

Maryland DNR
Sport Fisheries Advisory Commission
Meeting

Tuesday,
July 23, 2013

Held at the
Tawes State Office Building
Annapolis, Maryland

Maryland DNR
Sport Fisheries Advisory Commission Meeting

July 23, 2013

SFAC Members Present:

Jim Gracie, Chair

Kate Chaney

Micah Dammeyer

Mark De Hoff

Bill Goldsborough

Phil Langley

Val Lynch

Dr. Ray P. Morgan II

Ed O'Brien

Vince Ringgold

Scott Sewell (*proxy for Roger Trageser*)

David Sikorski

Tim Smith

James Wommack

SFAC Members Absent:

Beverly Fleming

Roger Trageser

Maryland DNR Fisheries Service

Tom O'Connell

Noreen Eberly

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

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

(2:10 p.m.)

Welcome and Announcements

by Jim Gracie, Chair, SFAC

and Tom O'Connell, Director, MD DNR Fisheries Service

MR. GRACIE: I would like to call the meeting to order and welcome our new commissioners.

MR. O'CONNELL: Welcome, everyone. I appreciate people coming out to the meeting early to get to know everyone. We have seven new members joining the commission. To get started, why don't we go around the room and have everyone share their favorite fishing experience? We have several people here, so that means one to two minutes apiece.

MR. WOMMACK: My name is James Wommack. Everyone calls me Mack. Member of MSSA. Lower Tangier Sound fisherman. That would be my favorite experience. I call it God's country. And I am just happy to meet everybody.

MR. SEWELL: My name is Scott Sewell. I am an alternate for Roger Trageser. I am the conservation director for the Maryland Bass Federation. Currently retired. My career has been in law enforcement. And I am spending all my time either on the water or thinking about being on the water bass fishing.

And my favorite bass experience or fishing experience would obviously be for bass, and it is -- I would

1 | say every time I go out now, especially on the upper bay up on
2 | the flats. It is literally record bass fishing up there right
3 | now. The tournaments are coming in with five fish limits.

4 | If you don't have over 20 pounds, you might as well
5 | just get your boat on a trailer and leave. It is the best
6 | fishing on the East Coast at a minimum, the upper bay of the
7 | Chesapeake right now for bass fishing.

8 | MR. RINGGOLD: My name is Vince Ringgold. I am the
9 | president of the Maryland Salt Water Sport Fishing
10 | Association. I have been fishing my whole life. I guess my
11 | experience is with kids. I started a program last year for
12 | youth anglers, and any time I have got my granddaughter on the
13 | boat, that is what it is all about.

14 | MR. GOLDSBOROUGH: My name is Bill Goldsborough. I
15 | work for the Chesapeake Bay Foundation. I run the fisheries
16 | program there on the commission. From the eastern shore, that
17 | is where I grew up fishing, Choptank River. But I have to say
18 | my favorite fishing experiences have been when I spent two
19 | years on Smith Island. So I agree with Mack, the lower
20 | Tangier Sound, shallow waters, is pretty hard to beat.

21 | MS. CHANEY: My name is Kate Chaney. I grew up in
22 | Shady Side and I work on boats. I do --- repair. My dad was
23 | a waterman when I was growing up, so I spent most of my life
24 | on the water. And I love to crab now and I love to do opening
25 | day of rockfish season, whether I catch fish or not. I just

1 | love to get out there.

2 | MR. SIKORSKI: David Sikorski, returning
3 | commissioner. I represent the Coastal Conservation
4 | Association here on the commission. Lifelong Maryland
5 | resident and fisherman. I fish just about anything from trout
6 | to marlin.

7 | Tons of great experiences in Maryland. I am
8 | fortunate enough to get out on the water a lot. Probably one
9 | of my favorite experiences was this year. After working
10 | through some potential regulatory changes on speckled trout, I
11 | have tried to focus on them because we have had a lot of them
12 | in the bay.

13 | And I was down there -- in fact, right next to the
14 | CBF facility in Bishops Head and caught a tagged speckled
15 | trout, which is evidently a pretty rare occurrence. It turns
16 | out -- I called a friend of mine from lower Virginia, and he
17 | was one of 10 people who were part of the tagging program. He
18 | wasn't the one who tagged it but it was pretty cool to see a
19 | fish that was tagged.

20 | You know, that is the science that we use to work
21 | through the decisions we make on the commission so it was a
22 | really neat experience. That fish was tagged six months'
23 | prior in the Elizabeth River in Virginia. And it had grown
24 | about a quarter inch in the six months from when it was tagged
25 | to when I caught it. So it was pretty cool.

1 MR. DE HOFF: I am a recreational fisherman. I fish
2 mostly the upper bay from Pooles Island north. I am also
3 involved in inland fishing, and where I grew up and cut my
4 teeth on fishing was there. Also I make several pilgrimages
5 each year to the coast and make sure I get in some ocean
6 fishing.

7 I guess probably one of my favorite fishing
8 experiences here in the state of Maryland is kind of like what
9 Vince said, with the kids. I am also involved with the MSSA
10 and the kids' fishing derbies and things like that.

11 I am one of the tournament directors for that, and
12 just seeing the looks on the kids' faces and seeing the
13 enjoyment they get and hoping that we have planted a seed so
14 that there are people like us in the future that have the
15 desire to want to continue to do this for future generations
16 and instill that into them. That is really what I would like
17 to see.

18 MR. O'BRIEN: My name is Ed O'Brien. When I got out
19 of the Marine Corps -- my career was in the military
20 intelligence community, but when I was doing that, I always
21 wanted to be a charter boat captain.

22 So I finally achieved that in the '70s, and I have
23 been vice president of the Maryland Charter Boat Association
24 for about 30 years. I am currently vice chairman of the
25 National Charter Boat Association from Alaska around to Maine.

1 And I have enjoyed working on this commission. I
2 think we have done a lot of good in the past, and I can see we
3 got a lot of new and young blood in here, and we will continue
4 on a positive path.

5 MR. LYNCH: My name is Val Lynch, and I am a
6 returning member to the sport fish advisory commission. I am
7 a retired Air Force officer, and I represent the ocean and
8 coastal bays. I am on the board of directors for the Ocean
9 City Marlin Club.

10 I have been drowning worms for a long as I can
11 remember. Over the last 30 years or so, I have spent most of
12 my time on the water, and I really enjoy that. And I will
13 share with you an important moment, a moment that took about
14 25 years to accomplish. Last fall, the Ocean City Airport was
15 interested -- they had done a renovation down there -- and
16 they were interested in filling up a very large wall.

17 So they asked the marlin club for a donation of a
18 white marlin mount, which sounded very logical. When they
19 finally got around to me, I had a few mounts. So I
20 contributed to the airport a white, a sail and a blue, if you
21 understand that. A grand slam. I was lucky enough to catch
22 all those fish off of Ocean City over a period of about 30
23 years.

24 Next time you are walking through the airport, take
25 a look at that big wall. The fish kind of look pretty up

1 | there.

2 | MR. GRACIE: I am Jim Gracie. I guess my most
3 | satisfying -- in fact, all my fishing experiences are fun. I
4 | can hardly think of any that aren't. The most satisfying
5 | thing I do is a program that I helped start in the '70s called
6 | City Catch, where we take about 125 kids from inner city
7 | Baltimore out to Lincoln Park, a --- park in the city.

8 | We buy and stock trout for them. We buy and give
9 | them each a fishing outfit in the hopes that they will be able
10 | to come back and fish again. We have been doing that on and
11 | off for I guess about 17 years.

12 | MR. SMITH: Hello, my name is Tim Smith. I operate
13 | a charter boat out of Deale, Maryland. From an early age my
14 | father got me involved in the outdoors, and I have pretty much
15 | spent all my free time hunting and fishing since then. I play
16 | golf twice a year just to say I do something other than hunt
17 | and fish.

18 | A favorite fishing experience for me is light tackle
19 | fishing for rockfish, wherever that may be -- Chesapeake Bay
20 | Bridge tunnel, main stem of the bay, wherever it is happening.

21 | MR. LANGLEY: My name is Phil Langley. I operate a
22 | charter boat in southern Maryland, St. Mary's County, down in
23 | the Point Lookout area. I fish Tangier Sound sometimes,
24 | Potomac River, but I kind of get around in that lower bay
25 | area.

1 I guess the most exciting -- I can't narrow it down
2 to one thing -- but the most exciting thing for me is, like
3 this gentleman mentioned, is there is nothing more satisfying
4 than taking out a group of young children to catch their first
5 fish or to take out a group of adults and bring them back to
6 children. Sometimes you have the opportunity to do both, so
7 there are a lot of good memories shared there.

8 DR. MORGAN: I am Ray Morgan. I am a professor and
9 acting director of the Appalachian Laboratory, University of
10 Maryland Center for Environmental Science, and I am returning
11 commissioner.

12 I have had a lot of really great fishing and hunting
13 experiences in my life, but last weekend I had my 4-year-old
14 granddaughter catch two fish at Cunningham Falls, and my
15 1-year-old grandson will be fly casting by the end of this
16 year. So that is my goal.

17 MR. DAMMEYER: My name is Micah Dammeyer. I am a
18 freshwater fly fishing guide. I work mostly on the Gunpowder
19 Falls and the Potomac River, and you know, I don't know if I
20 have ever had a bad day fishing in Maryland. I think -- I
21 don't golf anymore but I still have clubs, Tim. We will have
22 to go so I can tell my wife I used them.

23 Any time I can get out with my brothers and my
24 father and sometimes we even get our wives out there fishing
25 if we can talk them into it, that is great day for me.

1 MR. O'CONNELL: Well, I appreciate that, and I am
2 sure everybody looks forward to getting to know each other and
3 sharing more stories over the next several years.

4 We have one commissioner who is unable to join us
5 tonight, Beverly Fleming. She is from the ocean area, and
6 represents Assateague Surf Fishermen, people who surf along
7 the coast. A different group of individuals. That will be
8 interesting to join us and hear their interest and perspective
9 on these fisheries management issues.

10 One other introduction I wanted to make was Noreen
11 Eberly. She will be our liaison to your commission as well as
12 tidal fish advisory commission. As many of you have probably
13 heard, Marty Gary, who has been with the department for over
14 25 years, took an excellent opportunity as the executive
15 secretary for the Potomac River Fisheries Commission.

16 He started that July 1. Great opportunity for him,
17 and great for the department to have a friend and the Potomac
18 River Fisheries Commission. So Noreen is going to be taking
19 on this role.

20 She has been with the state for over 25 years. Was
21 with the Department of Agriculture running the seafood
22 marketing commission over there, so she is familiar with
23 working with commissions, and she has been a great asset to us
24 when she was transferred over here a few years ago, and she
25 will be working closely with Karen Knotts and our team here to

1 to check for violations such as before and after hours
2 harvests, inspections of buyers and tackers, size limits and
3 crab pots in restricted areas.

4 Our officers always conduct a boating safety
5 inspection when they check any vessel this harvesting season,
6 whether it be recreational or commercial. And our results
7 have been notable but not dramatic. A poll of the commanders
8 in the field kind of revealed that it is not really due to
9 lack of effort but lack of crabs.

10 It is just not a huge, huge harvest this year, so
11 they are spending a lot of hours on it but they are not
12 finding quite as many violation as they thought they might.

13 Turning your attention to the report, you will see
14 that we have a substantial number of undersized croaker cases.
15 It is just because the small fish are here, and Anne Arundel
16 County usually does have a greater number because it has -- I
17 think because it has a huge amount of public fishing areas
18 where we have less-informed anglers who are fishing.

19 We were asked last meeting, last quarter, if you
20 turn to the second page, about a violation regarding leased
21 bottom. So under oysters and clams, the first paragraph
22 there, is in response to the commission's request for
23 additional information.

24 And I think, I guess I am going to surmise we are
25 going to continue to be interested in these types of

1 | violations if there are any as we move to more and more leased
2 | bottom. And what types of enforcement hurdles that may
3 | create.

4 | You know, we talk about that in our meetings, and
5 | this is sort of a little thumbnail sketch of one thing that
6 | did happen, and who knows how much it may happen in the
7 | future. But we will certainly be alert to it. Questions from
8 | the commission or anyone?

9 | MR. O'CONNELL: I guess for the new commissioners,
10 | you know, typically we have an NRP report at all the meetings,
11 | and this is an opportunity for you to raise enforcement issues
12 | that you are aware of or you hear about from your
13 | constituents. You don't have to wait for a commission
14 | meeting. You can always, you know, follow up with the
15 | department or the chairperson to bring issues of concern to
16 | the attention of us.

17 | This is an opportunity to let you know what is going
18 | out there and give you an opportunity to highlight areas of
19 | concern.

20 | LT. MAUK: I count on all the commanders to send me
21 | this information, and I try to get it the commission a week
22 | before. So if you have heard of something you really want
23 | lots of information about, if you shoot me an e-mail, I will
24 | make sure I give a little more. I will flesh it out a little
25 | more because that takes a little time for me to get a hold of

1 that commander or that officer and find out exactly how
2 something unfolded.

3 *Questions and Answers*

4 MR. GRACIE: Bill?

5 MR. GOLDSBOROUGH: I was wondering on that last item
6 about the sanctuary, and you said something like, you know,
7 who knows how often this happens. Do you have any way of
8 extrapolating from what you have observed to estimate how
9 widespread that activity is? Not to put you on the spot.

10 LT. MAUK: the bulk of our oyster enforcement has
11 been done on the eastern shore because that is where they
12 oysters are. And they work very, very hard at oyster
13 enforcement. So if this were happening on large scale, I
14 think we would know.

15 I feel pretty confident that we would know,
16 especially because if I am a waterman and I work the public
17 bar, I am going to tell somebody if someone is coming off
18 their lease bottom and harvesting on the public bar. I am
19 going to tell because that is taking away from my livelihood.

20 MR. GRACIE: Any other questions? Go ahead, Bill.

21 MR. GOLDSBOROUGH: I guess just one thought. I
22 wonder what this tells us about the policy that was put in
23 place to allow leasing within sanctuary zones or near
24 sanctuary zones. It doesn't bode well, it seems.

25 MR. O'CONNELL: The issue is that the department

1 | does allow leasing in the sanctuaries but not on the national
2 | oyster bars. Obviously that does present challenges. But we
3 | have implemented safeguards against that. Those safeguards
4 | are, you know, making sure NRP is aware where the leases are.
5 | We also have some electronic technology --- system that will
6 | be able to provide a 24/7 surveillance --

7 | LT. HAUK: I cut some of it out because I didn't
8 | think the department wanted me to divulge all of their
9 | methods. And I do know the department is working hard to try
10 | to see if we can get our aviation back, because I think that
11 | is key. But we have a lot of new methods that we are using
12 | with success.

13 | MR. O'CONNELL: We also require notification to use
14 | power dredging on leases within sanctuaries so there is that -
15 | -- to be out there. It is one of those things we agreed to go
16 | forward with, but to keep a close evaluation on. And that
17 | will be something that we will be reviewing as part of our
18 | five-year evaluation of this new --- program that was
19 | implemented in 2010.

20 | MR. GRACIE: Any other questions?

21 | DR. MORGAN: I have one question. I can't remember
22 | if it was the last meeting or the meeting before when we were
23 | talking about posting signs, regulation signs, bilingual
24 | regulation signs.

25 | LT. MAUK: I think we have made good progress on

1 | that.

2 | MS. KNOTTS: Yes, those --

3 | MR. O'CONNELL: Come on up, Karen.

4 | MS. KNOTTS: I am Karen Knotts with the
5 | Communication and Outreach Division. And yes at the last
6 | meeting I talked a little bit about this.

7 | We had a sign, which is basically a bright yellow
8 | sign. We posted it all the way across the state, which
9 | essentially had a very simple message recommended to us by the
10 | Natural Resources Police, which is you need a license when you
11 | fish, there are fishing laws you have to follow, you are
12 | responsible for following them, and if you don't you are going
13 | to get in trouble.

14 | And on that sign a very simple message. Again we
15 | posted it at every place we felt like was a fishing hotspot
16 | from western Maryland all the way down to the coast. And
17 | included on that sign is what is called a QR code, these
18 | little square things that you see on signs. That is basically
19 | a link.

20 | If you have a smart phone, you scan it and it jumps
21 | to -- we have a new Spanish language page, which we need to
22 | get an announcement out about, but on that page, we now have,
23 | just recently posted an identification chart that shows fish
24 | and what they are called and then a table that is in Spanish
25 | so that you can say, okay, here is the fish, and here are the

1 regulations regarding that fish.

2 Also other messages that we thought would be helpful
3 to Spanish-speaking folks. Just getting the word out on
4 different issues. We are going to use that page to get the
5 word out. If there is a specific thing -- I think we had, one
6 region had a concern about the use of nets in an inland area.

7 So we will use that site, which is linked to that
8 sign, to continuously post messages that reach out to the
9 Latino community.

10 MR. O'CONNELL: That is great.

11 DR. MORGAN: Thank you.

12 MR. GRACIE: Any other comments or questions from
13 the commission?

14 (No response)

15 MR. GRACIE: Is that all you had?

16 LT. MAUK: Yes.

17 MR. GRACIE: Thank you.

18 LT. MAUK: Thank you.

19 MR. O'CONNELL: The next agenda item is just to
20 review the commissions operating guidelines.

21 ***Review of Sport Fisheries Advisory Commission Operating Guidelines***

22 ***by Tom O'Connell, Director, MDNR Fisheries Service***

23 MR. O'CONNELL: Several years ago we thought it was
24 important for these guidelines to be established, and we have
25 these for both the sport fish and tidal fish advisory

1 commissions. You will find them in your handout.

2 It has been about four or five years since we
3 drafted these, so we took the opportunity to update them and
4 make a few changes based upon, you know, what we have learned
5 over the last few years as well as some legislative changes.
6 So I wanted just to take a minute to highlight with you four
7 changes that are relatively minor, but just to bring them to
8 your attention. I think they are in Tab 3 of your handout.

9 In the background section, the update reflects that
10 a couple years ago, the Sport and Tidal Fisheries Advisory
11 Commissions were expanded from 12 members to 15 members and
12 also went to staggered terms, which are now being implemented
13 with these most recent appointments.

14 So that is just a reflection of that. I would also
15 note that tidal fish seats are two-year terms and sport fish
16 commission seats are four-year terms. Some of your letters
17 from the appointments office specify two years and others were
18 four years. That is to implement this new staggered term
19 requirement.

20 We have six terms that are two years and then nine
21 terms that are four years, and then that will establish our
22 staggered term limits for the Sports Fisheries Advisory
23 Commission. So that is one of the changes on page one.

24 One page two under agenda and meeting support
25 information, it just reflects the way we have been doing

1 business. The old operating guidelines basically said that
2 the commission establishes the agenda.

3 This just says that again the chairperson approves
4 the agenda, but agenda items are not just developed by the
5 commission but also from department staff. So it is kind of
6 a -- commissioners provide agenda items, fisheries service or
7 the secretary provides agenda items, we work with the
8 chairperson to approve an agenda for the meeting so it just
9 reflects that.

10 On page three under communication ground rules,
11 No. 7 again is to just implement the procedures we have been
12 operating. I took this language from the Atlantic States
13 Marine Fisheries Commission that I believe has good process
14 for public comment.

15 There are two issues for the public to comment on:
16 One is issues that are not on the agenda, and those are the
17 issues for which the public should comment at the end of the
18 meeting during the public comment period.

19 And then there are items that are on the agenda.
20 And when there are items on the agenda, as we have conducted,
21 if an action is being suggested by the commission, as time
22 allows the chairperson will provide opportunity for the public
23 to provide some comment. After the commission has their own
24 deliberation but prior to taking a vote on that action.

25 So that is the way we have been doing business, and

1 the intent here was just to kind of reflect that more clearly
2 in the operating guidelines. The other thing that was
3 interesting under motion, the previous operating guidelines
4 had a process where a motion was put out there, and then prior
5 to that motion being seconded, it said the commission would
6 have public discussion or deliberation.

7 And, you know, according to Robert's Rules of Order,
8 you need a second of the motion before you have deliberation
9 of that motion. So that is what the operating guidelines now
10 reflect. If someone puts a motion on the table, it needs to
11 be seconded before you go through the commission deliberation
12 and then public discussion.

13 And those are the four changes that I thought were
14 important to highlight to you guys. If there are any
15 questions today or immediately following the meeting, let us
16 know. We will be reviewing these changes also with Tidal
17 Fisheries Advisory Commission on Thursday, and we plan on
18 approving these for future use behind that.

19 And if anything significant comes up from tidal
20 fish, we will report back to this commission. Sound good?
21 All right, seeing no --

22 MR. GRACIE: Obviously if you go over it and have
23 some more questions, feel free to contact Tom between now and
24 the next meeting.

25

1 a little background on themselves. Does that sound
2 satisfactory? Then I will go ahead and ask for nominations
3 for the position of chair.

4 DR. MORGAN: I would like to nominate Captain Ed
5 O'Brien as chair.

6 MR. O'BRIEN: Thank you. That is a compliment.
7 This is probably my last tour on this commission. I have been
8 here a long time, and I don't think -- I think somebody else
9 should be the chair, somebody that is strategic right now.
10 And I think that somebody -- I will turn it around and
11 nominate Bill Goldsborough.

12 We have got some very important things going on at
13 the Atlantic States Marine Fisheries Commission, which Bill is
14 a commissioner on, and he is our representative on tidal fish.
15 The interim is going to see very important dialogue within
16 ASMFC relative to menhaden and striped bass. And I really
17 feel that it is Bill's time to fill the chairmanship here.

18 Jim Gracie has done a tremendous job. We have had
19 some trying meetings. He has kept things in perspective. You
20 always know where Jim stands, and that is an opportunity for
21 an advocate one way or the other to really get his point
22 across. Jim has the respect of so many people in this state,
23 and I think we have been blessed to have him as our chairman,
24 and Jim, I want to thank you personally for the job you have
25 done.

1 And I would like to reiterate that I would like to
2 nominate Bill Goldsborough to be the next chairman.

3 MR. GRACIE: Do we have a second for that
4 nomination?

5 MR. SIKORSKI: Second.

6 MR. GRACIE: Who was that?

7 MR. SIKORSKI: Sikorski.

8 MR. GRACIE: Dave Sikorski, thank you. Will you
9 accept the nomination?

10 MR. GOLDSBOROUGH: Yes, I would. I am honored.
11 Thank you, Ed, Dave. There are a lot of interesting and
12 challenging things going on right now. Ed is right that this
13 commission will need to play a key role.

14 There are a lot of ways you can contribute on this
15 commission. I have chaired things before, and I think I have
16 done a reasonable job so I am willing to take a shot at this
17 recognizing that there are challenges.

18 We have got quite a diversity around this table so I
19 am putting faith in all of you to join me in trying to work
20 together and come up with good consensus, advice for the
21 department on those issues. Thank you.

22 MR. GRACIE: Are there any other nominations for
23 chair?

24 (No response)

25 MR. GRACIE: Does anybody have anything to say about

1 | whether or not we should go ahead with elections today?
2 | Especially new commissioners, if you feel like you would
3 | rather not, speak ups. You have a chance to persuade us.
4 | Phil?

5 | MR. LANGLEY: I have confidence in the previous
6 | commissioners that were here to elect somebody that has been
7 | on the board for quite some time. And I am probably not going
8 | to get a chance -- although I put my best foot forward -- to
9 | meet everybody and to get everybody's background. But I think
10 | the existing commissioners probably have a better
11 | understanding of who is best for the position than I do right
12 | now.

13 | MR. GRACIE: Thank you. Any other --- ? Dave?

14 | MR. SIKORSKI: I think, just in my experience on the
15 | commission, I think it is extremely important to have a
16 | chairperson. The reason I would second somebody like Bill is
17 | if you look at our operating guidelines, the leaders, as a
18 | model in leadership in governance: behavior, preside in a fair
19 | manner and synthesize concepts and forge relationships and
20 | develop a sport fish and tidal fish consensus.

21 | I know Bill has done that for quite some time now,
22 | and these commissions, when those of us that are former
23 | commissioners started, we had quite a few more meetings
24 | throughout the year. And now that given we only have four, I
25 | think it is important that we take a new chairman today to

1 allow the next few months between now and the October meeting
2 to continue our work.

3 For some of the commissioners, there is not as much
4 work. For some of the commissioners there is a good deal of
5 work, and ultimately we are here to advise the department, and
6 I think a good chairman like Bill Goldsborough is important to
7 have so we can continue to advise the department over the next
8 months before October.

9 MR. GRACIE: Okay. No other nominations from the
10 floor?

11 (No response)

12 MR. GRACIE: I will call the question then. All in
13 favor of Bill Goldsborough as chair, say aye?

14 (Chorus of aye)

15 MR. GRACIE: Any opposed?

16 (No response)

17 MR. GRACIE: Any abstentions?

18 (No response)

19 MR. GRACIE: Unanimous. Do we have a nomination for
20 vice chair?

21 MR. GOLDSBOROUGH: I would like to nominate Dave
22 Sikorski.

23 MR. O'BRIEN: Second.

24 MR. GRACIE: Seconded by Ed O'Brien. Do you accept,
25 Dave?

1 MR. SIKORSKI: I will.

2 MR. GRACIE: Jim?

3 MR. WOMMACK: I would like to nominate Val.

4 MR. GRACIE: Okay.

5 MR. LYNCH: I appreciate that. I really do. I
6 think that first of all, Bill is the right man for the job,
7 for the chair. And because of Dave's availability and time,
8 and the fact that he is still a young puppy, I think he would
9 be an excellent choice for vice so I am going to respectfully
10 decline. But I do appreciate that.

11 MR. GRACIE: Are there any other nominations for
12 vice chair?

13 (No response)

14 MR. GRACIE: Dave, you want to give us a little bit
15 of background for the people who don't know you?

16 MR. SIKORSKI: Like I said, I have been on the
17 commission I guess four years now, since the group that sits
18 here was reappointed. I represent CCA, and I am a lifelong
19 fisherman and outdoorsman and spend a lot of time in the
20 outdoors.

21 I tend to have a lot of free time when I can finagle
22 it, and I have been very thankful to work with this
23 commission, with the department, and would love the
24 opportunity to work with them a little more closely as a vice
25 chair and support Bill in his chairman efforts. And I thank

1 | you for the nomination and look forward to doing some good
2 | things.

3 | MR. GRACIE: If there are no other nominations, all
4 | in favor say aye?

5 | (Chorus of aye)

6 | MR. GRACIE: Opposed?

7 | (No response)

8 | MR. GRACIE: Abstentions?

9 | (No response)

10 | MR. GRACIE: It is unanimous. Thank you. If I had
11 | a gavel, I would turn it over to you. Would you like to chair
12 | the meeting now, Bill?

13 | MR. O'CONNELL: Mr. Chair, before you -- I think we
14 | owe Jim a round of applause for the last five years of his --

15 | (Applause)

16 | MR. GRACIE: Thank you.

17 | MR. O'CONNELL: And Mr. Chair, one more thing.

18 | Hearing Marty in the back of my head and the things he would
19 | normally say at the meetings is that, for new commissioners,
20 | as stated in the operating guidelines, all of our meetings are
21 | recorded verbatim through the recorder here today. Just
22 | wanted to make you aware of that. And Noreen is also keeping
23 | track of motions or action items.

24 | The verbatim meeting minutes take a little while to
25 | get out to you, but we feel it is important to accurately

1 record the motions and actions that are taken at these
2 meetings, and we get these out to you the next day.

3 So as these are being typed up, we want everyone to
4 be looking at them to make sure they are accurate because that
5 is the purpose, to leave here today, everyone is agreeable to
6 what the actions and motions are, and as we leave this meeting
7 we can speak consistently to the constituents we all
8 represent.

9 So keep track of the notes up there. If you see
10 something that is not right, you know, raise your hand and we
11 will straighten it out. So thanks, Mr. Chair.

12 MR. GOLDSBOROUGH: Thank you, Tom. The first thing
13 I was going to say was to recognize Jim Gracie. So we have
14 done that. It doesn't hurt to repeat it, though. Jim has
15 served with great dignity and expertise over two terms, most
16 recently but even before that.

17 So he has been affiliated with the work of this
18 commission for a long time, and I am glad he is staying on as
19 a commissioner because we can benefit from that background
20 expertise.

21 And I will just say also, now is a pretty exciting
22 time for this commission. I say that honestly just looking at
23 the list of names, the make up. Everybody who is new to this
24 commission, everyone who has come back to it, make up a very
25 interesting and diverse mix of backgrounds that I think are

1 going to serve us really well.

2 So I am very excited. It is, of course, the end of
3 the Marty Gary era, as was mentioned. For you new folks,
4 Marty was here for what -- 28 years, Tom? -- in the
5 department, and most of his time he was a liaison to these
6 commissions, if I am not mistaken, and did a fantastic job.

7 So we are going to miss Marty but we are into the
8 Noreen era. I have known Noreen for a while in her previous
9 work as well over at Ag, and we have all gotten her e-mails so
10 far, so I think everybody can say if they are any indication
11 at all, then we are in good hands. So I look forward to
12 working with you Noreen too.

13 Well, I guess we will move on with the agenda if
14 there is nothing else. Anybody have anything they want to
15 add? Ed?

16 MR. O'BRIEN: There was something I forgot to say.
17 I think we all owe some appreciation to Bill Windley too. He
18 has served on this commission for many, many years. Has been
19 a great advocate for his organization.

20 He slowed down a bit lately but let me tell you his
21 mind is right on. Bill Windley has been very involved with
22 the Menhaden thing from the beginning, which is so important.
23 I would like to thank you, Bill.

24 (Applause)

25 MR. GOLDSBOROUGH: Thank you, Ed, for that. I meant

1 to mention that as well. Bill has been a stalwart member for
2 a long time, and on other bodies before that. And he and I
3 worked together quite a bit on Menhaden at ASMFC. I am glad
4 he could make it down here today. I haven't seen him in a
5 while.

6 Okay, if there is nothing else from the floor, let's
7 move on to the next agenda item. So we have done the NRP
8 report. That would be then the regulatory update and scoping.
9 Sarah?

10 ***Regulatory Update and Scoping***

11 ***by Sarah Widman, MD DNR Fisheries Service***

12 MS. WIDMAN: I am Sarah Widman. I am with the
13 Policy and Planning Division here, and you will have myself or
14 one of our staff at pretty much every meeting. Just to
15 indoctrinate everyone who is new, I will run through -- you
16 will get ahead of time our -- or you should have gotten ahead
17 of time, I believe. Noreen has it in your folder there for
18 you, our regs update.

19 And that is just going to cover everything that has
20 happened since the last meeting, public notice-wise and
21 regulatory-wise for you. We add legislation in during session
22 as well, and I will usually just kind of run through and
23 highlight some things that are specific to each commission.

24 But if you guys have questions, certainly I will
25 pause for that when I am done there. And then the second

1 part will be items that we are wanting to scope, so regulatory
2 ideas that we have, that we may have already been talking to
3 workgroups or commissions about, and we are coming to you to
4 ask for your thoughts as far as --

5 And when we scope, we mean before we even start the
6 reg process, want to hear from everyone to make sure we are on
7 the right track and there are no major hiccups or surprises or
8 things we need to know about and change before we propose a
9 regulation because once we do that, it is a little harder to
10 make changes. We like to get all that sorted ahead of time.

11 So we will just ask for your advice if you think we
12 should be having more public input meetings or such for each
13 of the items we have on the scoping list. So with no further
14 ado, on the fisheries reg update, some of these public notices
15 have come out right around the time of the last meetings in
16 May.

17 Pretty much the typical things. As a reminder, we
18 have the shellfish aquaculture leases that we have to do
19 public notices on. But just a couple of pertinent ones
20 recreationally speaking, we did have the recreational black
21 sea bass season open on May 20, so that is a new possession
22 limit of 20 fish per person with a minimum size of 12 ½
23 inches.

24 The Atlantic Menhaden regulations went in place by
25 emergency a few weeks ago, just as an FYI. There are some

1 | by-catch permitting changes going on in the commercial fishery
2 | there, so you are aware of that.

3 | Regs that became effective: There were shark
4 | regulations that became effective. Those of you especially on
5 | the coast were probably already aware, but through our shark
6 | management along the coast with the feds and ASMFC, shark
7 | species have now been added to the recreational catch and
8 | reporting card program that you participated in probably with
9 | tuna and other species in the past. So the sharks are part of
10 | that now.

11 | And then the current regulations that are in the
12 | hopper, again Menhaden, the emergency is in effect. There is
13 | a permanent proposal on the books right now.

14 | Summer flounder, black sea bass, horseshoe crabs:
15 | for some clarifications and corrections. No female harvest on
16 | the horseshoe crabs. We put in place permanently, or we are
17 | working on putting in place permanently some shellfish
18 | aquaculture rules from last year.

19 | And striped bass, we are working on some major
20 | commercial fishery overhauls, so the first part of that
21 | package has been proposed, and the second part, we will be
22 | working on the scoping document. In a minute I will talk
23 | about that.

24 | And then one other thing to note. In emergency
25 | regulations that are currently in effect, we did just put, in

1 | the beginning of July, our recreational, new recreational gear
2 | chapter is in effect, and hopefully that is a more
3 | consolidated place that lays out all the different types of
4 | gears and any rules pertaining to them, and it is all in one
5 | place.

6 | That was kind of the goal that -- there was a tidal
7 | fish/sport fish workgroup that worked with us on that, and we
8 | had a lot of scoping this spring. We get great feedback, so
9 | hopefully everyone will have a chance to look at those. They
10 | should be in the register shortly but the draft that we
11 | submitted for publication is up on our Website if you want to
12 | take a look at it.

13 | Were there questions on -- I know it is a lot of
14 | information, and I am happy to be contacted outside of the
15 | meeting if you come up with things later, but are there any
16 | questions right now on anything from the regs update?

17 | MR. GOLDSBOROUGH: Questions for Sarah?

18 | (No response)

19 | MS. WIDMAN: Okay. Let's mosey on to the scoping
20 | one. So the scoping document that you have is a different,
21 | separate handout. We have a couple items that have come up.

22 | Snapping turtles is the first one. Again, just to
23 | reiterate, we are looking for advice on each of these as far
24 | as -- you will see the item and a brief summary of it, and
25 | then we will have current scoping ideas, things that we are

1 | already doing to scope it and get feedback from our
2 | constituents, stakeholders and the public.

3 | If you want to give me suggestions of things you
4 | think we should add, please feel free. Obviously it is hard
5 | on the spot sometimes to think about, so again after the
6 | meeting, if you think of something, you can certainly let me
7 | know as well.

8 | So snapping turtles is the first one. These are
9 | recommendations from our Snapping Turtle Workgroup. They
10 | would like -- there is a permit for snapping turtles,
11 | commercial permit. And they want a new declaration period for
12 | that permit, August 1 through January 31.

13 | And they would also like some penalties related to
14 | suspending permits if you have snapping turtle violations.
15 | The declaration period is the same for yellow perch and
16 | horseshoe crabs, which are the next items. We had a bill that
17 | passed this session dealing with some commercial fee changes
18 | but also instituted some various permits on the books that we
19 | didn't have in statute before. We just had them in the
20 | regulations.

21 | So based on some of that and the fees associated
22 | with them, we are trying to come up with declaration periods
23 | for those requirements. So snapping turtles is one of them.
24 | Again this was discussed at a public meeting, the Snapping
25 | Turtle Workgroup meeting, and we also have it on our Website

1 for public feedback as well.

2 The yellow perch and horseshoe crabs, again, is just
3 putting in some declaration periods for those permits,
4 commercial permits. And right now we just have that for Web
5 feedback as well. There is an entire scoping Website for
6 fisheries regulations that you can go to off our main page.

7 Bait harvester permit: This one is -- again,
8 putting in some fees and whatnot from the bill that passed
9 recently. But we have also had a lot of interest in people
10 wanting to harvest mole crabs, which previously we haven't
11 been able to cover that under anything.

12 So this would give us the opportunity to put that
13 under our bait harvester permit so people would have the
14 opportunity to harvest those for bait purposes. That one we
15 also have as Web feedback.

16 We have nontidal changes. Our nontidal changes, for
17 those of you who previously didn't know, we do them once a
18 year. We try to group all of them together as much as
19 possible. So these are the changes that will go into effect
20 in 2014. And there are just two of them: removing the Deer
21 and Swan Creek from the "It is illegal" section, which I am
22 sure Don here can weigh in more on this if anyone has
23 questions.

24 And then change the upper boundary of the
25 put-and-take and catch and release areas on Owens Creek from

1 Raven Rock to Buck Lantz Road. And that is currently out for
2 Web feedback.

3 Striped bass: Again this is kind of the second part
4 of the proposal I just said was already sort of in the hopper,
5 and I think we just finished the public comment period on that
6 or it is coming to a close shortly.

7 Striped bass, the second version, part II, we will
8 put into place the two commercial options, which will be
9 continuing in the normal fishery, which we are calling common
10 pool, or they can choose to participate in our ITQ, individual
11 transferable quota fishery, which is part of a different
12 management regime that we have been working with the Striped
13 Bass Industry Workgroup on.

14 And so some of the things that would be in the
15 second package, just to draw out a couple, is just changing
16 some season things based on the ITQ fishery. That allows a
17 little more flexibility for a fishery that is managed slightly
18 differently.

19 Changes some caps on transfers because you can
20 transfer the quota around and whatnot or put the cap on it.
21 It allows some tolerance, overharvest tolerance things, to be
22 paid back the following year. I believe that is about it.
23 There are some transfer period things for the common pool
24 fishery as well.

25 So this again was discussed with the Striped Bass

1 | Industry Workgroup. There is going to be -- when I spoke with
2 | managers this morning, they are going to have a Q-and-A on
3 | July 30 from 8 to 12 here in this room for the industry to
4 | come in and talk with them about any questions that they have
5 | pertaining to this, or these changes.

6 | And then they are trying to pull together a second
7 | public Striped Bass Industry Workgroup meeting some time in
8 | August. That would provide some further scoping for the
9 | industry. And it is also up on the Website.

10 | Every year or every other year we also update our
11 | license targets. These are the numbers of commercial licenses
12 | that are available or have been given out. And so this is
13 | just our normal update to those.

14 | We also had a bill recently, a year ago now, I
15 | guess, that allowed commercials licenses to -- you could get
16 | an unlimited tidal fish license that let's you do everything,
17 | and now you can downgrade it into its different component
18 | parts, if you like, and sell them off or keep the ones you
19 | want. And we are discussing that with tidal fish on Thursday.

20 | But that otherwise is a normal, updated package that
21 | we try to keep the numbers reflective of what is current.
22 | That is on the web for feedback as well.

23 | Penalties, we do an annual -- I want to pause here
24 | really quickly -- we have a penalty workgroup. As tidal fish
25 | members and sport fish members, and it meets at least once a

1 year, sometimes more if we have things come up.

2 And we do have some things on the books that we
3 would like to talk with that workgroup about but seeing as
4 there are many new commission members, if anyone is interested
5 in working with myself and the attorney general's office, the
6 Natural Resource Police. We usually ask for four
7 commissioners from each commission to be on that workgroup.

8 We have done some great work with it. The
9 workgroup members have been fabulous in the past, and we are
10 looking for continued support from old or new members who
11 would like to stay on or join. But if you would like to give
12 it some thought over the next few weeks, and maybe in about
13 three weeks' time either get back to Bill letting him know
14 your interest and/or myself so we can start to pull together
15 that new workgroup. That would be terrific.

16 We will have a meeting. Some dealers have
17 approached us wanting us to consider a separate regulation in
18 the future for penalties regarding tidal fish licensees that
19 are just dealers because their business is slightly different
20 than the typical watermen.

21 So we are looking for that, so please, if you are
22 interested in penalty stuff, let Bill know or myself know. In
23 the next two or three weeks would be great but definitely by a
24 month out I would like to have it locked down.

25 So our group met about a month and a half ago and

1 | these are just annual changes. We meet once a year for our
2 | annual changes, and it is based on what violations occurred
3 | during the year and do we need to change anything in our
4 | system because of the volume of violations or not having
5 | violations.

6 | Do we have any regulations that came on the books
7 | and we need to assess what we need to do with those? So these
8 | just kind of -- to highlight a few things, like Menhaden are
9 | new regulations, so we put them on. We have had some concerns
10 | about people transporting nuisance species and introducing
11 | them in various river systems in the state, so we have
12 | increased the penalties on that.

13 | Some shark stuff that was new was added. In
14 | addition to that, this workgroup also looks at the fine
15 | schedule, so that has already been given to the Natural
16 | Resources Police, and it goes to District Court as a District
17 | Court regulation, but we get to work with this workgroup and
18 | make suggestions to the District Court for the fines
19 | associated with natural resource violations.

20 | So that was already completed with the workgroup.
21 | Again, this stuff was discussed with the penalty workgroup
22 | last month, and we have it up for Web feedback.

23 | Sharks: We have some required federal changes we
24 | have to implement, some smooth dogfish fin to carcass ratios
25 | in accordance to the ASMFC, as well as some size limits for

1 certain species. And so that is also up for Web feedback.
2 And then St. Mary's River leasing -- we had scoped this
3 previously in the fall and had done some outreach meetings on
4 it in December.

5 And it just kind of got held up at that point, so we
6 are bringing it back to the table. It is the same proposal
7 but just for your edification if you weren't involved in it
8 previously I put it on here for you. And this is looking at
9 criteria for shellfish aquaculture leasing in the St. Mary's
10 River oyster sanctuary specifically and making it the -- the
11 oyster bar, the total acreage of the leased area cannot exceed
12 10 percent of the total sanctuary area.

13 You can read through it, but if there are questions
14 on that, let me know. I put it on here again just as a
15 reminder in case people had forgotten because it was back in
16 December when we had the open houses. Right now we are just
17 doing Web feedback because we previously had the open houses
18 on it.

19 And then the last item: regulatory reform. I am
20 required by law to let you guys all know about this. Every
21 eight years all the departments in the entire state have to
22 review every regulation in our state, and the ones that we
23 haven't been, as far as regulatory chapters, that we haven't
24 look at in the past eight years, we have to review those
25 chapters to assess whether or not we need to update any

1 regulations within that chapter.

2 So for our purposes, we are just letting you know.
3 If you have comments on any of that, to let us know about
4 that. And I listed it here on the back. There are only a
5 couple chapters. We are really active and in and out of
6 species a lot just the way the species are managed, so we
7 don't have a lot to review. The advisory commissions are one
8 thing we haven't changed recently so you could certainly
9 review our regulations on that if you are interested.

10 We will also be reviewing aquatic animal values. We
11 had already scoped last year a new restitution system that
12 would lay out what you would pay back for a species that you
13 took. That is what the aquatic animal values were put in
14 place for, but for pollution purposes.

15 So we are trying to work on getting that set up. It
16 would be a new system. The penalty workgroup, again, has been
17 working on that for the past year and a half, so hopefully we
18 will have some movement on that. In your next meeting, I will
19 bring back that item for you guys to look at again.

20 Aquaculture permits, oyster recovery areas, which
21 probably haven't changed much, and the same with fish refuges.
22 If any changes are needed, that will be brought up in your
23 scoping items probably during the next meeting or two.

24 MR. GOLDSBOROUGH: Thank you, Sarah. Any questions
25 for Sarah on the scoping?

Questions and Answers

1
2 MR. SIKORSKI: One thing --- with the penalty
3 workgroup. What are the requirements on that as far as the
4 scheduling requirements and the number of meetings?

5 MS. WIDMAN: We have one annual meeting. It is
6 usually at the end of May, beginning of June. That way we
7 look at the fine schedule and we look at our penalty systems
8 we have in place. Aside from that, we have had such huge
9 overhauls, so pretty much everything is in place.

10 Like I said, I think we would like to do one meeting
11 this fall or early winter to talk about dealer penalties, but
12 typically it is max two or three meetings a year, and we try
13 to make them in the evenings because they are not planned out
14 to the end of the year like your commission meetings are.

15 MR. SIKORSKI: Okay. Thank you.

16 MR. GOLDSBOROUGH: Ed?

17 MR. O'BRIEN: This says the 2014, I assume. Yes.
18 The ITQ fishery would open June 1 and allow Friday fishing for
19 hook and line. I think the current regulation keeps Fridays
20 sort of open for recreational fishing, and that is the second
21 most potentially busy day for charter boats too.

22 I think the fact that you have had it Tuesday
23 through Thursday, and the fact they catch it so fast, I think
24 that has been wisdom on your part.

25 MS. WIDMAN: Any suggestions on scoping that further

1 or making sure that word of the Striped Bass Workgroup meeting
2 gets out to the charter boat and recreational community?

3 MR. O'BRIEN: I don't follow you.

4 MS. WIDMAN: Oh. Part of what I am asking -- it
5 sounds like you have concerns about the conflict between the
6 recreational and commercial guys for that hook and line Friday
7 fishing. And I just was curious because we didn't have
8 anything specific as far as trying to get public feedback from
9 that specific community. If you think we should try some
10 outreach --

11 MR. O'BRIEN: It goes without saying that a lot of
12 the feedback on that is probably sitting around this room and
13 this table. But again it has worked out very well for the
14 recreational community, which we are advocates for, and, you
15 know, they catch their limits very quickly. And I just don't
16 see where it would be smart to change it. Status quo.

17 MR. GOLDSBOROUGH: Jim?

18 MR. GRACIE: Can you tell us why you felt the need
19 to open Friday?

20 MS. WIDMAN: I believe what Mike Luisi was looking
21 for was to allow some flexibility for that ITQ fishery because
22 they are going to have further accountability in an ITQ
23 fishery than in a common pool fishery. So those were ideas
24 that he had spoken with, with that workgroup, that would give
25 them some business flexibilities, but were still within a

1 management regime that we felt was appropriate.

2 MR. GRACIE: Okay. The reason I ask the question is
3 almost -- there is a policy with the department to use the
4 regulations to minimize conflicts between commercial and
5 recreational anglers. So I understand the ITQ is supposed to
6 create more flexibility when you can harvest. What would be
7 the appropriate forum to object to that?

8 MS. WIDMAN: I can certainly note that here, any
9 comments that you want to send through the Website here, I
10 will be giving to Mike and summarizing for him, so maybe that
11 is something he needs to consider and look at before we
12 propose the package.

13 MR. GOLDSBOROUGH: Phil?

14 MR. LANGLEY: The only thing I was going to say,
15 Sarah, is shave you gone and put that out as far as public
16 comment on that? It is not regulation at this time. I know
17 it is proposed.

18 MS. WIDMAN: If you go to fisheries homepage, there
19 is a regulations link on the right-hand side. If you click on
20 that, one of links we have is for scoping items. And it
21 literally has a summary and it has a give us feedback by date.
22 And you click on that, and it sends us e-mails to
23 fisheriespubliccomment@dnr.state.md.us.

24 And we summarize all that for the managers to review
25 at the end of that initial period, and if we need more comment

1 | we extend it, and if we don't, we know what we need to do.
2 | And if we need to go back and talk with people more we can do
3 | it at that point but that is initially -- for all of them we
4 | always do that, and then we add meetings if we need to do that
5 | as well.

6 | MR. GOLDSBOROUGH: Vince?

7 | MR. RINGGOLD: Adding on to what Mr. Gracie was
8 | talking about, is that the line of thought that you were
9 | thinking on by adding an extra hour? Because if they are
10 | catching them so quick, as they do, as I have seen, why are
11 | you lengthening their day?

12 | MS. WIDMAN: I wasn't actually at the workgroup
13 | meeting so I don't know all the background -- Jacob, you
14 | happen to remember any conversation on it? I hate to put you
15 | on the spot. So I don't know what the logic was behind that
16 | necessarily, but these were items that they had requested and
17 | had come asking us.

18 | Mike wanted to go out scoping some of the ones he
19 | thought were reasonable for flexibility purposes for that.

20 | MR. O'CONNELL: On this point, to add some clarity,
21 | you know, during those discussions with the commercial striped
22 | bass fishermen, one of the advantages to an ITQ system is
23 | business flexibility. And they have identified many for which
24 | they asked the department to consider.

25 | Some were no starters at all. This one suggestion

1 to allow them to hook and line on Fridays was something that
2 the department was interested in hearing back from the sport
3 fishing community and the charter boat community to see if
4 that level of conflict still exists from years ago.

5 That is where we are in the scoping process, looking
6 for the feedback that we are starting to hear today. And that
7 is why we do the scoping before we do a regulatory proposal.
8 So we are responding to the industry's request to consider
9 this, and looking for feedback like we are today. We will
10 take that back, and if it does go out for scoping, encourage
11 you guys to weigh in like you are tonight.

12 MR. SIKORSKI: And just for the new commissioners,
13 this isn't the only opportunity to give feedback. Sometimes
14 at these meetings, it is hard to stay completely attached to
15 what is going on with the department all the time. And when
16 you hear ideas like this that maybe you are concerned about
17 and you need to do a little background research on, we can by
18 all means do that.

19 And just because we have four meetings as a
20 commission here doesn't mean we can't speak as a commission
21 outside of these meetings and maybe form an opinion that we
22 may want to give to the department or advice we want to give
23 to the department on these changes.

24 I would recommend that we discuss it with various
25 constituencies we represent. Think about the idea some more,

1 and see if it is something that we as a commission would want
2 to speak on as opposed to just individual groups, and do that
3 in the coming weeks.

4 And as far as the scoping or the process right now,
5 so there is a public meeting in August, it just hasn't been
6 set as a date yet or is that on calendar?

7 MS. WIDMAN: There is not a date yet.

8 **MOTION**

9 MR. GRACIE: In the interest of having an
10 interactive discussion, I would like to make a motion that the
11 commission object to that provision. See if there is a
12 second.

13 MR. GOLDSBOROUGH: Second to that motion?

14 MR. DE HOFF: Second.

15 MR. GOLDSBOROUGH: Mark is going to second.

16 Discussion on the motion?

17 MR. GRACIE: I feel pretty uneasy with having a
18 complete commission discussion between now and August if there
19 are going to be public meetings and there is going to be a
20 comment period that is going to close before our next meeting
21 in all likelihood.

22 So I think that as a commissioner who has been
23 involved for a long time here, I am acutely aware of the
24 provisions and why they are important to minimize conflict
25 between recreational, including charter boats, and commercial

1 fishermen.

2 And I think this is a significant deviation from
3 past practice, and I think at the scoping process if the
4 commission agrees with me, then they would support this motion
5 and give that feedback to the department early in the process.

6 MR. GOLDSBOROUGH: Further comments? Ed?

7 MR. O'BRIEN: I agree with Jim totally, the way he
8 sort of capsulized that. We meet several times a year, you
9 know. Four or six times, whatever it is. On the commercial
10 side, and you know, relative to their advocacy and their
11 interests, they have a lot of meetings. They have subgroups,
12 and these kinds of things are normal, that they would come up.

13 I mean, somebody would probably like to fish
14 Saturday and Sunday. I mean, these kinds of things come up.
15 And that is what this is. It is Web feedback, and that is all
16 it is, right?

17 MS. WIDMAN: There will be a Q-and-A at the end of
18 this month on the 30th, here in the morning, 8 to 12, and then
19 there would be a public meeting coinciding with the Striped
20 Bass Industry Workgroup at the end of next month in addition
21 to the Web.

22 MR. GOLDSBOROUGH: Further discussion?

23 MR. GRACIE: Can I correct what is on the screen?

24 MR. O'CONNELL: Absolutely.

25 MR. GRACIE: We are attempting to --- on Fridays for

1 the striped bass ITQ hook-and-line fishery. It didn't say
2 Friday.

3 MR. GOLDSBOROUGH: Further comments? Dave?

4 MR. SIKORSKI: Are you guys qualified to speak on
5 why it was Friday? Is this the recommendation by the
6 commercial industry? Was there a discussion of Monday
7 possibly or other days of the week?

8 MR. GRACIE: Monday is available.

9 MR. SIKORSKI: What is that?

10 MR. GRACIE: Monday is open.

11 MR. SIKORSKI: Oh, I thought it was just Tuesday
12 through Thursday.

13 MR. GOLDSBOROUGH: Lynn?

14 MS. FEGLEY: Oh, I was going to speak to Dave's
15 point, but yes, Monday is available. This was simply an
16 industry request to look for this additional flexibility that
17 associates an ITQ, and it is what Tom said. This is just
18 looking for input on these additional provisions. Monday is
19 open.

20 MR. O'CONNELL: To take advantage of the discussion,
21 the industry also was open at looking at -- if it is not all
22 Friday, is a morning period acceptable to the industry knowing
23 that a lot of people fish in the afternoon? Not
24 everybody -- charter guys are out there on Fridays.

25 So just to put that on the table because I am sure

1 | the Tidal Fisheries Advisory Commission Striped Bass Workgroup
2 | would come back and say, well, would sport fish be interested
3 | in a morning time period on Friday? I expect I know the
4 | answer but I just want to put it on the table.

5 | MR. GRACIE: Good guess there, Tom.

6 | MR. SIKORSKI: Can you give feedback to some of the
7 | new commissioners, some input on how the hook-and-line fishery
8 | is currently run as far as -- I know recently the quotas have
9 | been caught very quickly with the limited days.

10 | And so there are some changes with an ITQ program
11 | where it is believed that -- well, can you explain the
12 | differences as to what is going on today versus when the ITQ
13 | comes in, as to why --

14 | MR. O'CONNELL: Right now the commercial
15 | hook-and-line fishery occurs from June through November. They
16 | have a monthly quota. It opens up at the beginning of the
17 | month. It could be any day between Monday and Thursday. We
18 | usually pick a certain day to try to maximize market, and then
19 | they fish until the quota is achieved.

20 | Fishing has been pretty good. Crabbing has been
21 | down. We are getting some latent effort going into striped
22 | bass, and we are finding that these monthly quotas are caught
23 | pretty quickly. The market gets flooded a lot of times.

24 | My new proposal is to offer to the industry an
25 | option to remain in this pool-type fishery, where these quotas

1 are caught pretty quickly, or to elect to participate in an
2 ITQ, Individual Transferable Quota system, where a share would
3 be given to them, and they would be able to fish any time
4 within the legal constraints between June and November for
5 hook and line.

6 With that flexibility, they would like, you know,
7 more opportunities to maximize markets, and they have asked
8 for consideration by the department to make Fridays available,
9 either the entire day or the morning. So that is kind of
10 where we are now and where we are going to.

11 And we are in the process of finalizing those
12 management rules for the ITQ fishery, and that is the package
13 that is being scoped later in August.

14 MR. GRACIE: Mr. Chairman, the motioner is not
15 willing to accept that change if that is proposed as a change
16 to the motion.

17 MR. GOLDSBOROUGH: Thank you, Jim. Ed, your
18 comment?

19 MR. O'BRIEN: Tom, categorically, charter boat
20 participation on Friday is typically in the morning. And
21 recreational boats are out there that are taking a long
22 weekend, they are out there in the morning. I don't know
23 where the afternoon concept came. A lot of people are trying
24 to get away from the heat or whatever. But it is a morning
25 fishery.

1 MR. GOLDSBOROUGH: Thanks, Ed. Any other comments
2 on what Tom has proposed? Vince?

3 MR. RINGGOLD: Can you explain to me, when we go to
4 the ITQ, how the quotas are going to change? Because if they
5 are catching their limit as fast as they catch now, and I
6 understand flexibility, Friday wouldn't even play a part in
7 it. They are going to be done.

8 MR. O'CONNELL: So those individuals that decide to
9 remain in the current common pool type fishery, because very
10 likely that is going to be a smaller quota than we have now,
11 and the potential to catch it pretty quickly. Those
12 individuals that elect to be part of this individual
13 transferable quota system, are going to be assigned a share or
14 a percentage of the annual quota.

15 So for example, for discussion purposes, Ed O'Brien
16 may be assigned 1,000 pounds. The idea with an ITQ is to be
17 able to catch that 1,000 pounds any time your market best
18 meets that demand. So, you know, while the people that are in
19 the common pool fishery may only have a couple days of one
20 month to fish, those that are in the ITQ system will have any
21 time between June and November to fish.

22 So, you know, if there is a weekend market for which
23 an individual can get, you know, a 50 percent higher price for
24 their fish, you know, they would like to take advantage of
25 that, and they may not be able to right now. I am just kind

1 of hypothetically giving that example. I am not sure if that
2 is correct. But they are looking for more business
3 flexibility.

4 MR. GOLDSBOROUGH: Dave?

5 MR. SIKORSKI: So if they are not in the common pool
6 fishery, they have their quota, that quota is for them from
7 June to November. They can catch it at any time. Once they
8 meet it, they are off the water, and I would say that Monday
9 through Thursday is still plenty of flexibility for them given
10 that there are potential user conflicts by opening up Friday.

11 It would make sense -- I understand the flexibility,
12 but there is quite a bit of flexibility at it stands in my
13 belief.

14 MR. O'BRIEN: There is -- typically the hook and
15 liners, they will come out there with literally thousands of
16 spot sometimes. They will get there first thing in the
17 morning. I mean, when the sun comes up, they are there. And
18 they are on these fish, and it is a very efficient operation
19 the way they are able to pull them in and everything.

20 And the little boats of course see this, and then
21 when they try to get in there, there can be significant
22 dialogue from the hook and liners. And when it comes to the
23 charter boats, it is the same thing.

24 Now we have some people who are hook and liners.
25 And we have some people who are not hook and liners. That is

1 | probably the majority. But within the charter boat community,
2 | I don't know -- what do you think, Phil, about this? I don't
3 | think there is any joy in opening up Friday.

4 | MR. LANGLEY: For the sport fish community, I think
5 | Fridays in commercial hook and lining is a conflict actually.
6 | Now the way we are seeing things today, I will tell you what:
7 | Down in my area, if you commercial hook and line, you are
8 | going to starve for striped bass right now because we don't
9 | have the fish down in that area.

10 | It seems to be a concentration of them, and where
11 | the concentration is, it is very, very good for hook and
12 | lining if a guy has got a commercial boat in that area. He
13 | doesn't have any trouble, most of the time, I would say,
14 | getting his quota.

15 | But I can see the frustration on the recreational
16 | guy or the charter boat guy in the middle of that. It is
17 | tough for him to compete in that atmosphere with the number of
18 | boats because with the fish as concentrated as they are, the
19 | majority of the hook-and-line guys are working one specific
20 | area. They are not really diversified, spread out, in the 180
21 | miles of the bay.

22 | So it is very concentrated in that area, so for
23 | sport-fishing guys -- and that is this year. It hasn't always
24 | been this, so who knows what the future will bring or whatnot,
25 | but I can see currently the way it is right now, I can see a

1 user conflict on Fridays.

2 MR. O'BRIEN: I can see also when the people get
3 into the conversation that this helps their market, and it
4 probably does. But again this is a public resource, and I
5 just was surprised when I read that but now I can understand
6 how it happened and why people would be motivated that way.
7 We should probably write a letter.

8 MR. GOLDSBOROUGH: Well, let's deal with motion and
9 I will come back to Dave and --- , whose hands are up. But
10 just to understand where we are, the maker of the motion did
11 say that he is not inclined to change, amend his motion per
12 Tom's suggestion. Is that true of the seconder as well?

13 MR. DE HOFF: Yes.

14 MR. GOLDSBOROUGH: So the motion is as stands.
15 Dave?

16 MR. SIKORSKI: I would just say that I can see why
17 this has come about. I can see why this Friday might be added
18 for more flexibility. But since we haven't been operating
19 under the ITQ system yet, we really don't know if Monday
20 through Thursday will be acceptable once that new program is
21 instituted.

22 And so I think it would make sense to hold off on
23 pushing this regulation forward and adding these Fridays
24 because we know there is going to be user conflict. There is
25 already -- I know this year with that body of fish that has

1 | been in the middle part of the bay, there have been more user
2 | conflicts this year than I have known of in past years. I ---
3 | say the past five.

4 | There used to be more bodies of fish that were
5 | regionally being fished on. Now it seems like there is one
6 | body, and there are southern Maryland guys coming up. There
7 | is northern bay coming down, and it is the potential for more
8 | conflict by opening this day.

9 | And I talked to a couple of charter boat guys who
10 | have nothing good to say about the hook and line already with
11 | the competition that they have, and long for the day that it
12 | closes. So it is what it is.

13 | But I think a measure like this, if we do see that
14 | some flexibility is needed once the ITQ system has come in and
15 | these guys want to revisit this, let's say a year from now, I
16 | think that would be prudent. But at this point, I wouldn't
17 | recommend opening up Friday.

18 | MR. GOLDSBOROUGH: Tom?

19 | MR. O'CONNELL: Yes, I was just going to kind of
20 | facilitate -- we have heard several people support this
21 | motion, and I think, you know, unless somebody has an opposing
22 | view of this motion, it is probably ready for the commission
23 | to vote.

24 | MR. GRACIE: We need public comment first before we
25 | vote on the motion.

1 MR. GOLDSBOROUGH: Any other comments from
2 commissioners?

3 (No response)

4 MR. GOLDSBOROUGH: Thank you for that, Jim. Anybody
5 from the public want to offer a comment before we vote?

6 (No response)

7 MR. GOLDSBOROUGH: Okay. If there are no other
8 comments, we will call the question now on the motion. Do I
9 see any opposition to the motion? Is anybody going to vote
10 against the motion?

11 (No response)

12 MR. GOLDSBOROUGH: Seeing that, what is the term for
13 that, Tom? A motion passes by consensus?

14 MR. GRACIE: Unanimous support.

15 MR. O'CONNELL: Thank you for that feedback.

16 MR. GOLDSBOROUGH: Thank you. Sarah, did you have
17 anything else?

18 (No response)

19 MR. GOLDSBOROUGH: Okay. I just want to clarify one
20 other thing. On the Penalty Workgroup, do you recall who are
21 the members from this commission now?

22 MS. WIDMAN: You are one. --- is one. I am trying
23 to remember if there are any other current members. Ed was on
24 it. Brian -- yes, you are right -- was the fourth.

25 MR. GOLDSBOROUGH: Well, I know that my

1 participation has been less than stellar to put it mildly, and
2 I would be happy for somebody else to fill that slot. Mack,
3 are you interested in continuing on the Penalty Workgroup?

4 MR. WOMMACK: Yes, I will stay on.

5 MR. GOLDSBOROUGH: And you are on it, Ed?

6 MR. O'BRIEN: I am pretty much maxed out.

7 MR. GOLDSBOROUGH: Yeah.

8 MR. O'BRIEN: I am not sure if Brian Keehn may be
9 continuing.

10 MR. GOLDSBOROUGH: He is not on the commission. We
11 need four members of this commission. So we have Mack right
12 now essentially. And if there is nobody else, that is what we
13 need to take under advisement for the next couple of weeks.
14 Sarah will want feedback within two or three weeks.

15 So think about whether you are willing to
16 participate and represent this commission along with four
17 members of the tidal fish commission on that workgroup. Tom,
18 did you have --

19 MR. O'CONNELL: We will work with Bill on
20 identifying the people but with four people, I think it would
21 be good to have one person that represents inland fisheries,
22 one for tidal, one for marine and one for charter boat. I
23 think it would make a well-rounded group to represent the
24 interest of this body.

25 MR. GOLDSBOROUGH: Well, we know we have -- Mack

1 | would be the category of tidal. So we know we have one
2 | person. If anybody knows right now they would like to throw
3 | their name in the ring, just feel free. Otherwise let's think
4 | about it, and I will remind you in an e-mail, but we will need
5 | to give Sarah some feedback within three weeks.

6 | MR. LANGLEY: What time do you normally meet?

7 | MS. WIDMAN: Normally we meet in the evenings. Late
8 | May/early June is our annual meeting, and then maybe -- like
9 | this year I know we will have one meeting this fall in the
10 | evening.

11 | MR. LANGLEY: Is there a possibility, I mean, are
12 | you allowed a proxy on that or is it either you -- early/late
13 | May is sometimes busy for me. That is why I am just -- and I
14 | don't have to discuss this here.

15 | MS. WIDMAN: I have had people show up when they
16 | sent someone else. It is nice to have the same people just
17 | for consistency purposes.

18 | MR. LANGLEY: Thank you.

19 | MR. GOLDSBOROUGH: Anything else for Sarah?

20 | (No response)

21 | MR. GOLDSBOROUGH: Thank you, Sarah. I learned
22 | something new. I didn't know we had a Snapping Turtle
23 | Workgroup. I don't know if there are any openings there but
24 | Vince was telling me he was noodling for catfish so maybe he
25 | has experience with snapping turtles.

1 Okay, let's move on to the next agenda item.
2 Fishery management plan review update. Would that be Rick?

3 ***Fishery Management Plan Review Update***

4 ***by Rick Morin, MD DNR Fisheries Service***

5 MR. MORIN: I am going to talk about yellow perch.
6 A few years ago, the fisheries task force recommended that
7 these two commissions be involved in helping the department to
8 craft new fishery management plans or amendments. And it
9 seemed clear to me at the time that the intent was that this
10 involvement would be more than just public comment.

11 So this is an opportunity for the commission to
12 decide how much do you want -- you would like to be involved
13 in the creation of changes to our fishery management plan.
14 The Fisheries Service Plan Review Team recommended an
15 amendment to our 2002 yellow perch fishery management plan.
16 We are asking you if you agree. We are not expecting and
17 immediate answer that an amendment is the correct route to go.

18 The amendment is yet to be created. What we have
19 right now is a recommendation to do it with some things that
20 the plan review team would like to be included. Those
21 recommendations are your handout, which is the report of the
22 Fisheries Service Plan Review Team for yellow perch.

23 There is one other person here who was on the plan
24 review team. That was Margaret McGinty. Other people who
25 were on it: Jim Uphoff, Paul Piavis, Butch Webb, Nancy

1 Butowski and myself. Here is my contact information.

2 Maryland tidal anglers have had a love affair with
3 yellow perch for a long time. It is probably unique to tidal
4 fishing on the coastal United States. I can't think of
5 another state where the recreational anglers are so passionate
6 about yellow perch.

7 And we recognize this deep interest in yellow perch
8 and we take a very active role in the management as opposed to
9 every other coastal state.

10 (Slide)

11 This is the actual process. Some of you have seen
12 this before. I think we used the same thing when I was
13 talking about the speckled trout. We have a schedule to
14 review fishery management plans. The fishery management plan
15 is on our Website. We have a Web page just for yellow perch.
16 To find it you go to, on the Maryland DNR Website you click on
17 fishing, then you click on management and you will see a link
18 for yellow perch.

19 And it is an enormous Website for yellow perch, and
20 on that Website is our fishery management plan. You don't
21 have copies in your handout because it is about an inch thick
22 and we would have to level a forest in order to provide you
23 all with paper copies.

24 Where we are is right in here. We have met
25 internally to review the goals and objectives of the 2002

1 fishery management plan, and now we are seeking your input and
2 involvement. And this is more than just seeking public
3 comment. We are looking for more active involvement than
4 public comment.

5 (Slide)

6 I mentioned that we have an FMP schedule, and you
7 see here, we spoke at the last meeting. We talked about
8 weakfish and spotted sea trout and the shad herring. And here
9 we are for yellow perch.

10 Later at the fall meeting you will be hearing about
11 blue crabs, brook trout and striped bass, which I think Tom is
12 going to talk a little bit about later.

13 (Slide)

14 The history of this fishery management plan:
15 because there has been such deep interest in yellow perch in
16 this state -- it is a small fishery with an enormous amount of
17 interest. The state has always actively managed it. Before
18 2000, 2002, the state had utilized various strategies. There
19 wasn't a large formal fishery management plan.

20 Stocking was a large component of those strategies
21 to manage yellow perch, and we are going to talk more about
22 that later because we are moving away from stocking yellow
23 perch. I am not going to read all of these. I am just going
24 to point out highlights.

25 None of this is duplicated in your handout. When I

1 | did the Powerpoint, my intention was to complement your
2 | handout with different information, and this information
3 | hasn't been seen anywhere else. Some of the highlights here:
4 | The biggie is in 2007, with Maryland Senate Bill 702, which
5 | directed us to manage yellow perch in consultation with the
6 | stakeholders, which we did throughout the summer and fall and
7 | early winter of 2008.

8 | January of 2009 was the start of new management
9 | strategies for yellow perch, completely new for the first
10 | time. Our fishery management plan, although it was not
11 | rewritten, it was updated. It was updated every other year
12 | for a few years. Since 2009 it has been updated annually.
13 | And it was on the schedule to be reviewed in 2013. That is
14 | where we are here.

15 | (Slide)

16 | Our active management is managing fishing mortality.
17 | We have -- we are using a new model. Some of you have heard
18 | Paul Piavis talk for an hour and a half on the details of this
19 | new integrated analysis model, and he will talk to you as long
20 | as you would like on residuals analysis and anything that you
21 | would like. That is beyond the scope of this presentation, so
22 | we are not going there.

23 | The important thing is that we manage the commercial
24 | fishery with a TAC, the total allowable catch. Oh, and I was
25 | warned by my supervisor before she left on vacation to try to

1 | avoid acronyms. So if I use too many acronyms, please throw
2 | one of your LPE bottles at me.

3 | The TACs are calculated every year. Every year we
4 | have a new total allowable catch. It is based upon the stock
5 | assessment. When the total allowable catch in the commercial
6 | fishery is exceeded, the excess amount is subtracted from the
7 | following year's allowable catch, regardless of the stock
8 | assessment.

9 | If they don't meet their allowable catch, there is
10 | no catch up because the allowable catch is determined by a
11 | stock assessment not by some, you know, ---.

12 | We have three management units: the upper bay, the
13 | Chester River and the Patuxent River. The stock assessment is
14 | for the upper bay. The Patuxent River has a very small quota
15 | that is just done by a direct proportion. The commercial
16 | fishery has location restrictions. These are also all on the
17 | Website. If there is ever a question about where commercial
18 | fishermen are allowed to fish, all the line limits are on that
19 | yellow perch page.

20 | They use a slot limit, 8 ½ to 11 inches. The
21 | recreational fishery -- and they are limited to these areas.
22 | The recreational fishery is not limited to location. It used
23 | to be, but we opened up in 2009 the entire bay for the
24 | recreational fishermen. We also increased in 2009 the bag
25 | limit, from 5 fish to 10 fish.

1 (Slide)

2 You have a similar graphical representation of
3 harvest versus total allowable catch in your handouts, but it
4 is for a different year. And I did that intentionally so that
5 we could contrast the 2012 that you have got in the handout to
6 2013 so that you would see that there is a different total.

7 It is about 10,000 pounds more in 2012. The way to
8 read these bar graphs: The last set here is the total. It is
9 all three of these added up. So we have got three management
10 units, and then we have got the total at the end.

11 And as you can see here in 2013, we did not, the
12 commercial fishery did not meet its total allowable catch.
13 And that was even with extending the season by a week for the
14 first time.

15 (Slide)

16 When we looked at -- this has not appeared anywhere.
17 You won't find this on the Website. I just scribbled this out
18 a couple days ago. Every year the total allowable catch
19 numbers are different. And the harvests of course are all
20 different. But what we have never shown is how are the
21 commercial fishermen reaching or not reaching their total
22 allowable catch.

23 And it shows that for the first two years of the new
24 management strategies, the commercial fishermen exceeded the
25 total allowable catch. During this time, we were limited, we

1 | would project the catch based upon daily catch reports to a
2 | phone-in system.

3 | But once we projected when the harvest would reach
4 | the total allowable catch, we had to give 72 hours notice
5 | before the season could be closed. During that 72 hours, it
6 | was at the end of the season when the fishing was really good,
7 | and that is when most of the harvest occurred.

8 | So what we have done is we have changed to a 24-hour
9 | notice. We can close the season now with 24 hours' notice. I
10 | did the averages here just to show, you know, the Patuxent
11 | River doesn't come anywhere close to its TAC. It catches only
12 | about 1,000, 1,200 pounds or so a year.

13 | The upper bay, the five-year average is 101.8
14 | percent. For almost any managed fishery to come that close,
15 | to only exceed by, you know, 2 percent over a five-year
16 | average is pretty good. So even though we have had a couple
17 | of years when we went over, overall we are not grossly
18 | exceeding the total allowable catch ever.

19 | (Slide)

20 | Just briefly about the stock status: Our biologists
21 | do a stock assessment every year. We collect a lot of data on
22 | yellow perch at all different life stages. We have some
23 | ichthyoplankton sampling that occurs through the Fish Passage
24 | Program. We have juveniles collected in the striped bass
25 | Young of the Year Survey. And we have adults collected in the

1 multi-fish fyke netting in the late winter/early spring.

2 The stocks are very variable, and they are variable
3 because recruitment is highly variable. And we believe
4 recruitment is variable because of climatic conditions. We
5 have had a couple of bad years here in a row with very cold
6 following warm spells.

7 And in some areas, we are not getting reproduction,
8 and it is not improving in those areas.

9 (Slide)

10 The status of the fishery: The TAC has not been
11 reached for three years. We extended it for the first time.
12 This was not a good year for yellow perch, either for
13 commercial fishing or for recreational fishing.

14 What we would like to do, and I attempted to do it
15 but I didn't waste a slide on this. It is in your handouts,
16 there are some figures and charts and graphs, whatever,
17 tables, on pages 10 through I think 12.

18 And we have estimates for the recreational harvest
19 from the new MRIP federal program. This is why you register
20 with NOAA so that you can be called to find out what your
21 fishing effort and results are. We were hopeful that we would
22 get better results from MRIP data than from the old MRFSS
23 data. That has not been the case for yellow perch.

24 There may be some species where the MRIP is an
25 improvement. It is not an improvement. The information we

1 are getting from MRIP is just about completely worthless for
2 yellow perch. Those that are in pink or orange, whatever they
3 are, on the table with the PSEs -- there was an acronym there
4 and you missed your chance -- the proportional standard errors
5 are always reported with the estimates.

6 And a proportional standard error is a standard
7 error that is -- it is a standard error as an estimate of the
8 percentage of the estimate. So it is more than just a
9 standard error. A high number for a proportional standard
10 error is bad.

11 So you see these with the high numbers? Anything
12 over 50 is considered not only imprecise, very imprecise. So
13 it is a measure of precision, and we don't want to use
14 imprecise information. And unfortunately that is what we have
15 gotten for, you know, 10 of the last 12 years for the
16 recreational harvest.

17 MR. GRACIE: And you are saying these are MRIP
18 numbers?

19 MR. MORIN: Those are MRIPs.

20 MR. GRACIE: MRIP didn't exist through all
21 those ---

22 MR. MORIN: They have gone back to apply MRIP to the
23 old information so that is the reason why, that is the reason
24 why you see that. You see it for many other species as well.

25 What is very interesting -- it is not here because I

1 | didn't want it to be too confusing -- I wanted to compare,
2 | this is strictly harvest. And our total allowable catch
3 | assumes a 50-50 allocation between the recreational fishermen
4 | and commercial fishermen.

5 | So we wanted to look at harvest versus harvest. The
6 | additional part of the story with recreational fishermen is
7 | that there are released fish. And MRIP keeps track of the
8 | released fish. And because the sample sizes are so much
9 | better for the released fish, your proportional standards of
10 | errors are far lower for the released fish.

11 | So we have much better estimates of the released
12 | fish, and the released fish are like 8 to 10 times the numbers
13 | of these. These are in numbers. The commercial stuff was all
14 | in pounds. If you want to convert numbers to pounds,
15 | generally there is about two and quarter yellow perch to the
16 | pound in the commercial fishery.

17 | (Slide)

18 | MR. O'CONNELL: On that last slide, what was that
19 | statement? You had recreational yellow perch fishing has
20 | decreased.

21 | MR. MORIN: That is probably the quality in the last
22 | couple of years. That is really what I meant there. I think
23 | the fishing --

24 | MR. GRACIE: Not that there is less fishing going
25 | on.

1 MR. MORIN: Yes, I know. It is just careless
2 language on my part. It is my fault. Maybe success has
3 decreased. The first two years of the new management, 2009
4 and 2010, we were getting all sorts of anecdotal
5 reports -- you know, great yellow perch fishing, especially in
6 the upper bay. I think even Tom O'Connell caught some.

7 (Slide)

8 In order to comply with the fishery management plan,
9 one of the outcomes of our stakeholder meetings that we had in
10 2008, and this was something that the recreational component
11 of those meetings insisted on, was high accountability in the
12 commercial fishery.

13 We have incredible accountability for a small
14 fishery. The commercial fishermen are required to call in
15 their catch every single day and to tag -- they have tagged
16 every little fish in the cold of that season. The season is
17 mostly February and the first week of March.

18 And staff here has to process all those phone calls
19 and calculate a new allowance at the end of the accounting so
20 that the next day's phone message informs the fishermen how
21 much of the total allowable catch is available for them to
22 harvest because if it is only couple thousand pounds, they may
23 decide to just give up now, quit now, pull up their gear,
24 because somebody else is going to reach the total limit.

25 This is not an ITQ fishery. And we close this

1 season early if we can project that the total allowable catch
2 will be met before the closing date, which is March 10.

3 (Slide)

4 When the fishery service plan review team met, we
5 talked a lot about what our primary concerns were and what the
6 problems are facing yellow perch. By consensus we agreed that
7 the way we manage yellow perch is by controlling fishing
8 mortality. But what actually affects abundance of yellow
9 perch is land use.

10 And we are a fisheries agency. This is a local
11 thing. We want to emphasize that the ecosystem-based
12 component to managing yellow perch -- we have a good
13 relationship, a correlation between impervious surfaces and,
14 abbreviated IS. Good acronym.

15 When impervious surfaces in a watershed exceed 10
16 percent, then we find poor spawning habitat for yellow perch.
17 So what we want to do is to provide support to local
18 communities and to activists who are going to go and work in
19 those communities and try to prevent the watersheds from
20 becoming too impervious.

21 The other part of the ecosystem-based management
22 that concerned us was the recent spread of some exotics,
23 especially catfish and snakeheads. With catfish, the concern
24 was that we don't know enough yet about what they are feeding
25 on. These catfish can get enormous, blue cats and flatheads.

1 And they can certainly eat any size yellow perch if they chose
2 to.

3 So far the very limited food habit studies that we
4 have seen haven't shown yellow perch to be a food item. The
5 other invasive species that is a concern of ours is more of a
6 competitor, and that would be snakeheads. We are less
7 concerned about snakeheads consuming the yellow perch than we
8 are about snakeheads consuming the same things that yellow
9 perch prefer to eat.

10 And there we know we have seen lots of killifish in
11 snakehead bellies, and of course anybody who fishes for yellow
12 perch knows that one of the best baits is a small killifish.
13 And we have listed these pretty much in order of priority.
14 Climate change: We are required to consider climate change in
15 new fishery management plans or in amendments.

16 There is an executive order in the state by the
17 governor. It mostly has to do with infrastructure, but we are
18 required to consider climate change.

19 The other thing that we were concerned about,
20 zooplankton monitoring used to be done, and it was
21 discontinued in 2002 due to a lack of funds. This was -- we
22 were a partner with the Chesapeake Bay office of EPA, and this
23 was funded by EPA. And it has not been done since 2002.

24 The reason why zooplankton monitoring is important
25 is that it can be used to generate an index of biotic

1 integrity that the EPA office calls IBI. We don't have enough
2 years of data to have a lot of years of index of biotic
3 integrity.

4 What the index does is it combines a whole bunch of
5 different abundances of different animals, that otherwise
6 would be overwhelming, into a single number so that you can
7 compare one habitat to another habitat.

8 So we have got a lot of anecdotal information on
9 zooplankton abundance. Paul Piavis said at this meeting that
10 in the Choptank there has been a sudden disappearance of
11 Gammarus Amphipods. Well, you know, people might say, so
12 what? But that is one of the preferred food items of early
13 juvenile yellow perch. It is a critical food item.

14 (Slide)

15 So we listed the recommendations. We recommended
16 that we amend the 2002 Yellow Perch Fishery Management Plan
17 rather than completely rewrite it. We don't think it is
18 necessary to scrap the entire thing. It would take too long.

19 But this amendment should address certain things:
20 more ecosystem-based management, and those two components I
21 mentioned before, the watershed, the land use component and
22 the invasive species. The stock assessments are new since
23 2008, are a new model for using conservative fishing
24 mortality, instantaneous fishing mortality target and limits.

25 And also we need to talk about climate change and

1 more monitoring.

2 (Slide)

3 That is basically all I have. This is -- I think
4 this is what we all want. I'm sure I left out stuff because I
5 just ran with it without looking at any notes so if you have
6 any questions about either of the presentations or the
7 handout, I would be happy to --

8 *Questions and Answers*

9 MR. GOLDSBOROUGH: So what he has given us is a
10 summary of the analysis of the staff workgroup looking at the
11 yellow perch FMP, and their recommendations for doing an
12 amendment. And he is looking for any feedback. Any questions
13 or comments? Jim?

14 MR. GRACIE: Actually I have a few questions. First
15 of all, how do you want us to comment? We certainly aren't
16 going to be in a position to discuss it today. Should we
17 comment as a commission? Can we send individual comments in?

18 MR. MORIN: I think that is up to you. I am not
19 going to specify.

20 MR. GOLDSBOROUGH: How soon do you need the
21 feedback?

22 MR. MORIN: I never give deadlines.

23 MR. O'CONNELL: Say three weeks?

24 MR. GOLDSBOROUGH: Does that work for everybody?
25 Can you get feedback -- I guess I will be the clearinghouse

1 | for that if that works for everybody. Or is it better to go
2 | straight to you, Rick? Any comments, thoughts on that? I
3 | would be happy to collect the comments of the commission and
4 | send them on to Rick.

5 | MR. O'CONNELL: To help you out, you can forward
6 | your comments. You can copy Bill and we will synthesize all
7 | those --

8 | MR. GRACIE: The other question was you said that
9 | with restrictions on recreational fishing in terms of where
10 | you can fish have been all removed. Does that mean we can
11 | fish Severn River?

12 | MR. MORIN: Yes, it does.

13 | MR. GRACIE: The signs are still up that say no
14 | fishing.

15 | MR. MORIN: Oh, that is a county thing. That is not
16 | us. I don't know why they need to be protected there. They
17 | are not spawning.

18 | MR. GRACIE: And the same thing for the Magothy.
19 | They certainly were spawning six years ago.

20 | MR. MORIN: Six years ago, yes.

21 | MR. GRACIE: Well, I mean, there was no recruitment
22 | there now even though they were spawning. We use plankton
23 | nets to catch eggs throughout the watersheds of south Severn
24 | and Magothy and they were spawning in all the places that were
25 | documented in earlier reports.

1 MR. O'CONNELL: We will look into the no fishing
2 signs.

3 MR. COSDEN: (away from microphone) I believe the
4 Magothy, unless you are in the reach just below --

5 MR. GRACIE: Below the dam.

6 MR. COSDEN: -- below the dam there is still closed.

7 MR. GRACIE: It is marked as closed and so is that
8 entire lower Severn Run all the way down to Route 3.

9 MR. LANGLEY: I just have one question. On those
10 areas that were surveyed, are there any surveys that were done
11 in like the Potomac River, its tributaries, as far as yellow
12 perch or is that handled by the Potomac River Fisheries
13 Commission?

14 MR. MORIN: Are you talking about for stock
15 assessment purposes?

16 MR. LANGLEY: No.

17 MR. MORIN: The surveying is being done in the upper
18 bay. So that is -- there are some thing we are just not
19 capturing due to, we don't have enough staff to do everything.
20 We would love to be able to sample out there.

21 In those areas where we are not sampling, there is
22 also no commercial fishing.

23 MR. GRACIE: My third question was can you make the
24 Powerpoint available to us?

25 MR. MORIN: That is up to Tom.

1 MR. O'CONNELL: Yes.

2 MR. GOLDSBOROUGH: Put it on your Website?

3 MR. MORIN: On the yellow perch page.

4 MS. EBERLY: Do you want it e-mailed and on the
5 Website?

6 MR. GOLDSBOROUGH: I don't think you need to e-mail
7 it. It might be too big. So just so all the commissioners
8 know, materials from commission meeting are accessible on the
9 department's Website on the commission page. Micah?

10 MR. DAMMEYER: You mentioned the zooplankton
11 monitoring was no longer happening. Is that a funding thing
12 or just --

13 MR. MORIN: That was funding. That was funded by
14 the EPA through the Chesapeake Bay office, and it was
15 discontinued in 2002. And there was some wailing and gnashing
16 of teeth at the time because we felt that it was important
17 because we, you know, our perspective is that we want to know
18 zooplankton because we view it as fish food.

19 MR. DAMMEYER: Yeah, yeah.

20 MR. SIKORSKI: Do you remember the organism you
21 mentioned in the Choptank River?

22 MR. MORIN: Oh, Gammarus. It is a genus. It is a
23 large genus of amphipods.

24 MR. SIKORSKI: Are they things that juvenile perch
25 eat, I assume other juvenile fish eat them as well?

1 MR. MORIN: Yes.

2 MR. GRACIE: --- , is that the common name for it?

3 DR. MORGAN: Getting close.

4 MR. MORIN: Paul Piavis thought that somebody made a
5 connection with insecticide, you know, application. These
6 things are very sensitive to some insecticides. There have
7 been a few people at University of Maryland who have actually
8 looked into some of these pesticides and what they do to the
9 invertebrates in streams. And that could be, that was just a
10 guess.

11 MR. O'CONNELL: --- , my counterpart with resource
12 assessment services is involved with zooplankton, and you
13 know, the annual cost was about \$75,000. So in the big scheme
14 of things it is not a big, you know, ticket item given the
15 importance to looking at these early life stages and land-use
16 connections.

17 I believe that the samples are still being collected
18 because they are already out there doing phytoplankton work.
19 It is just that the samples are archived and there is no
20 funding to analyze them for species composition. So hopefully
21 someday the funding will become available and we can go back
22 and analyze those samples.

23 MR. GOLDSBOROUGH: Any other questions for Rick?
24 Ed?

25 MR. O'BRIEN: Maybe at a future meeting this Catfish

1 Nation thing -- the marketing of that recreationally and
2 evidently commercially too, so there is some entrepreneur in
3 there somewhere -- to me that whole thing is scary as to what
4 it could do to our rivers. And maybe at a future meeting or
5 now, it is your pleasure, you could tell us more about this
6 because it is a real threat.

7 MR. GOLDSBOROUGH: Maybe we can get an update, Tom,
8 on the work of the bay program and sustainable fisheries goal
9 implementation team on blue catfish?

10 MR. O'CONNELL: Yes. Now or later?

11 MR. GOLDSBOROUGH: Well, if you like you can do it
12 now in response to Ed.

13 MR. O'CONNELL: I think two things. Just a quick
14 update and then we can add it to a future agenda item. This
15 issue has been something that the sustainable fisheries goal
16 implementation team of the Chesapeake Bay program has been
17 talking about for the last couple of years.

18 Through that time their efforts have resulted in a
19 policy being adopted by the Atlantic States Marine Fisheries
20 Commission expressing concern about these invasive catfish
21 species and encouraging, you know, efforts to reduce them.

22 As well as the bay jurisdictions have agreed to a
23 policy recognizing them as invasives and efforts to be done to
24 reduce their populations and mitigate their impacts. One of
25 the agencies that has pushed back is the Virginia Department

1 of Game and Inland Fish, who reports to a commission.

2 And blue catfish generate a multi-million dollar
3 fishery in Virginia, and their commission is reluctant to take
4 strong action against them given that.

5 So there are some studies going on but there has
6 been some progress through the fisheries GIT, and I think it
7 would be valuable to maybe spend some time at a future
8 commission meeting to provide some of the science and some of
9 the reasons why myself and others are very concerned about the
10 impacts of these animals.

11 MR. O'BRIEN: There was a conversation that some had
12 been caught in the Choptank. Has anything really validated
13 that?

14 MR. O'CONNELL: We did find them this spring in the
15 Choptank River. Our staff that were sampling were pulled over
16 by some commercial fishermen who showed them what they had
17 started catching in their nets at the mouth of the Tuckahoe
18 River and Choptank River.

19 Anecdotally they reported seeing some truck off
20 loading fish nearby, and it has been suggested that sports
21 fishermen that like this fishery -- 150 pound catfish -- you
22 know, have transplanted some of these animals. And that is a
23 very difficult thing for NRP to patrol.

24 MR. GOLDSBOROUGH: So then, Tom, you are suggesting
25 we can get a full update including covering the science, at a

1 future meeting? Yes.

2 MR. O'BRIEN: Is there any invasive species Maryland
3 law that --

4 MR. O'CONNELL: Yes.

5 MR. O'BRIEN: Okay.

6 MR. MORIN: The transport of invasives is already
7 illegal, it is just hard to enforce.

8 MR. GOLDSBOROUGH: Thank you, Rick. I guess -- Tom
9 are you doing the update on the striped bass FMP?

10 MR. O'CONNELL: Yes.

11 ***Striped Bass FMP Review***

12 ***by Tom O'Connell, Director, MD DNR Fisheries Service***

13 MR. O'CONNELL: So we were going to have kind of a
14 preliminary FMP review of striped bass for this meeting. As
15 you noted, the schedule was kind of a July/October time
16 period. Staff have made significant progress on the draft but
17 it is not ready to be distributed yet.

18 So we hope to get that out at some point this
19 summer. And that could be a focal point of our discussion
20 come the October meeting. We will also have the benefit of
21 having the ASMFC benchmark stock assessment on striped bass to
22 incorporate into that FMP review. So the update is stay
23 tuned. We are making progress but we able to meet this
24 meeting's deadline on that.

25 MR. GOLDSBOROUGH: Any questions for Tom? That is

1 going to be a big issue for us when we do get that report and
2 that assessment. Like you said, we are expecting to get in a
3 couple weeks, but now it will be the November annual meeting?

4 MR. O'CONNELL: It may be an appropriate time, if
5 you want me to, to give you an update on the ASMFC striped
6 bass.

7 MR. GOLDSBOROUGH: Yes, we can do that now. It is
8 probably a good idea.

9 ***ASMFC Update***

10 ***by Tom O'Connell, Director, MD DNR Fisheries Service***

11 MR. O'CONNELL: So as I mentioned, the ASMFC is
12 conducting a benchmark stock assessment, incorporating new
13 information into their stock assessment. The Stock Assessment
14 Committee under ASMFC has completed the stock assessment, and
15 consistent with the ASMFC process, is now going through an
16 external peer review.

17 So the information is not available yet to the
18 public until the peer review is completed. That peer review
19 is scheduled to be completed in late August/early September.
20 ASMFC meets the first full week of August. The Striped Bass
21 Management Board is meeting but will not yet have the results
22 available from the peer review stock assessment.

23 Their first chance to review that will be at their
24 October meeting. There has been a lot of concern about the
25 benchmark stock assessment. We have been seeing a decline in

1 the spawning stock biomass. And there has been concern
2 expressed in the last stock assessment that we may be getting
3 closer to some threshold levels of biomass for which
4 management action may be warranted.

5 So at the August meeting while that management board
6 is not yet going to have the benchmark stock assessment, the
7 agenda does include a discussion on different pathways the
8 commission will want to pursue if the stock assessment
9 warrants some management intervention.

10 And the reason that the management board is having
11 this discussion prior to having the results is to see what
12 pathways would have to be taken in order to implement actions
13 in 2014 if the benchmark stock assessment calls for action.

14 An addendum would have to be established, and that
15 is a multi-ASMFC meeting process. So one of the options is
16 going to be whether or not at the August meeting the
17 commission directs staff to begin drafting an addendum for
18 which the board can finalize for public review at their
19 October meeting.

20 That would kind of give the commission a one-meeting
21 jump on the process and would allow some actions to be
22 implemented in late spring of 2014. There are complications
23 with that prop plan because fisheries in many states begin on
24 January 1. So it would be a mid-season implementation.

25 That is one pathway. The other pathway is to just

1 | wait for the benchmark stock assessment to come out in October
2 | and then initiate action if warranted. Following that
3 | pathway, it is very unlikely that any action would be
4 | implemented until 2015.

5 | Some commissioners are concerned that if action is
6 | warranted, the public's reaction to a one-year delay may not
7 | be acceptable or, you know, very well accepted, so some
8 | commissioners wanted to explore different pathways to put the
9 | commission in the position to act in 2014 if the stock
10 | assessment warrants that type of action.

11 | So we are staying tuned. I currently chair the
12 | Striped Bass Management Board. We are fortunate to have
13 | Captain O'Brien and Dave Sikorski on the ASMFC Striped Bass
14 | Advisory Panel. And we will be definitely staying close to
15 | this issue and keeping you all informed as that discussion
16 | progresses.

17 | MR. GOLDSBOROUGH: Thanks, Tom. Okay, so moving on
18 | then, if there is nothing else on that. Any other questions
19 | for Tom on striped bass?

20 | (No response)

21 | MR. GOLDSBOROUGH: Okay. The final agenda item
22 | is -- Tom, are you going to brief us on the department's
23 | intent about that possibility of a summer study on the NRP
24 | funding thing?

25 |

1 something the Sport Fisheries Advisory Commission would like
2 some feedback on.

3 But the plan will include identification of what the
4 staffing needs are to fulfill the NRP enforcement
5 requirements, and strategies to overcome the financial burden
6 of increasing the staffing level.

7 The other thing that Colonel Johnson informed me
8 about was that a new cadet class is starting in September. It
9 should consist of 13 individuals. This cadet class was
10 something that the Task Force on Fisheries Management
11 Enforcement Workgroup recommended back in 2007 or 2008.

12 So they are initiating a cadet class. They will be
13 training, with the law enforcement officers for about six
14 months, and then they are going to be trying something new.

15 For one to three months, these new cadets are going
16 to be working in the units in the departments like fisheries
17 and boating and wildlife to learn firsthand, you know, what
18 our needs are, what our issues are to try to establish a
19 better working relationship between the units that they help
20 out with on enforcement needs.

21 So that is kind of the update that Colonel Johnson
22 had in regard to the follow up on the bills that were pushed
23 forth last session.

24 MR. GOLDSBOROUGH: Thank you. The strategic plan,
25 you mentioned two things: One, evaluating what their needs

1 are, and two, being how to fulfill them. But I thought the
2 first was dealt with in a report they completed last fall that
3 was available during the session. I forget what they called
4 that, their something report.

5 So this is probably more of a strategic plan for
6 implementing that or how you achieve those needs that were
7 already outlined. Is that a fair statement, you think?

8 MR. O'CONNELL: Yes. That and I think they are
9 looking at alternative strategies to fulfill those staffing
10 needs. Not just looking at hiring new officers but possibly
11 looking at contractual, using retirement workforce --

12 MR. GOLDSBOROUGH: Yes, those are --

13 MR. O'CONNELL: So they are just following through
14 with those conversations, fine-tuning them and trying to
15 develop the financial strategies to address those.

16 MR. GOLDSBOROUGH: Well, I had brought this up at
17 the last meeting so I will give you a little bit more
18 background on it. There were two bills last session. The one
19 was in for the third year. That was a bill that was being
20 advanced by -- I guess it was NRP's chapter of the FOP,
21 Fraternal Order. There are some acronyms, Rick, for you.

22 Fraternal Order of Police, I think. But it was a
23 bill that would have set a minimum number of officers in the
24 Natural Resources Police by a date certain. And without a
25 funding mechanism proposed, that bill has failed three years

1 in a row.

2 Well, this year another bill came along out of the
3 blue without any vetting with anybody, this commission or
4 anybody else to anyone's knowledge, but it was a bill that
5 would have addressed that side of it, the funding side of it,
6 by putting a \$10 surcharge on all commercial and recreational
7 fishing licenses.

8 There was a fair amount of angst about that, for the
9 new members especially because we have just been through a
10 long process of evaluating how much the revenues from both
11 commercial and recreational fishing licenses fulfill those
12 tasks, that work the department does on behalf of those
13 fisheries, and the commercial side coming down a lot lower
14 than recreational in doing so.

15 And so having a blanket across-the-board surcharge
16 was not looked upon very favorably. However, recognizing the
17 importance of the issue and addressing the understaffing of
18 NRP, the status of enforcement concerns about enforcement,
19 this commission has been concerned about that for some time, a
20 number of different recreational/conservation groups got
21 together during the session.

22 We hosted a meeting over at our office, some of the
23 folks around this table were there, to just see if there were
24 any way we could hash out something, an amendment to that
25 bill, that \$10 surcharge bill perhaps, that might be able to

1 provide some funding for NRP, married with the other bill, and
2 get something passed because this has been an ongoing issue
3 for several years now, of great concern to a lot of people.

4 We weren't able to come to that consensus. It was
5 too challenging with lots of different interests, recreational
6 versus commercial being one major one. But we did come up
7 with a conclusion and recommendations were made in the
8 testimony of a number of those participants at the general
9 assembly that there be a summer study.

10 That the resolution of those bills be to have a
11 summer study that looks at both setting a minimum number of
12 officers and a funding mechanism to achieve that.

13 And as Tom said, neither one of those bills passed.
14 There was never any formal charge to have a summer study. So
15 I was following up through this commission to see where that
16 stood. And I am glad to hear that there is a strategic plan
17 being drafted. I guess I would suggest and open up for any
18 comment that we do get briefed on that at our first meeting as
19 soon as it is available.

20 Have that on the agenda to discuss and see if there
21 is any further work -- well, any further advice that this
22 commission can give the department or anything else this
23 commission can do, or any of its members might elect to do
24 independently, to try and move forward any conclusions from
25 that strategic plan that we view favorably.

1 So with that, does anybody want to ask Tom any
2 questions or have any comments?

3 *Questions and Answers*

4 MR. GOLDSBOROUGH: Jim?

5 MR. GRACIE: Thirteen cadets, is that an authorized
6 number? Have they already been selected?

7 MR. O'CONNELL: That is the authorized number, and
8 they are completing their interviews in August and expect the
9 class to begin right after Labor Day.

10 MR. GRACIE: Is that an ongoing program? Has it
11 been proposed for multiple years or it is just one year?

12 MR. O'CONNELL: I would have to follow up with
13 Colonel Johnson to find out.

14 MR. GRACIE: The reason I ask is some of us had a
15 meeting with John Griffin some time ago, and he was actually
16 talking about a three-year program of a number of cadets for
17 each of three years. And I don't know how that came back
18 because I haven't seen any documentation.

19 MR. O'CONNELL: We will find out and follow back up
20 with your guys.

21 MR. GRACIE: Okay, thank you.

22 MR. GOLDSBOROUGH: Any other comments or questions?

23 MR. RINGGOLD: A quick fix for that is for the
24 governor to just put funding in the budget for additional
25 positions. It is not like additional positions. The NRP is

1 at about -- about 40 percent of the manpower they had 15 years
2 ago. And to try and solve the problem at one point about 10
3 years ago, they did away with the park rangers and merged them
4 in with NRP.

5 But because of the DROP program and other things,
6 the numbers have just slid down and down and down, and there
7 were no new guys being hired for a long time. Now it has
8 reached critical mass, and the governor needs to put
9 additional funding in there to try to get it up to so it can
10 perform functions it used to do. I saw it in the state police
11 and I saw it in there. I served in both.

12 MR. GOLDSBOROUGH: Thank you, Scott. I think Scott
13 is right. It is my understanding from the numbers -- and oh,
14 actually, that report that they did complete last fall, I
15 found it very interesting. They were assessing the status of
16 the Natural Resources Police. Would the commission like that
17 to be circulated? Could we do that?

18 And my understanding from that information is we are
19 hitting a crisis and really will in a few years have a
20 substantial number of retirements on top of the low numbers of
21 officers we already have. And I heard one analysis that said
22 that we need to add 15 new officers per year just to stay even
23 the next few years.

24 MR. RINGGOLD: That 13 won't even keep pace with
25 what they are losing.

1 MR. GOLDSBOROUGH: So the issue needs a lot of
2 attention so we will stay on top of it. Any other comments on
3 that?

4 MR. GRACIE: We are hoping we can get the governor's
5 ear easier now.

6 MR. GOLDSBOROUGH: Well, maybe that is an avenue we
7 can help with, encouraging funding through the governor's
8 budget.

9 MR. GRACIE: --- through his chief of staff is
10 actually what I meant.

11 MR. GOLDSBOROUGH: Yeah, understood. Okay, anything
12 else on that issue?

13 (No response)

14 MR. GOLDSBOROUGH:: We will have public comment in a
15 second. I had a couple of housekeeping things that maybe I
16 should have dealt with earlier.

17 First of all though, I do want to, if you will
18 indulge me, come back to the hook and line commercial striped
19 bass thing just for a second because Ed, you had raised a
20 question of whether or not we should write a letter to back up
21 our motion and I forgot to come back to you on that, and I
22 apologize.

23 We did pass a motion without objection recommending
24 against opening Fridays to the commercial hook-and-line
25 fishery for striped bass under the ITQs. Ed you had said

1 something about writing a letter. Do you want to follow up on
2 that or is the motion enough?

3 MR. O'BRIEN: Well, I think we certainly should
4 follow up. It would seem to me in the past we have put out a
5 letter. I don't know how everybody else feels about that.

6 MR. GOLDSBOROUGH: Any comment on that?

7 MR. GRACIE: I would agree with that, a letter from
8 the chairman conveying our concerns about that in our motion
9 to the Secretary.

10 MR. GOLDSBOROUGH: Further comments?

11 MR. SIKORSKI: I agree.

12 MR. GOLDSBOROUGH: Any objection to that?

13 (No response)

14 MR. GOLDSBOROUGH: Okay, we will do that. Thanks,
15 Ed, Jim and Dave.

16 Also in the area of housekeeping, Tom, we never said
17 anything about proxies or alternates at the outset. Do you
18 want to describe our procedures on that?

19 MR. O'CONNELL: Yes. Thanks for reminding me on
20 that. What I would ask -- so for the new commissioners, we do
21 allow a proxy, one proxy, consistent with out operating
22 guidelines, to in your absence represent your issues and the
23 constituents you represent.

24 What I would like to do is ask each of you to follow
25 up with Noreen with your proxy and their contact information

1 | say by mid-August, August 15. And we will include them in the
2 | correspondence so they are kept abreast of the information if
3 | they have to fill in, in your absence.

4 | I will also note the operating guidelines include
5 | attendance policy, and this is established by the appointments
6 | office. The attendance policy is 75 percent. It doesn't mean
7 | that if you violate that, you are removed from the commission.
8 | It is just that the Secretary has to respond to the
9 | appointments office when they do an annual review of
10 | attendance policy.

11 | And, you know, if there are legitimate reasons for
12 | your absence, we, you know, can inform the appointments office
13 | of that and, you know, don't recommend your appointment to be
14 | replaced. But just be aware. These seats are provided for
15 | you. It is not supposed to be normal practice to have proxies
16 | but we understand that you can't make all meetings, and having
17 | a proxy helps, you know, communicate your constituents' issues
18 | that you represent.

19 | So if you could follow up with Noreen by August 15,
20 | that would be great.

21 | MR. GOLDSBOROUGH: Everybody got that? By August 15
22 | get Noreen the name and contact information for a person you
23 | would like to serve as your proxy in the event you can't make
24 | it to a meeting. Ed?

25 | MR. O'BRIEN: Tom, can you have more than one proxy?

1 MR. O'CONNELL: No. Operating guidelines right now
2 is for one proxy. We had the discussion with the commission
3 when we established the operating guidelines. We thought it
4 was important to, you know, minimize the number of proxies to
5 maintain continuity in conversations and representation.

6 So at this point in time we have limited it to one
7 person. It is something we could discuss, but right now it is
8 one.

9 MR. GOLDSBOROUGH: And just so you new folks know,
10 that means that person will be on Noreen's e-mail list and
11 will get all the information about the meetings so we will
12 have somebody who can hit the ground running in the event they
13 have to sit in for you in a meeting. Ed?

14 MR. O'BRIEN: Well, Tom, can I ask it in another way
15 because you know we ran into this last year with the charter
16 boats. You know, two people would be booked. Would I have
17 the capability if I cannot get my proxy, who I establish right
18 now, to have somebody be a proxy for him? Seriously?

19 MR. O'CONNELL: Right now the guidelines are no.

20 MR. O'BRIEN: Well, it is a matter of future
21 discussion, you said.

22 MR. O'CONNELL: I mean, it is a policy. You know,
23 we work hard to schedule meetings, you know, at the end of the
24 summer for the year and hope that people's schedules can
25 accommodate that. Hopefully there are not going to be too

1 | many circumstances where the commissioner and the proxy both
2 | can't make a meeting.

3 | If that occurs, we will work with the commissioner
4 | to ensure that their viewpoints are brought forward to the
5 | commission. It is something we can discuss again but when we
6 | evaluated it last time, we thought it was important to limit
7 | it to the one person at that time. I think it is still a good
8 | idea.

9 | MR. GRACIE: I have a question. Would it be -- I
10 | would think it would be a good idea to have your proxy attend
11 | all the meetings with you so that they have the continuity.
12 | Is that acceptable? Would you mind having 30 people in here
13 | for a commission meeting?

14 | MR. O'CONNELL: Proxies are always invited. I mean,
15 | it is the commissioner who is going to sit at the table, not
16 | the proxy, and we are not going to be able to provide
17 | reimbursement to the proxy.

18 | MR. GRACIE: Okay.

19 | MR. GOLDSBOROUGH: Just for the record, my proxy is
20 | here.

21 | MR. O'CONNELL: One of the things we have to guard
22 | against, not to further this conversation but, you know, we
23 | have seen, you know, different issues come up and certain
24 | commissioners may want a certain person within their community
25 | to come to a commission and represent the viewpoint.

1 Not to say that is where you are going from, Ed, but
2 there is a concern that people will purposely say they are not
3 available to try to get someone else to a meeting for a
4 certain issue. So it is consistent with other commissions,
5 with ASMFC and, you know --

6 MR. GRACIE: Are you aware of that happening here?

7 MR. O'CONNELL: Not within sport fish but we have
8 experienced attempts like that for tidal fish.

9 MR. GOLDSBOROUGH: Okay, anything else on proxies?

10 (No response)

11 MR. GOLDSBOROUGH: One other item I wanted to
12 mention, speaking of tidal fish commission, sport fish has a
13 liaison member on tidal fish, so one of us serves on tidal
14 fish as a member, in the capacity of liaison, from here.

15 I have been serving in that position for the last
16 term, and I am happy to do it again but I want to open it up
17 too if anybody else is interested in that or what you think
18 about that now that I have been elected chair. Does that
19 change that dynamic? Maybe we think it is even better that
20 the chair is a liaison.

21 I am happy to entertain that suggestion. Jim?

22 MR. GRACIE: I just heard that possibility today and
23 I actually think it strengthens our presence there if our
24 chair is the liaison. I didn't consider doing it because I
25 didn't have time. That is when I appointed you, and I knew

1 | you wanted to do it.

2 | But I don't see anything wrong with the chair being
3 | the liaison to tidal fish. In fact, I think it strengthens
4 | our position.

5 | MR. GOLDSBOROUGH: Any other comments on that?

6 | (Chorus of agreed)

7 | MR. GOLDSBOROUGH: It is acceptable then. So I have
8 | twice as many meetings to go to as you guys. Thank you. No,
9 | that is okay. I am happy to do it.

10 | MR. LYNCH: Do you need a motion on this?

11 | MR. GOLDSBOROUGH: I don't know.

12 | MR. GRACIE: It is the chairman's appointment.

13 | MR. GOLDSBOROUGH: It's the chairman's appointment.
14 | I appoint myself? Is there a second?

15 | MR. LANGLEY: Are you allowed to have a proxy if you
16 | can't make the meeting?

17 | MR. GOLDSBOROUGH: You know, I thought about that,
18 | and if it is chairman in that capacity, I would assume the
19 | vice chair would be the proxy for that. Right? Does that
20 | make sense to everybody?

21 | Okay. Well it has worked out pretty well, I think.
22 | I have enjoyed sitting in on those meetings and representing
23 | your views so I will continue to do so, beginning this
24 | Thursday.

25 | Okay, those are all the housekeeping things. I have

1 on February 13, 2012, we had a meeting here where Tom said the
2 fisheries service had not been providing annual revenue and
3 expenditure reports to the sport fish advisory commission as
4 required by statute.

5 And there was a timeline to address the problem by
6 2012, specifically by the July 2012 sport fish meeting to be
7 exact. Provide a report of sport fish license revenues and
8 expenditures and provide a plan for expending sport fish
9 license fees in FY '13.

10 I don't miss many of these. I try to keep up on
11 what is going on. I have never seen a discussion about how
12 fees were going to be spent at any meeting or showing up on
13 the Internet.

14 This came about as a result of legislation in 2007,
15 when recreational license fees were increased, and as an
16 accountability measure, the legislature put in a requirement
17 that the fees should then be discussed before they are spent
18 between sport fish, tidal fish. I think boating people were
19 thrown in there as a concession. And I don't remember that
20 ever happening.

21 Prior to 2012 I put in a PIA request to try to get
22 that information, and that is where I discovered that it had
23 not been done up until then.

24 There was in 2012 a budget report. I think another
25 part of the housekeeping discussion on that one is that the

1 budget report that was produced at that time, was judged by
2 the old sport fish commission to be not in enough detail to be
3 of any use, and so there was also a commitment to by 2014, the
4 department would come up with a more detailed specific
5 job-type discussion about where money came from and how it was
6 going to be spent.

7 Certainly there is a 2012 report. I don't know if
8 it is in your package. It was on the Internet. I know Jim was
9 involved in that discussion after the February meeting. How
10 are we going to do this and what not, and I don't know what
11 kind of progress has been made. We are in FY 2014 now, I
12 believe. The 2013 money has all been spent, and we haven't
13 apparently made any progress on that.

14 I think accountability is important. You talked a
15 little bit about getting money for different things. Well,
16 people have a whole lot more faith in seeing their money spent
17 if they know where it is going. And I don't think anybody
18 knows exactly where all that money went that we added in 2007
19 with the fee increase.

20 I assume we got some benefit from it, but I have
21 also heard some very alarming things done around -- like
22 special fund reserves and excess recreational license fees
23 being spent to balance general fund budgets.

24 And I think -- I would feel better, I don't know
25 about the rest of you, if I could see that on paper and I

1 | would see just exactly what happened. Where the money went.
2 | And it would be especially nice to have the people who are
3 | contributing money to have a little say about how it gets
4 | spent.

5 | I think the statute is clear on that. And I think
6 | we need to be doing that. I think that should be when we are
7 | all meeting before this commission. Anybody have questions
8 | about my presentation?

9 | MR. GOLDSBOROUGH: I think I will let Tom have the
10 | floor first and then we will open it up for questions from the
11 | commission. Did you want to comment, Tom?

12 | *Questions and Answers*

13 | MR. O'CONNELL: Yes, sure. It reminds me of the
14 | Groundhog Day movie. You know, it was true that in early 2012
15 | we recognized that we were not completing this reporting
16 | requirement and we developed a plan and implemented it, and
17 | developed a plan and brought it to the commission I believe at
18 | their July 2012 meeting. It reflected the license sales and
19 | revenues in and what our priorities were going to be for the
20 | following year.

21 | We also at that point established an annual
22 | reporting schedule, which is the October timeframe of each
23 | year and followed through with October 2012, you know, with a
24 | very detailed, you know, budget report that included a
25 | cost-recovery analysis of our budget, identified the work that

1 we had accomplished the previous year and identified our
2 priorities by division for the upcoming fiscal year of FY '13.

3 That has been the opportunity to date to allow this
4 commission to advise us on how we are utilizing the revenue
5 from sport fish and license fees. We are on that course
6 again. We plan to have another report in October of this year
7 and each year, as we mentioned, hope to be able to provide a
8 higher level of transparency.

9 You may recall that we reorganized our operating
10 budget to reflect our current organization, aligned our
11 funding sources in an effort to provide that level of
12 transparency that this commission had asked for.

13 So I think we have made significant strides. If the
14 commission feels like they want more opportunity on the use of
15 those funds, that is something for the commission to determine
16 if they want more discussion on it.

17 But that has been the annual plan that we have been
18 operating on over the last year, year and a half.

19 MR. GOLDSBOROUGH: Any commissioners have a question
20 or comment for either Tom or Ken?

21 (No response)

22 MR. GOLDSBOROUGH: Ken?

23 MR. HASTINGS: So if I understand this, in July of
24 2012 you did open that up to the sport fish and tidal fish and
25 boating people to decide how to spend those excess fees that

1 | were derived in 2007. Is that correct?

2 | MR. O'CONNELL: We brought it before the sport fish
3 | advisory commission, yes.

4 | MR. HASTINGS: Was that a handout or -- how was that
5 | done? Do you remember?

6 | MR. O'CONNELL: Yes, it was a report that is posted
7 | on the commission's Website under that July meeting date. If
8 | you need a copy of it I would be happy to provide it to you.

9 | MR. HASTINGS: Well, if it is on the Website I can
10 | probably find it. Was it in enough detail to show how much
11 | money was being used to balance the general fund budget or
12 | general fund deficit or how much is being used for oysters, or
13 | anything? Was it in that kind of a level of detail?

14 | Somebody stand up and say, yeah, I want you to spend
15 | \$188,000 on oysters or something like that, you just take it
16 | out of recreational money instead of spending it on a crappy
17 | FMP or an actual survey of recreational striped bass fishermen
18 | so we get some idea about effort?

19 | I really enjoyed Rick's comments about MRIP, and I
20 | am not going to try to figure out that acronym again either,
21 | but he is right. It is just like MRFSS on steroids and it is
22 | next to useless. And I don't think it is limited to just
23 | striped bass.

24 | So at one point this commission even set up a
25 | workgroup to try to figure out how you would go about

1 determining how many people are fishing for striped bass. It
2 is kind of hard to manage a recreational striped bass fishery
3 if you don't know how many people are fishing, what they are
4 catching, and what their overall effort is, and we don't know
5 that. And we don't get it from the data that comes from the
6 feds.

7 So that was requested, and I think the end result
8 was that -- well, we don't have the kind of money. Lo and
9 behold we find out there are millions of dollars laying around
10 here somewhere that has been used to balance general fund
11 deficits and things like that.

12 And I am not saying that is a bad thing. I am
13 saying we need this all laid out on a board someplace where we
14 can see it and we can react to it and we can feel confident
15 that the money has been spent the way it is supposed to be.

16 MR. O'CONNELL: Just in regard to your question,
17 Ken, I would suggest, because it sounds like you haven't
18 looked at the July 2012 report, that you read it and then
19 follow up if you have more specific questions.

20 MR. HASTINGS: You can count on that.

21 MR. GOLDSBOROUGH: Thank you, Ken. Any other member
22 of the public have a comment they would like to offer the
23 commission? Don?

24 MR. COSDEN: Yes, I wanted to introduce myself to
25 the new members. I am Don Cosden. I am the inland fisheries

1 manager. I didn't have any reports or updates this time
2 around but we do send out a monthly activity report. Our
3 crews are scattered from Millington to Garrett County, and
4 they report on their field surveys and other stuff going on.

5 So you should be getting that by e-mail. If you
6 have any questions, you can call me directly. I would be
7 happy to talk to you.

8 MR. GOLDSBOROUGH: Thank you, Don. We will be
9 hearing more from him. Okay, we are ahead of schedule. Not a
10 bad thing at all. Anybody have anything they would like to
11 share before we adjourn?

12 MR. GRACIE: See what a new chairman can accomplish?

13 MR. GOLDSBOROUGH: All right, then. Thank you all.
14 I am pretty syked. I appreciate the dedication of new folks,
15 the willingness to be appointed and to participate. I hope
16 this meeting has further inspired you to keep at it because we
17 have got some exciting and challenging stuff ahead of us.

18 So thank you. We are adjourned.

19 (Whereupon, the meeting adjourned at 5:35 p.m.)
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