.

2 The other concern I have is it is just incredible to
3 me that we have got a bunch of statements in here about how we
4 can protect this fishery and at different levels of impervious
5 we have made some assumptions, which are only based on
6 correlation, not anything else.

7 And the problem I have with it is that central
8 Maryland on the western shore, which at one time was the heart
9 of the yellow perch fishery, is going to spend almost \$1
10 billion a year on restoration in the next probably 2 years
11 from now. This is all the MS4 and the width requirements for
12 restoration work.

13 And we are not prioritizing. We are missing the
14 boat. We should be telling these counties that it is
15 important to do restoration in these historic yellow perch
16 streams, which we know the habitat has been degraded. The
17 water may be causing problems for the Young of the Year and
18 egg survival. And we are not doing anything about it.

19 So I think there needs to be some effort to
20 prioritize this effort; in fact, there needs to be some set at
21 the 15 to 25 percent impervious area so we can collect some
22 data and see if it is really true that we can't save anything
23 there. So that really concerns me.

24 All this money is going to be spent by counties
25 without input from fisheries on a declining yellow perch

1 population, which was huge in this state when I was growing
2 up.

3 And I have had this conversation with people in
4 fisheries, and I don't know why we are not focusing on that.
5 So we need to have somebody looking at the priorities of
6 restoration and how that might help yellow perch, and even if
7 it doesn't, we can at least validate some of our assumptions
8 in here by finding out what we can do with restoration work.

9 That is my biggest concern. A lot of money being
10 spent that we are not going to take advantage of.

11 MS. DEAN: Jim, I appreciate your comments both on
12 the environment but also on the stock assessment. But I
13 wanted to also kind of say that the overage adjustments that
14 were brought by the workgroup, and I appreciate all of that
15 because the commercial guys were very appreciative of the work
16 they were able to accomplish in that workgroup.

17 It wasn't a way to circumvent the allocation. It
18 was more of a management issue because of the timing of being
19 able to shut the fishery down. I just wanted to make sure
20 that I made that clear, and it is great that the 2017 catches
21 show that wasn't the intention of it.

22 I just wanted to say that overage, it happened
23 within that very short window. But I guess I want to come
24 back to Jim. Jim, would you not support finalizing this FMP
25 because you are afraid those conversations won't happen in

1 future meetings?

2 MR. GRACIE: No, I am not going to object to this
3 FMP. I think there are three things that have to be
4 addressed, not just how we pay for the overage. And that is
5 what I said, three things. And I think the restoration one is
6 most important. And I don't think we should hold off the FMP
7 for that.

8 I think Dave Blazer should get some people to sit
9 down with stakeholders and talk about restoration potential
10 and how we can grab some of that money for yellow perch that
11 is being spent on restoration, which may or may not be doing
12 any good because it is all driven by sediment, nitrogen and
13 phosphorous, not fisheries concerns.

14 A lot of money being spent on sediment, nitrogen and
15 phosphorus. Most of it modeled, not even measured.

16 MR. SUTHERLAND: Most of my questions were raised on
17 both sides here but I am the new guy on the block so this has
18 been a learning experience for me. And reading through this,
19 I mean the first thing that came to my mind was this was a
20 great example of recreational people working together with
21 commercial industry.

22 And I wasn't here but I applaud this group for doing
23 that. I think that is a really -- that attitude of
24 collaboration is very close to my heart as some of you know.
25 I think it is a great example of this.

1 The second part is in looking at the intent -- I was
2 listening to what you were saying and you pulled out the
3 language about "or a portion of." In reading through this, I
4 look at it and say, is that a relevant point? Does it have to
5 be in here?

6 And the second point that you raised was the
7 workgroup. We are going to work with the workgroup. Does
8 this amendment actually address all the things that you said
9 the workgroup came up with, the intentions out of that with
10 regard to, again, the workgroup coming back together and
11 addressing long term how do we deal with the overages.

12 The second is again the question of "the portion
13 of." I don't know what the relevance of that is. Is that a
14 management issue?

15 MR. LUISI: In order to be accurate in this
16 amendment, in order to have accuracy as to what our management
17 practices have been and how they have been reflected in this,
18 we need to say something about the fact that last year we only
19 had a payback of a portion of the total overage.

20 We could be much more descriptive about what that
21 portion is. We could state that the portion -- we could say
22 something as to what that portion means in more descriptions.
23 Like for future years, it can't be more than 50 percent and
24 needs to include stock condition as part of the --

25 You know, we could elaborate on what the portion is.

1 That is up to the commission if you want to make modifications
2 like that. I just felt that -- this gives you the flexibility
3 in future years if another amendment isn't initiated for us to
4 manage that overage. And we have shown, I think, a
5 commitment, to working with both sides to come to some common
6 agreement on how we manage an overage.

7 If we just leave the word all in there, in future
8 years if we decide the stock is very healthy, the overage was
9 small, we don't really need to pay the whole thing back, we
10 are kind of going against our own guidance here in the FMP.
11 That is the reason why we added it. I think it does reflect
12 what we have done.

13 MR. GRACIE: If I could say something, Mike. I
14 think the important point is that what we agreed to this year
15 violated the fisheries management plan. It violated the
16 language in the fisheries management plan because we were
17 supposed to pay back the overage, and we paid back a portion
18 of it.

19 So that was really in conflict with the fisheries
20 management plan. So I think your language is good. If give
21 us the flexibility to do that if we need to do it again. It
22 doesn't require that we do that and it doesn't eliminate the
23 ability to pay back the whole overage if there are reasons for
24 that.

25 The rest of it, I am happy with the fisheries

1 management plan as it is as long as we understand we are
2 addressing more than just how to pay back the overage.

3 MR. LUISI: And if the workgroup were to come to a
4 conclusion that there are other issues that they want to
5 address in an amendment, it is up -- you can make a list of
6 things you want to include in an amendment. It doesn't have
7 to be just one.

8 MR. SUTHERLAND: My concern was are we on a slippery
9 slope. What happens -- we have all these different people.
10 And then we have to resurrect the past, who is there to
11 resurrect the past? I mean again, I guess we have got notes.

12 Being a new guy on the block, I guess I am asking a
13 dumb question but I have seen this happen in the past where
14 you agree to -- so I am just asking the question and I think
15 he has answered it, which is, is this consistent with what you
16 intended or is it opening up another door that when you go
17 back, you can't close? And being consistent, as Jim said,
18 with the fishing plan?

19 MR. LANGLEY: At this point --

20 MR. GRACIE: Are you ready for a motion?

21 MR. LANGLEY -- we are ready for a motion to
22 accept the --

23 **MOTION**

24 MR. GRACIE: I would move that we accept the yellow
25 perch fisheries management plan.

1 MR. LANGLEY: Jim has made a motion. Do we have a
2 second?

3 MR. DeHOFF: Second.

4 MR. LANGLEY: Second, Mark. All in favor?

5 MR. GRACIE: Whoa. We need discussion and from the
6 public before we vote.

7 MR. LANGLEY: Thank you, Jim. Okay, any discussion?
8 Any public comment?

9 MR. LEWIS: Ken Lewis, and I think that what
10 happened this year is an exception to the fishery management
11 plan. It is not a change. And so what we doing here is we
12 are actually making a change from the previous document that
13 was shown here in July of 2016.

14 A change without real discussion of the implications
15 had everybody concerned. So this a new policy that is
16 reflecting what actually happened as an unusual circumstance
17 last year.

18 MR. JENNINGS: Where is the department noting that
19 their participation was part of the problem in going over?
20 That it was tough to call and you missed by a day, at the same
21 time, the stock going up?

22 Next time, if this is in there, and the stock is
23 going down, oh, well, we only got to give back a portion.
24 That should not follow. And that is why it puts it into
25 language now that there would be a case to be made that, no,

1 we have only got to give 10 percent back. And how would it
2 affect other FMPs?

3 MR. LEWIS: Look how long it took this amendment to
4 work its way through here. Doing an amendment is not a
5 simple process. As you all well know, it has been at least
6 two or three years that we have been working with this.

7 This could all be corrected by removing the phrase,
8 "or partial" or whatever it is and leaving the statement
9 exactly as it was in the draft amendment that came to this
10 body in December or --

11 Then we can go back and resolve this whole issue of
12 how we are going to do it but it stays the same as it has
13 traditionally been.

14 MR. GRACIE: Can I move to make an amendment?

15 MR. LANGLEY: Yes, please.

16 **MOTION**

17 MR. GRACIE: I move that we follow that suggestion
18 and remove that phrase. If we have to make an exception we
19 make it again.

20 Now you want some help with Robert's Rules? You get
21 a second for the amendment. You have to vote on the amendment
22 before the motion.

23 MR. LANGLEY: Do we have a second on the motion? We
24 had a second from Mark -- for the original.

25 MR. GRACIE: Yes, this is the amendment.

1 MR. NEELY: Second.

2 MR. LANGLEY: All right, we have a second.

3 MR. GRACIE: Discussion.

4 MR. LANGLEY: Discussion on the motion.

5 MS. DEAN: I don't think the language as written
6 says with absolute certainty that it has to be a portion. I
7 think it makes sure that we are not going against the FMP.

8 It only allows for it. It does not say for
9 certainty that would be the procedure but it allows our
10 subgroup and our workgroup to have that discussion without
11 being in fear of violating the FMP. I think that leaving that
12 language in allows for the flexibility that we were looking
13 for and what the workgroup was working toward and felt
14 comfortable with.

15 There were members of this sport fish commission
16 that felt comfortable with that so I don't think that we need
17 to take that language out. It is not saying that is the way
18 it will be done. It is saying our workgroups have the option
19 to discuss that further. Not that, that is the way it is
20 going to have to be.

21 MR. GRACIE: First of all, there is no reference or
22 requirement for a workgroup in the fisheries management plan.
23 So there is no guarantee that we would have, as David
24 Sutherland characterizes a dumb question, which is a really
25 smart question about whether this was necessary.

1 There is no requirement that we would have the same
2 mindset or the same people or the same organizations
3 represented in the workgroup. For your information, it was
4 Billy Rice, chairman of the tidal fish commission, and I --
5 for some reason I have trouble remembering the guy's name from
6 the northern bay.

7 MR. : Steve Lay.

8 MR. GRACIE: Steve Lay. And Dave Sikorski and
9 myself. We all agreed that we needed a better way to cut off
10 the fishery and we needed a better way to do stock assessments
11 before we start penalizing people on an arbitrary route. And
12 we also agreed that we weren't ready to figure that out yet.

13 And you may recall that at the last commission
14 meeting, Dave Sikorski and I made a commitment to get this
15 workgroup together before this meeting so we could discuss
16 this. We failed to do that so we haven't had any further
17 discussions.

18 I am comfortable with removing that language. I
19 knew that we have some people who have been involved for a
20 long time. That is why I made sure the public got some input
21 on this. So based on my thoughtful response afterward to
22 David Sutherland's question and listening to them, I am
23 comfortable removing that.

24 If we made an exception with a workgroup this time,
25 we could do it again if there was a reason to.

1 MR. DeHOFF: I think last time we all discussed
2 this, I thought we had a pretty good consensus that we all
3 felt like it was probably pretty important to pay back the
4 whole thing.

5 We actually kind of thought of maybe even spreading
6 that out over multiple years. That was one of the ideas that
7 we have had but it seemed that everybody wanted to have that
8 100 percent payback.

9 I would not mind having it removed but I do, because
10 of the process and the time it takes to change things and what
11 has to go on, I feel that maybe it might be a good idea to
12 leave in if we could somehow sharpen the pencil on when those
13 occasions would occur when less than 100 percent would be
14 required.

15 Now that, you get into let's approve this now and go
16 back and make an amendment or an addendum where we can come
17 back and say, let's finalize this verbiage on this. How do we
18 say this? But I can see really strongly on both ways.

19 I think you need to -- they need to be responsible
20 with that 100 percent or else somewhere down the road somebody
21 is going to say, well, you know, it looks like a good year
22 that we go over. We might not have to pay this back or we
23 only have to pay a little bit back.

24 Whereas if we say it is 100 percent and it is in the
25 books 100 percent, they know what that it, but then you can

1 make adjustments. And then that verbiage, if you can sharpen
2 the pencil and word it right, can allow you that time.

3 So I am kind of playing both sides of the fence here
4 but I see the importance of both ways.

5 MR. LUISI: And I just wonder -- I am not an
6 attorney. So here is the situation. And I am not taking any
7 sides.

8 We had it written as all but we made an exception to
9 that for this one case. And we did that in working with one
10 another and the different commissions to come to that
11 conclusion so really did we break our own rules? Is that
12 something that we want to continue to do or we would rather
13 have language in the document that gives us a wider range of
14 options to allow for those discussions?

15 So I don't know really what that means, doing an
16 exception to what is stated in the FMP. I don't believe that
17 it is written in our regulation that it is a one-for-one
18 payoff. I would have to find that and look that up but I
19 just wonder if this is a precedent that we are going to
20 continue to have to have the same -- I don't know.

21 I am just laying it out there to see -- that is in
22 mind. I am thinking about more flexibility but if that is not
23 the wish and intent of the commission, then we will work with
24 what we end up with.

25 MR. LANGLEY: Right now we do have the motion on the

1 table. We have a second.

2 MS. DEAN: Can I ask a Robert's Rules question? If
3 the amendment is accepted, does that then become the main
4 motion and we vote again?

5 MR. GRACIE: Yes.

6 MS. DEAN: Thank you.

7 MR. LANGLEY: Right now we have the main motion on
8 the table.

9 MR. GRACIE: No, we have the amendment on the table
10 to remove the language.

11 MR. LANGLEY: To remove the language. We have a
12 second.

13 MR. LUISI: And that language would be to remove "or
14 a portion of."

15 MR. LANGLEY: To remove "or a portion of" and leave
16 it at currently it is a 1-to-1.

17 MR. DeHOFF: 100 percent payback.

18 MR. LUISI: Hey Paul, would you mind highlighting
19 the words "or a portion"? Not the sentence, just the phrase
20 "or a portion"

21 MR. BLAZER: That is the amended version, to accept
22 the yellow perch FMP minus those three words.

23 MR. GRACIE: So call the question.

24 MR. LANGLEY: Before the question, I had one comment
25 on that. As far as the word portion, I had a little concern

1 with that too because a portion could be 3 percent. A portion
2 could be 2 percent. A portion could be 5 percent depending on
3 who looks at that.

4 Is there a protective floor that we could come up
5 with as a far as that portion to set it at a level that it
6 would not fall below, whether it is 50 percent, 70 percent or
7 whatever the payback would be, and still allow the workgroup
8 to analyze and work on the process?

9 MR. GRACIE: I would like to respond to that.

10 MR. LANGLEY: Yes, Jim.

11 MR. GRACIE: First of all, I don't think any of us
12 would have a clue as to where to set that number on any
13 scientific basis or any good reason. That would be another
14 case of ready, fire, aim, which I don't like doing.

15 So I don't know that, that is necessary.
16 Furthermore, the workgroup was able to do something that isn't
17 called for in the fisheries management plan, and both
18 commissions and the fisheries service. So we would have that
19 flexibility to do that again even if we don't change it.

20 And I guess I share the concerns of -- I don't want
21 to characterize it but I think they are CCA representatives,
22 and CCA has been involved in the yellow perch issue for
23 20-something years and they have a lot of history with it, and
24 Ken especially and Larry both have been in the middle of this.

25 And David Sutherland's question is pertinent. We

1 don't know if the workgroup is going to be the same, whether
2 it is going to come up with the same ideas or not. I would
3 just leave it the way it is and let's put the workgroup to
4 work, and I would like to see them address three issues on
5 yellow perch.

6 I would be happy with removing that language. I
7 don't think that we really have any basis for setting some
8 number, attaching some number to that.

9 MR. SUTHERLAND: So the portion was decided by a
10 workgroup.

11 MR. GRACIE: It was recommended by the workgroup.

12 MR. LUISI: It was recommended to the sport
13 fish/tidal fish commission by a smaller group that recommended
14 that to the agency to do a portion, a proportional payback
15 this year in 2017 from the 2016 overage.

16 So we had stepped aside from what the FMP currently
17 says, which is all, and did a portion, as a result of advice
18 from this group and tidal fish, which is why I added it into
19 the document, to reflect what it is we did.

20 That is the only reason we added it. It wasn't to
21 forecast the future. It was to clear up what we have done to
22 this point so that this amendment is reflective of the most
23 current and recent management actions that we took.

24 Because it is an open amendment, I felt -- and that
25 is the reason I pointed it out -- that is the only language

1 that was added other that data updates to the document since
2 the last time you saw it.

3 MR. LANGLEY: All right, any further discussion?

4 MR. GRACIE: Call the question on the amendment.

5 MR. LANGLEY. All right, we are going to call the
6 question on the amendment, to remove "a portion" and leave the
7 fishery management plan as it is. All in favor raise your
8 right hand.

9 (Show of hands)

10 MR. LANGLEY: I counted nine.

11 MR. LUISI: I counted nine.

12 MR. LANGLEY: Okay, opposed?

13 (Show of hand)

14 MR. LANGLEY: Abstentions?

15 (Show of hand)

16 MR. LANGLEY: Okay, the motion passes nine to one.

17 MR. GRACIE: The amendment.

18 MR. LANGLEY: The amendment passes nine to one.

19 Okay, now the original question to approve the original FMP.

20 MR. GRACIE: No, FMP as amended.

21 MR. LANGLEY: As amended. Okay, you will get me
22 straight. Thank you, Jim.

23 MR. BLAZER: So it is literally the same vote. Just
24 call the question again.

25 MR. LANGLEY: All in favor?

1 MS. DEAN: Don't we get to discuss?

2 MR. BLAZER: Discussion.

3 MR. LANGLEY: Oh, I am sorry.

4 MS. DEAN: I just wanted to point out a couple
5 things. Because we waited so long to this point, I don't
6 think it is imperative that we pass this, and I want to point
7 out a couple of things around the table that were mentioned
8 around the table, that maybe we can hold off on this.

9 The first being that Phil had some reservations of
10 his own about was there a number that could be reached, and I
11 think there is a number that can be reached.

12 Jim recognized that the workgroup didn't meet, and
13 we had kind of suggested that they might meet and they might
14 be able to work through some of these things, so maybe a delay
15 is warranted here.

16 Mike also said that, you know, there are some
17 questions and maybe we need a lawyer for whether or not we
18 acted correctly the first time. So I think putting this word
19 in there is probably something we need to do. So maybe we
20 kind of need to hold off it.

21 And this is all brought about by a management issue,
22 and the timing of being able to shut it down. This is not
23 based on the industry saying, hey, you know, I think we can
24 get away with this.

25 So for those four reasons, I think at this point I

1 | would ask that we hold off on making a final decision on this
2 | FMP because of this wording and because we are changing what
3 | we see in front of us now.

4 | MR. GRACIE: Are you making a motion to table?

5 | MS. DEAN: Jim, is that what I just did?

6 | **MOTION**

7 | MS. DEAN: Yes, I am making a motion to table.

8 | MR. GRACIE: You need to call for a second.

9 | MR. LANGLEY: Okay, do we have a second?

10 | MR. NEELY: Sure, I will second it.

11 | MR. LUISI: Just a point of order on this, just to
12 | be clear. So a motion, just so you are clear, a motion to
13 | table can't be debated, and if the motion to table is
14 | approved, if it doesn't come up at the next meeting, the
15 | motion is gone. And then anything goes.

16 | A motion to postpone, if you change it to a motion
17 | to postpone, can be debated about a certain time, that you
18 | would postpone it until something. That time of certainty in
19 | that postponed motion can be discussed.

20 | MS. DEAN: I have just been Robert ruled schooled.
21 | May I make a motion to postpone there because I certainly want
22 | further discussion. Thank you.

23 | MR. BLAZER: To postpone?

24 | MR. LANGLEY: We have a motion to postpone. Do we
25 | have a second on that motion?

1 MR. SUTHERLAND: So what does postpone mean again?

2 MR. LUISI: A postponed motion, if there is no
3 particular time certain, like let's postpone until our third
4 meeting from now or let's postpone until the workgroup has an
5 opportunity to reconvene and come back to us with a
6 recommendation.

7 If there is nothing like that in it, and it is just
8 a motion to postpone, it is essentially -- it will never come
9 back before this group. This amendment will -- we will have
10 to take it upon ourselves --

11 MS. DEAN: So it would have to be postponed until
12 next meeting?

13 MR. BLAZER: Until we decide to bring it back.
14 There is not a set time. There is not a prescribed time.

15 MR. GRACIE: The important element is a motion to
16 table requires that it be brought up at the next meeting. A
17 motion to postpone does not have a fixed time to it.

18 MS. DEAN: And tabling wouldn't help us here because
19 it is not going to happen before the next meeting, these
20 things that we need to work out. So I would like to motion to
21 postpone until the workgroup meets.

22 MR. LUISI: Until after the next meeting after a
23 workgroup meeting.

24 MS. DEAN: Yes.

25 MR. LUISI: Something like that would work.

1 MR. LANGLEY: We have a motion to postpone until
2 after the next workgroup meeting. Do we have a second.

3 (No response)

4 MR. GRACIE: There is no motion.

5 MR. LANGLEY: Now we are back to the motion to
6 accept the amended FMP. As amended. All in favor? Raise
7 your right hand please?

8 (Show of hands)

9 MR. BLAZER: Nine.

10 MR. LANGLEY: Opposed?

11 (Show of hand)

12 MR. LANGLEY: Abstention?

13 (Show of hand)

14 MR. LANGLEY: The motion passes nine to one.

15 MR. LUISI: That concludes any business I think
16 related to yellow perch on this issue. So just so you all
17 know, we will have the same conversation on Thursday with the
18 tidal fish commission.

19 MS. DEAN: If they approve it without the change,
20 how does that --

21 MR. LUISI: We will modify that language to show
22 that this group took certain action. Well, Dave and I will
23 talk.

24 MR. GRACIE: My answer to that answer would have
25 been you guys have to decide because we are both advisory

1 commissions.

2 MR. LUISI: We will get the same or a different
3 reaction from tidal fish and then we will have to figure out
4 where to go.

5 So with all of that, that concludes everything with
6 yellow perch. Real quickly, the next item on the agenda is a
7 catch and release tournament request prior to opening day.

8 ***Catch and Release Tournament Request***

9 MR. LUISI: So we discussed at our last meeting a
10 tournament request that would be before May 1, and we have
11 told you that our policy here is not to permit tournaments,
12 harvest tournaments, prior to May 1. That is just something
13 we have stood by.

14 We have once deviated from that when May 1 split a
15 weekend but there is a new request now that we received for
16 catch and release tournaments, and what the department, how
17 they would view those prior to even opening day. So this is
18 preseason catch and release tournaments. And whether or not
19 you would advise the department to allow for those tournaments
20 to be conducted.

21 And we are just looking for some feedback on your
22 recommendation as to whether or not we approve those catch and
23 release tournaments prior to season starting.

24 MR. DeHOFF: At this time, does this particular
25 request involve a split of the date?

1 MR. LUISI: We are already past the date. This
2 would be for something for the future, for next year.

3 MR. BLAZER: We declined them because we weren't
4 sure, didn't know. So we anticipate that they will come back
5 next year and we wanted to bring this up with all, get your
6 feedback.

7 MR. LANGLEY: I am going to make one comment on that
8 and then I will take questions. Right now at ASMFC, we are
9 under a, in our spring trophy season, we are under a 25
10 percent reduction from ASMFC on the spawning stock biomass.

11 This is preseason catch and release. These fish are
12 getting hammered just about 12 months a year. There are not
13 many species that survive that get hammered 12 months a year.

14 If wildlife did, if rabbits, deer, squirrels were
15 hunted 12 months a year, the populations would probably
16 diminish. And I am not saying in the cold water temperatures.
17 If you are going to catch and release, that is a good time of
18 year to do it but the problem is, using ASFMC's statistics
19 that there is a 9 percent mortality on catch and release.

20 And on preseason, you know, if you catch 100 fish,
21 you are going to kill 9 prespawed fish based on those
22 statistics at that time of year. So that is where I have high
23 reservations of allowing any preseason catch and release
24 tournaments.

25 And I will take questions from there.

Questions and Answers

1
2 DR. MORGAN: I would also oppose any kind of
3 tournament prior to opening day, prior to May 1. Not so much
4 dealing with the male population of striped bass but with the
5 female population, if you catch a female, you immediately
6 induce a stress.

7 And from some of the work that a few of my
8 colleagues have done up and down the East Coast, when you
9 stimulate those cortisol hormones into the system, there is a
10 probability that fish may or may not spawn. So you may not
11 kill the fish but you may definitely damage any potential
12 spawning from that fish.

13 And that is why we have this period of May 1
14 enacted. The majority of the spawning -- and of course
15 temperatures have all changed since when I was working with
16 striped bass -- with most of the spawning taking place in
17 April and some spilling over into May perhaps, I would be very
18 much against any tournament prior to May 1 for physiological
19 effects on the female population.

20 MR. LANGLEY: Thank you, Ray. Any other --

21 MR. DeHOFF: Well, just as a clarification, on the
22 sheet here it says prior to opening day. We have our date as
23 May 1. Are we talking prior to the third week in April
24 opening day is what they are requesting?

25 MR. LUISI: Prior to the season even being opened

1 for harvestable fish.

2 MR. DeHOFF: Not just open season for us to allow
3 tournaments. Okay.

4 MR. SUTHERLAND: You have already made the right
5 decision turning it down. It really is that simple. It makes
6 no sense to me why anyone would even consider it.

7 MR. GRACIE: I don't think I want to say too much.
8 I was chair of this commission when we had one of the most
9 heated diverse stakeholder debates ever about preseason catch
10 and release. Not tournaments, just catching in the bay.

11 And it is a tough issue but certainly I would agree
12 with this, no tournaments.

13 MR. BLAZER: If I can ask, is that pretty much the
14 consensus of the group? Do I see anybody opposed to that?

15 MR. GRACIE: Should we make it a motion, make it a
16 matter of record?

17 MR. BLAZER: I would appreciate that.

18 **MOTION**

19 MR. GRACIE: I move that we prohibit any preseason
20 catch and release tournaments.

21 MR. SUTHERLAND: I will second it.

22 MR. LANGLEY: All right, any public discussion?

23 MR. NEELY: Please restate it. Just restate it,
24 exactly what it is you are asking us to vote on.

25 MR. BLAZER: The motion is to prohibit catch and

1 release tournaments for striped bass prior to opening -- the
2 season opening. I have got the motion by Mr. Gracie and the
3 second by Mr. Sutherland.

4 MR. NEELY: Call for discussion.

5 MR. LANGLEY: Okay, any discussion?

6 MR. NEELY: Typically when would those dates be?

7 MR. LUISI: Third Saturday in April.

8 MR. BLAZER: Is the opening date.

9 MR. GRACIE: Did you ask for public comment?

10 MR. LANGLEY: I did ask for that, Jim. All right,
11 we have a motion on the table. We have a second. All in
12 favor, please raise your right hand.

13 (Show of hands)

14 MR. BLAZER: Thank you. Unanimous.

15 MR. LANGLEY: Unanimous.

16 MR. LUISI: Thank you for that, and Mr. Chairman, in
17 the interest of time, the last item on the agenda has to do
18 with our coastal fisheries forums that we have.

19 ***Coastal Forum Update***

20 MR. LUISI: We go down to Ocean City two to three
21 times a year. Dave and I go. Dave, Lynn and I along with our
22 coastal fisheries program staff have open forum discussions
23 with coastal and recreational fishermen about any issue that
24 we have to bring to them and whatever they have to bring to
25 us.

1 We held those meetings on March 27 of this year.
2 There are write-ups in your packet about what we discussed. I
3 don't need to necessarily go through it all but if you have
4 any questions about anything discussed down on the coast, you
5 know how to find me. And if you are okay with that, we will
6 leave it there.

7 DR. MORGAN: Mike, are there any hot topics coming
8 down, you know, in the next year or two, like marlin or
9 anything like that? Nothing serious?

10 MR. LUISI: Oh, there are plenty of hot topics. One
11 of the big things that will be discussed is a comprehensive
12 summer flounder amendment. It will deal with commercial
13 allocations not just in Maryland but along the coast, a
14 potential shift in those allocations.

15 It will also look at the recreational fishery and
16 potentially shifting allocations from states to other states
17 given the climate variability and the shift and the movement
18 of summer flounder on the East Coast.

19 It is going to be a huge undertaking. It is already
20 two years in the works but it is probably two or three years
21 coming but it will be a big deal.

22 MR. BLAZER: The other thing I might add to that,
23 Mike, is cobia. I mean, not a big issue for us but that is
24 kind of brewing in the south Atlantic states, and we are kind
25 of on the fringe of that but cobia is something that has got a

1 lot of interest.

2 MR. LANGLEY: Thank you, Mike. I will make a quick
3 call for any new business. Any public comment?

4 ***Public Comment***

5 MR. LEWIS: Just two comments on the yellow perch
6 fishery management plan. I would like to give my appreciation
7 to the department for working on that. It has been a long
8 time coming and it has updated a lot of data.

9 Secondly, there is a statement in there that all of
10 the yellow perch monitoring for the commercial industry is
11 done electronically. That is not the case. There are six
12 people who harvested this year and are still tagging
13 individual fish, and I couldn't understand why so I checked it
14 out.

15 Apparently there is a small group of people who
16 don't want to get involved in electronic monitoring. So they
17 are willing to hand-tag all their fish but it is not all being
18 done electronically.

19 There is also a statement in there that both the
20 commercial and recreational sectors have requested a change in
21 the TAC. And I have been involved in this for 10 or 15 years,
22 and I can never recall any recreational group requesting a
23 change in the TAC.

24 We know that the commercial did because we have seen
25 the request from the groups. But unless somebody has

1 information to the contrary, I would like to see that removed.

2 MR. LANGLEY: Thank you. Any other new business?

3 (No response)

4 MR. LANGLEY: All right, motion to adjourn.

5 MR. SUTHERLAND: Motion.

6 MR. : Second.

7 MR. LANGLEY: Meeting is adjourned.

8 (Whereupon, the meeting concluded at 5:32 p.m.)

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