

***Maryland DNR***  
***Fall Meeting of the Sport Fisheries***  
***Advisory Commission***

***Tuesday,***  
***October 14, 2014***

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

**Maryland DNR**  
**Summer Meeting of the Sport Fisheries Advisory Commission**

October 14, 2014

**SFAC Members Present:**

Bill Goldsborough, Chair

Micah Dammeyer

Rachel Dean

Mark De Hoff

Jim Gracie

Shawn Kimbro (*proxy for Dave Sikorski*)

Phil Langley

Val Lynch

Dr. Ray P. Morgan II

Ed O'Brien

Vince Ringgold

Roger Trageser

John Welch (*proxy for Beverly Fleming*)

James Wommack

**SFAC Members Absent:**

Kate Chaney

Beverly Fleming

Dave Sikorski

Tim Smith

**Maryland DNR Fisheries Service**

Tom O'Connell

Noreen Eberly

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

October 14, 2014

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KEYNOTE: "----" denotes inaudible in the transcript.  
" \* " means word is phonetically spelled

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

(2:10 p.m.)

*Welcome and Announcements*

*by Bill Goldsborough, Chair, SFAC*

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

MR. GOLDSBOROUGH: Welcome to the Sport Fish Advisory Commission quarterly meeting. You all have your agendas, so you know what is before us. We might be adding one or two things.

First let me note we have got a couple of commissioners not here. Tim Smith's wife just had a baby so he is not able to be here for personal reasons. Kate Chaney has business conflicts and couldn't be here. And I don't think either of their proxies is able to make it. I know Kate's is not.

And Beverly Fleming is not here but sent John Welch. Welcome, John.

MR. WELSH: Thank you.

MR. GOLDSBOROUGH: And Shawn Kimbro is here for Dave Sikorski. Anything else? Anybody else I am missing?

MR. : Mr. Wommack?

MR. GOLDSBOROUGH: Oh, yes, Mack. Where is Mack? I haven't heard anything. He didn't say he wasn't coming. We will see. So if there are no other announcements up front and neither Tom nor I have any at this point, we will have some

1 things later on, I am going to open it up for public comment  
2 right now.

3 Does anybody have anything they want to bring before  
4 the commission that is not on the agenda? Otherwise an agenda  
5 item, particularly any that involves motions or decisions of  
6 some sort, we will allow for public comment then.

7 MR. SCHILDWACHTER: Do you want me to go now?

8 MR. GOLDSBOROUGH: Well, just introduce your topic.

9 MR. SCHILDWACHTER: I am Greg Schildwachter. I am  
10 here on behalf of a project that has developed a smart phone  
11 app for anglers to self-report their data. So when the time  
12 is right, Mr. Chairman, I would like to explain where it is at  
13 and encourage everybody to get behind the effort.

14 MR. GOLDSBOROUGH: Yes, I think that is right up our  
15 alley. Unless anybody objects, we will try to fit in a few  
16 minutes to let Greg brief us on that initiative. I  
17 participate in it and so does Ed Liccione and a few others,  
18 and I think it is very worthwhile. So I think you all will  
19 find it that way. Anything else for public comment?

20 (No response)

21 MR. GOLDSBOROUGH: Okay, let's move on to the NRP  
22 Activity Report. Lt. Mauk?

23 ***NRP Activity Report***

24 ***by Lt. Beth Mauk, MD DNR NRP***

25 LT. MAUK: Good afternoon. I hope that everybody

1 got a copy of our narrative. There are two reports in there.  
2 One is derived from our new computer automated dispatch and it  
3 is a lot of figures. Probably hard for you to digest. You  
4 don't need to.

5           It is nice for us. We meet on a monthly basis with  
6 all of our commanders to sort of see how many calls for  
7 service and what these data trends look like in terms of areas  
8 of the state and types of violations.

9           A little easier to understand is probably the one  
10 you are used to seeing, which is just sort of a bullet-point  
11 list of what we noticed. If you look over that, we had a fair  
12 amount of crabbing violations this year, at least I thought  
13 so.

14           I was a little surprised at how many citations were  
15 written for recreational possession of female crabs. And to  
16 toot our own horn a little bit, I think you guys may have seen  
17 the Don't Get Pinched Initiative that we did. I think that is  
18 part to do with why our numbers are a little higher in terms  
19 of crab, recreational crabbing violations.

20           I don't think our commercial violations were  
21 substantial. If anything, I think they were lower. I think  
22 most commercial crabbers would agree there weren't that many  
23 crabs out there this year. Most crabs they harvested --- .

24           Striped bass violations, really the only one to note  
25 is the 66 fish that some gentleman decided to harvest up at

1 Port Smallwood I think or Armistead.

2 A lot of our tickets now are must appear. It wasn't  
3 always the case so we are glad about that. We are getting  
4 really good results in our court system. And I guess another  
5 case to note would be the -- we got a lot of complaints in the  
6 northern part of Anne Arundel County in reference to thefts  
7 from crab pots. And we did complete some surveillance and we  
8 did apprehend a couple guys. And we did charge them with  
9 theft along with the natural resources violation.

10 And that stuff I think goes to court in November.  
11 Any questions about the list of violations?

12 ***Question and Answers***

13 MR. LYNCH: On your list, you have entries to  
14 homeland security. How does that play in?

15 LT. MAUK: Homeland Security checks are done while  
16 we are doing our job, so if I go out to check commercial  
17 crabbers under the Bay Bridge, I am looking at that  
18 infrastructure. I am going to call that a Homeland Security  
19 check when I do that, and then our communication center is  
20 going to log that.

21 MR. LYNCH: I don't know what that means. You call  
22 it a Homeland Security check.

23 LT. MAUK: I would get on the police radio and I  
24 would say my unit number and say that I am doing a Homeland  
25 Security check of the Bay Bridge, for example. We have



1 identified several targets around the state, the Naval Academy  
2 being one, the Bay Bridge being another, probably the Patuxent  
3 Air Base is probably one. I don't know them everywhere, but I  
4 do know Anne Arundel.

5           So the officers are instructed -- it used to be they  
6 did it with pen and paper. It used to be that they would have  
7 to log those and hand those in every week. But now that we  
8 are computer automated, they just say it over the police  
9 radio, and a dispatcher records that in the computer.

10           MR. LYNCH: So you are reporting anomalies?

11           LT. MAUK: We are reporting that we are checking  
12 that Bay Bridge for any type of problem. So if we go out  
13 there and Greenpeace is doing some type of operation, which is  
14 not uncommon, coming out of Sandy Point, and we stop and check  
15 those folks that would be a Homeland Security check.

16           Or if we just go out and inspect the Bay Bridge,  
17 particularly if we are getting ready for a 10K across the bay.  
18 Those officers will be doing Homeland Security checks like 24  
19 hours a day before that bridge walk happens. That would be a  
20 Homeland Security check.

21           MR. LYNCH: Thank you.

22           MR. GOLDSBOROUGH: Jim?

23           MR. GRACIE: Do you have any details on this 64 fish  
24 over this limit, this 66 undersized?

25           LT. MAUK: I do. It was just some folks who were

1 fishing -- does it say Port Armistead? Port Smallwood. Yes,  
2 it was just a regular routine patrol check, and officers check  
3 in there all the time. Those anglers tend to be weekend  
4 anglers and not necessarily always the most educated anglers  
5 that we encounter.

6 And so that guy was just collecting up huge cooler  
7 full of striped bass.

8 MR. GRACIE: Did he claim he didn't know?

9 LT. MAUK: No, I don't think so?

10 MR. : Were they licensed?

11 LT. MAUK: I believe they were licensed, and I know  
12 that those tickets are must-appear tickets. And so it had to  
13 be only the one guy because he is 64 fish over, so two of  
14 those fish --

15 MR. O'CONNELL: Were his.

16 LT. MAUK: Could have been his if had they been 18  
17 inches or over but they were not. He couldn't even keep the  
18 two that were legal. And he must have just got into a school  
19 of them and I don't know if he knew or didn't know. But I  
20 will certainly ask that officer.

21 MR. GOLDSBOROUGH: Any other questions for Lt. Mauk?

22 (No response)

23 MR. GOLDSBOROUGH: Easy one.

24 LT. MAUK: It was easy.

25 MR. GOLDSBOROUGH: Let's move on to the regulatory

1 update and scoping items. Jacob?

2 ***Regulatory Updates and Regulatory Scoping Items***

3 ***by Jacob Holtz, MD DNR Fisheries Service***

4 MR. HOLTZ: All right, how are you all doing today?  
5 So for our regulatory update, as far as things that you all  
6 would be interested in that became effective, there is a  
7 summer flounder study going on out in the Atlantic right now.

8 It is a commercial study but just so you all are  
9 aware of it going on. We talked to you about this before.  
10 For the area one to three miles off the coast, commercial hook  
11 and liners are going to be allowed to keep summer flounder of  
12 the size limit --- gears, so they would be keeping 14-inch  
13 fish when previously they were only keeping 16-inch fish.

14 They will still be keeping 16-inch fish within a  
15 mile of the coast and the coastal bays tiers study, and after  
16 the tiers we are going to see how it performed.

17 Also recreational gear rules went into effect on  
18 September 29. We got rid of the use of finfish trotlines and  
19 are eliminating the use of jugs to 10 jugs in the tidal  
20 tributaries of the Chesapeake Bay. And that is from July to  
21 the end of February so that way it doesn't interact with  
22 striped bass spawning as much.

23 As far as regulations that have been proposed, none  
24 of the regulations that were proposed in the last quarter  
25 affect the recreational fisheries. You can see the ones that

1 we did propose that would affect the commercial fishery is on  
2 that page.

3           And that is it as far as what we have proposed or  
4 what became effective. Switching gears, going over to the  
5 scoping for this quarter -- and just a reminder, for scoping  
6 we are giving you an idea of what we are going to be working  
7 on and how we intend to get this information out to the  
8 public.

9           What would be really useful from you guys is if you  
10 can tell us if you think we need to do any more to get this  
11 information out to the public. So for American eels, there  
12 was a consideration of Draft Addendum IV to the FMP at ASMFC.

13           The board postponed final action, and although they  
14 are going to discuss it again at ASMFC's annual meeting at the  
15 end of this month, ASMFC had an informational meeting in June.

16           Whatever ASMFC decides, we will make sure that you  
17 all are aware of that, and we are going to post that on the  
18 Website, and we will take action based on that.

19           For black bass, that is large mouth and small-mouth  
20 bass, we have received a lot of reports of extended periods of  
21 poor fishing the last couple years on the tidal Potomac.  
22 Possible solutions that we are considering are size or creel  
23 limit changes. We don't have an idea or we are certain what  
24 we are going to do right now.

25           There is a meeting scheduled with PRFC and I believe

1 Virginia as well and DC, and that will be -- I guess either  
2 November or December we will --- . Based on the results of  
3 that meeting, we are going to have a better idea of what we  
4 are going to do and if we are going to make changes and if so  
5 what those changes would be.

6 After that meeting we will let you all know the  
7 results of that meeting and what we are looking at. If we  
8 didn't make changes, we would post those on the Website for  
9 the scoping. We have sent out an angler survey before to get  
10 an idea of whether the public would be receptive to these  
11 changes or what changes they would like to see made.

12 So we didn't think a public meeting or anything like  
13 that would be necessary.

14 For crabs, for the --

15 MR. O'CONNELL: Hey, Jacob, can I interrupt you for  
16 one second?

17 MR. HOLTZ: Sure.

18 MR. O'CONNELL: Just a couple points on the black  
19 bass that I think are worth noting for some people who may not  
20 be as familiar with that fishery. One is that there is a lot  
21 of concern about the status of black bass in the Potomac  
22 River. And Maryland has taken the lead on doing a lot of  
23 surveys but the jurisdictional regulatory responsibility is  
24 within the Potomac River Fisheries Commission.

25 Maryland has the rules for the Maryland tribes.

1 Virginia has the rules for the Virginia tribes of the Potomac,  
2 and the Potomac River Fisheries Commission manages the river.

3           So it is very important if we are going to pursue  
4 possible changes to work closely with the Potomac River  
5 commission and Virginia. Ideally we would like to agree upon  
6 a common set up rules.

7           If we can't, it doesn't mean we won't do something  
8 different, but ideally we want to see consensus on that  
9 approach. So that was the one point. And we are having this  
10 meeting with the Potomac River Fisheries Commission in  
11 December. The second point is the online poll that we  
12 did -- it is kind of a new tool we are using to get public  
13 input. The public can provide us with their input at their  
14 own leisure. They don't have to come to a meeting. They can  
15 take the time to fill out the poll and send it to us.

16           As we talked about before, we have been having a  
17 limited amount of people turn out at our public meetings or  
18 open houses. We had about 700 people complete the survey  
19 online. So that is the second time we have done it, I think.  
20 One for trout and one for black bass, and we are finding it is  
21 a really good tool to get public input and help us understand  
22 the perspectives on these fisheries.

23           So I just wanted to provide you those two items.  
24 Thanks.

25           MS. DEAN: How do you access the poll?

1           MR. O'CONNELL: Well, it is available online, and  
2 what we also did was we utilized e-mails that sport fish  
3 license holders gave us and blasted it out to them. So we  
4 used e-mails, we did our social media, we put it on the Web,  
5 just trying to get the word out. It is no longer available  
6 online. It has been shut down but that is how we distributed  
7 that. Jim, did you have --

8           MR. GRACIE: I think that was my question. How did  
9 you publicize the fact that it was online?

10          MR. O'CONNELL: Through e-mail blasts with the sport  
11 fishermen, Facebook posts, tweets, I think Constant Contact  
12 when people give us their e-mails outside of the license  
13 process. And just on our Website.

14          MR. GRACIE: If this were a regulatory process,  
15 would that satisfy the public notice requirements?

16          MR. O'CONNELL: The public scoping requirements?

17          MR. GRACIE: No, public notice requirements on final  
18 regs.

19          MR. O'CONNELL: No, this is all just kind of  
20 preliminary scoping.

21          MR. GOLDSBOROUGH: So it is an intermittent tool.  
22 That would seem like a good way for commission members to be  
23 able to get their contacts to weigh in so when you are using  
24 that tool on something of relevance here, if you could just  
25 let us know.

1 MR. O'CONNELL: Hopefully we did that but I can't  
2 say for certain.

3 MS. HUNT: If you bought a fishing license you got  
4 it. Just kidding.

5 MR. O'CONNELL: But did we notify sport fish of the  
6 survey? Jacob, could you just make a note? If we don't by  
7 standard operating procedures notify the commissions when we  
8 do a survey like that and we should send them an e-mail.

9 MR. TRAGESER: I know I got it but I could have  
10 gotten it for a lot of different reasons.

11 MS. HUNT: Did you sign up for the Constant Contact  
12 list maybe?

13 MR. TRAGESER: I think I did get it.

14 MR. LANGLEY: As far as the reduction that we are  
15 seeing a number of fish taking, how does that compare to what  
16 we are seeing with invasive species in the Potomac, in the  
17 tributaries, as they are increasing? Is there a pattern that  
18 we are seeing?

19 MR. O'CONNELL: In the short term we could try to  
20 put two and two together and -- blue catfish are increasing.  
21 Tidal bass are decreasing. There have been some --- studies  
22 that do consume black bass. I don't think that is the primary  
23 factor right now.

24 A lot of it seems to be dealing with the amount of  
25 habitat. Submerged grass has really dropped off. That could



1 | be a factor in survival of recruitment. There doesn't seem to  
2 | be any maybe one thing. It is probably a combination of  
3 | things.

4 |           One last point: We are going to be analyzing our  
5 | survey that we did this year to see what the population looks  
6 | like. One point of the year, like spring, I don't know if it  
7 | is spring or fall, one season it is like fishermen are saying  
8 | there is nothing out there, and another season they show back  
9 | up again.

10 |           It is almost seems like the fish behavior has  
11 | changed and the fishermen are probably just figuring that out.  
12 | But there is enough concern, and given the popularity and  
13 | importance of this fishery, the majority of the stakeholders  
14 | are willing to impose some further restrictions as a  
15 | conservative approach to protect the resource and the  
16 | fisheries that rely upon them.

17 |           MR. HOLTZ: Moving on to blue crabs, for 2015, we  
18 | are going to raise the peeler size limit from April 1 to July  
19 | 14. Right now it is three and a quarter inches in that first  
20 | leg and then three and a half inches the rest of the year.

21 |           And it is going to be three and a half inches for  
22 | the whole year next year. The reason for that is we are  
23 | trying to maximize protection for spawning females, and the  
24 | peeler fishery has a really high female percentage. So  
25 | hopefully this size limit change will allow more females to

1 enter the population.

2           That would only be for 2015. Right now we are  
3 planning on just scoping that on the Website, and depending  
4 what you all think and obviously what the Tidal Fisheries  
5 Advisory Commission thinks would be -- I think this was  
6 actually the recommendation of one of the blue crab  
7 workgroups.

8           So if you all had any concerns about just doing that  
9 on the Web for the time being --

10           MR. GRACIE: You said that was a recommendation of  
11 the Blue Crab Workgroup. Which -- the raising the peeler size  
12 or scoping on the Website?

13           MR. HOLTZ: No, raising the peeler size.

14           MR. GRACIE: That is what I thought. Okay.

15           MR. GOLDSBOROUGH: You mean as a way to accomplish  
16 the 10 percent cutback.

17           MR. HOLTZ: Correct, as part of it, yes. Fishery  
18 management areas: The fishery service owns a little over  
19 1,100 acres, and there are certain activities that are allowed  
20 on certain areas and other activities that aren't allowed on  
21 other areas.

22           So just to make things clear, rather than just  
23 having signs on each of the individual properties, we are  
24 going to be doing regs to make it clear where the fishery  
25 management areas are and what you are allowed to do on those

1 | properties.

2 |           The plan for that right now is also just to scope it  
3 | on the Website, and you also have an attachment in your  
4 | packets for additional information on the fishery management  
5 | areas.

6 |           We are looking at re-doing the elections for the  
7 | oyster committees on the commercial fishery. That is more of  
8 | a concern for the tidal fish commission but right now we are  
9 | planning on scoping this on the Website and then reaching out  
10 | to the current county committee chairs and oyster surcharge  
11 | holders.

12 |           The regulations for the sport fish advisory  
13 | commission and tidal fish advisory commission haven't been  
14 | updated in about 20 years. So we are planning on going in  
15 | there in the next month or -- I am sorry, the next quarter.  
16 | Because this affects you guys, we just wanted to give you a  
17 | heads up that we were planning on working on this.

18 |           We are going to have a draft regulation before the  
19 | next meeting that we are going to send out to the commissions  
20 | so we are going to come back to you next meeting and ask for  
21 | your opinions on what we have put together because it really  
22 | just affects the commission members.

23 |           And so after the next meeting we will scope it on  
24 | our Website but I just wanted to give you all a heads up that  
25 | we are going to be working on that.

1           For snapper/grouper, a number of our partner  
2 management agencies have increased the landing limits for some  
3 species and are also specific as to whether commercial landing  
4 limits are whole or gutted weights.

5           Our plan is to increase our landing limits and  
6 specify whether limits are whole or gutted weights to be  
7 consistent with the partners that we manage those species  
8 with. The plan for that is also to scope on the Website.

9           And the last item is striped bass. We don't have a  
10 final decision by ASMFC that I believe, Tom, is coming in the  
11 meeting in October. At which point, we will have a better  
12 idea of what we need to do. Informational meetings were held  
13 in September.

14           Based on what ASMFC decides, we will -- because we  
15 have had these meetings already, we are planning on scoping  
16 whatever changes are necessary on the Website unless you all  
17 would rather us scope those changes in a different way.

18           MR. GOLDSBOROUGH: Comments on that?

19           MR. O'CONNELL: The first point that Jacob is  
20 looking for is whether or not we should have public meetings  
21 for striped bass. It is one of our major fisheries, and  
22 whether or not we should do that or you think that we have had  
23 sufficient public outreach during the ASMFC public hearing  
24 process to just post the proposed actions on the Website.

25           So what we are going to be looking at, just as a

1 | brief reminder, is pending ASMFC action, we are going to be  
2 | looking at quota reductions for the commercial fishery. We  
3 | are going to be looking at minimum size increases for the  
4 | spring trophy fishery and we are going to be looking at  
5 | minimum size increases for the summer/fall fishery.

6 |           Some management change on the coastal side, whether  
7 | that is reduced creel limit or some type of increased minimum  
8 | size or slot. And there is a chance that we may be required  
9 | to have the commercial and recreational size, minimum sizes,  
10 | the same.

11 |           There are a lot of issues that affect a lot of  
12 | people, so we may want to consider having a meeting on that.  
13 | Two other items that are outside the ASMFC process, or ASMFC  
14 | plan requirements that have come up during our public  
15 | discussion that I would ask for some input and see what you  
16 | guys have today.

17 |           One is our preseason catch-and-release fishery March  
18 | first to the third Saturday in April. We have put forth some  
19 | guardrails on the fishery several years ago, which many of you  
20 | commission members have been involved in. No stinger hooks,  
21 | certain hook requirements for trawling and using live bait,  
22 | limitations of up to only six rods per charter boat.

23 |           We have heard some suggestions that this is the one  
24 | time a year that we can actually do something in protecting  
25 | the females. While it probably doesn't result in a

1 large -- it probably doesn't result in a measurable level of  
2 reduction that we can use as a conservational equivalency  
3 action, it may be a good strategy that we can go to ASMFC and  
4 tell them that we are doing everything we can to protect these  
5 females spawners when they are in the bay.

6           So one, you know, do you think that the department  
7 should scope an idea on prohibiting catch-and-release fishing  
8 for striped bass from March 1st to the third Saturday in  
9 April?

10           Another item that has come up is in regard to the  
11 requirement of using circle hooks. And we just got this  
12 inquiry about this. The staff are trying to put together the  
13 information we have on using circle hooks.

14           But the individual who brought this forward thought  
15 that, recognizing that we are going to have a lot of  
16 interaction with the 2011 year class for the next couple of  
17 years, and if ASMFC does increase the minimum size, we are  
18 going to have a lot of discard losses, and whether or not the  
19 use of circle hooks as a requirement would help conserve some  
20 of those striped bass.

21           So another idea is whether or not we should go out  
22 and scope the required use of circle hooks. Again, scoping is  
23 a way to get public input on ideas. So I just wanted to throw  
24 that out because our next meeting I think is in February. And  
25 after the ASMFC meeting, we are going to have to very quickly

1 go out to the public and scope the regulations and then  
2 propose them by mid-December.

3           So now is the time to have these discussions about  
4 other things that we may want to consider doing. Outside  
5 of having this in place by mid-December, we could always  
6 consider it again, you know, in the spring but by the time  
7 those regulations would be adopted it would be too late at  
8 least for the preseason catch-and-release fishery.

9           So with that, if anybody wants to comment on those  
10 two ideas. And then we need to come back and answer Jacob's  
11 question, if you think scoping these items on the Website is  
12 sufficient or if you think we should have a public meeting.

13           MR. GOLDSBOROUGH: All right, so let's see if we can  
14 give Tom some feedback on those two issues, the preseason  
15 catch-and-release fishery and use of circle hooks. I saw Mark  
16 first, and I will get you, Jim, and Mack.

17                           ***Questions and Answers***

18           MR. DEHOFF: I know that based on the conversations  
19 I have had with people in the past, especially some of the  
20 things being announced for public comment and things like that  
21 over the last year or so, that people are really looking  
22 forward to more opportunities to be able to voice their  
23 comments.

24           And also to make sure that they feel the department  
25 could do a better job in announcing where these things are

1 going to be, how they are going to be, because some of the  
2 feedback was that some of the meetings that were for the gear,  
3 they were very minimally attended.

4           And they were -- some comments that I heard were,  
5 well, that is just the department trying to put these up.  
6 Nobody is going to them. Nobody goes to them, so why have  
7 them?

8           So I think it would be a very good idea to open up  
9 the ways and opportunities for people to be able to voice  
10 their comments on that. I think that is going to be a very  
11 good idea, especially on something as impactful as this  
12 Addendum IV and the changes we may be making from it.

13           As opposed to -- and regarding the preseason  
14 catch and release and the circle hooks, the people I know that  
15 I talked to feel that the rod limits and hook limits and  
16 things like that, especially considering the water  
17 temperatures, has minimal impact on the fishery.

18           And I heard fewer that disagree with that but most  
19 seem to lean in that direction, and I think we should move  
20 forward with something on bait fishing with circle hooks.

21           MR. GOLDSBOROUGH: Jim? Oh, Jacob, did you have a  
22 response to that?

23           MR. HOLTZ: I just had one question. So right now  
24 when we have public meetings, what we do is we post it on our  
25 Website, we put it on our Facebook, on the Twitter, we send it



1 out to our e-mail listserv as far as everybody who signed up  
2 for it.

3 Are there any other ways that you can think of that  
4 would get the word out to get people to actually come to these  
5 meetings because from my perspective I am a loss to figure out  
6 how to get people to actually show up.

7 MR. DEHOFF: And I am too, and that has been my  
8 comment to them. You know, they give you every opportunity  
9 but you have to take some interest in this and you -- they are  
10 not going to come knocking on your door saying, please give me  
11 your comment. You are going to have to go to the Website and  
12 look for the question or look for the opportunity to do this  
13 if you want to give your input.

14 I just think based on past history and what is  
15 coming up, that we need to make an effort to at least take an  
16 extra step on something as impactful as Addendum IV.

17 MR. O'CONNELL: Given that we have had some really  
18 good responses on this online survey, do you think people are  
19 more apt to -- more likely to participate in an online survey  
20 that they could do at their home or sitting somewhere while  
21 they are waiting for their kids?

22 MR. DEHOFF: Sending it to their e-mail address and  
23 asking them to please complete this, it doesn't get any easier  
24 than that. I mean, you would almost think that, you would  
25 hate to think you have to go that far. If someone is

1 interested enough in the process and in what is going on to  
2 complain about it, that they would at least have the  
3 initiative to find out what they need to do to make a change.

4           If we could do that, I certainly think that would be  
5 valuable feedback.

6           MR. O'CONNELL: I think based upon the preliminary  
7 results of some of these online surveys, that is something for  
8 us to consider using more of, recognizing that it is not a  
9 vote but you can get -- you can get some perspective from a  
10 much larger group of people.

11           When we had our striped bass informational meeting,  
12 we had maybe 20 people show up. We do an online survey and we  
13 are getting 700 people. So I think we will definitely look  
14 for more opportunities to utilize that tool.

15           MR. GOLDSBOROUGH: Jim?

16           MR. GRACIE: Actually I want to first go back to  
17 something else, the peeler crab scoping question. Is that  
18 primarily of interest to commercial fishing?

19           MR. O'CONNELL: Yes.

20           MR. GRACIE: Then I don't have any problem with  
21 doing it on the Website.

22           The other issue is that it is my impression that our  
23 interest in public hearings dropped off in the central part of  
24 the state when we lost our outdoor writer because they used to  
25 be listed in Candy's column regularly.

1           So that there is no general public notice anymore.  
2 You are getting high numbers of responses to an online survey  
3 but you are getting it from a select group, not a broad  
4 spectrum. So I am not sure what the answer is but I think it  
5 is something you need to think about, especially now if we are  
6 talking about striped bass. That is something you could  
7 probably get some publicity on.

8           I would think that public hearings are a better way  
9 to get a broad spectrum of input, even if the numbers aren't  
10 as great. When you work with people who have signed up to be  
11 on an e-mail list or Twitter or something else like that, you  
12 have got a selective group there. It is not necessarily  
13 random.

14           MR. GOLDSBOROUGH: And to that point, an earlier  
15 comment, so when you get a fishing license, are you put on  
16 the -- you have to offer your e-mail address there, right?

17           MR. HOLTZ: You have to choose to give the  
18 department your e-mail address and you also have to choose to  
19 receive e-mails.

20           MR. GOLDSBOROUGH: So that could be a mechanism you  
21 encourage, and explain why.

22           MS. DEAN: I want to go back to Jim real quick. He  
23 asked about peeler size change and you said it wouldn't affect  
24 recreational?

25           MR. GOLDSBOROUGH: Minimally but it does.

1 MS. DEAN: Okay, but it does, for bait fishing.  
2 Okay.

3 MR. HOLTZ: It would be universal for the whole  
4 state. It is just --

5 MS. DEAN: So it would affect --

6 MR. HOLTZ: Yes.

7 MR. DEHOFF: I just have one quick thing, Jim, about  
8 Candy not being around any longer. I do have a contact with  
9 Andy Noble down there at Sun Paper. He does the outdoors  
10 calendar. And he posts all of our MSSA meetings, things like  
11 that.

12 I know that if we contacted him with this  
13 information, saying there was going to be a public hearing or  
14 something like that, he could post that in the outdoor  
15 calendar both online and in the back page of the Sunday sport  
16 section. He would do that for us.

17 MR. GOLDSBOROUGH: Okay, I am down to you, Mack, and  
18 then I got Phil and then I will put you on, Vince.

19 MR. WOMMACK: First, let me apologize to the board.  
20 I have been out with some health issues so I missed a couple  
21 meetings. I just want to apologize to the board for that.

22 What I want to talk about: I was down Chincoteague  
23 yesterday and I was talking to some of the older guys, and we  
24 were talking about this rock situation and this crab  
25 situation. I know when I was coming up, there was a guy who

1 used to come on the TV show all the time called Scotchie's  
2 Corner that dealt with the lower Eastern Shore.

3           There is a new guy now, and I am getting in touch  
4 with him on Channel 16, who does most of the lower Eastern  
5 Shore and some of the issues going on.

6           I want to try, if you open it up to the public, I  
7 want to try to get him here but if I can get a date I can get  
8 him to put it on the news on the lower Eastern Shore to get a  
9 lot of people out.

10           There is a major concern with rockfish and right now  
11 they are flooded with 17 and below rockfish. You know,  
12 everywhere you throw out, that is what you are getting.

13           But one of the major issues that came across from  
14 the older watermen and different things is they are opening up  
15 rockfish in the 30-inch range with some of them close to 60,  
16 70 crabs in their bellies.

17           So you know, you kind of got a conflict going on  
18 because you are trying to get the crab population straight and  
19 you got the rockfish eating up the crabs.

20           So I am wondering, maybe we can all kind of sit down  
21 and maybe get a good picture of what would be the best  
22 strategy because I believe one of the problems we are seeing  
23 with these rockfish is there isn't enough food around, and it  
24 is putting so much pressure on other things in the bay and we  
25 are kind of fighting each other, one hand fighting the other

1 hand dealing with issues.

2 But I think if we could -- I don't know if the  
3 Menhaden is so bad, with the small peanuts, that it is not  
4 food enough for them to feed on anymore and they are just  
5 turning to all other species and eating them, which is causing  
6 the problem with us dealing with crabs and everything.

7 So I think it would be really nice if we could open  
8 it back up to the public and let me see if I can work on  
9 getting this guy here to come to the meeting and talk and give  
10 his input, especially since he deals with the lower ocean  
11 shore and Chincoteague and all of that in the lower bay with  
12 the rockfish. Get some input.

13 MR. GOLDSBOROUGH: Do you remember his name, Mack?

14 MR. WOMMACK: I have to call the old-timer because  
15 he shot it to me today but he told me just give Channel 16--

16 MR. : Andrew Tulls\*?

17 MR. WOMMACK: I think that might be it.

18 (Simultaneous conversation)

19 MR. WOMMACK: He is really good and knowledgeable  
20 about what is going on, especially in the lower bay with the  
21 movement of rockfish and everything.

22 So maybe we can all get some input because if we  
23 don't deal with the amount of crabs they are eating -- you  
24 know, 60 to 70 crabs in one rockfish, that is ridiculous so  
25 can you imagine the amount of crabs that is being eaten, the

1 soft crabs out there and little crabs? It is taking its toll.

2 I bet we have got a major food chain issue going on  
3 here as well.

4 MR. GOLDSBOROUGH: Thank you, Mack. That is a good  
5 reminder of some of the other issues we are dealing with.

6 I have two comments on that: One is there is a  
7 commitment in the new bay agreement to evaluate the forage  
8 base available in the bay.

9 That is already being followed up on with a  
10 technical workshop coming up next month, so they are going to  
11 be trying to go down the road of figuring out what constitutes  
12 enough of a forage base of all the different species and what  
13 actions we might be able to take to ensure it continues to be  
14 enough or that we restore it so it is enough.

15 The other comment is about habitat and grass beds,  
16 especially down where you are. I think that is another key  
17 factor when you talk about predation impacts on crabs because  
18 the grasses in the bay now are about 20 percent of their  
19 historic coverage. They have got to have a place to hide to  
20 be able to minimize predation impacts.

21 It is another factor that our Habitat Subcommittee  
22 is focused on as well. Did you have a follow-up?

23 MR. WOMMACK: Well, I just wanted to -- one other  
24 thing he reminded me of was not only the rockfish but you got  
25 so many -- it wasn't as bad this year but last year it was

1 really bad -- small redfish that are like the garbage can of  
2 the bay. It eats up a lot of the small crabs too.

3 So we are dealing definitely with an issue with the  
4 food chain that is going to be really traumatic on the crab  
5 population.

6 MR. GOLDSBOROUGH: Bad or good depending on how you  
7 look at it.

8 MR. WOMMACK: Well, bad because if they eat up all  
9 those little crabs you aren't going to have any.

10 MR. GOLDSBOROUGH: I have got Phil, Vince and Ed on  
11 the list now. Okay, Phil?

12 MR. LANGLEY: I just want to go back to the  
13 catch and release and I will just kind of express my feelings  
14 here. As far as the catch-and-release season, I think there  
15 at least needs to be one month where these fish aren't  
16 harassed. They are not touched.

17 Most of the major species, whether it is hunting  
18 season --deer or whatever, rabbits -- there is an off-season  
19 for it, and there is a commercial fishery in March in  
20 Virginia. The Potomac River extends part of it into March.  
21 And even, I am not taking anything away from anybody, but  
22 catch and release in March.

23 But it would be nice I think to have one month when  
24 these fish were harass-free.

25 MR. RINGGOLD: In regards to scoping, public, I have



1 | been very disappointed in the ones that I have been to because  
2 | there is nobody there. So I have no clue how to get them  
3 | there, which is really concerning.

4 |           Circle hooks: As a charter captain, a new charter  
5 | captain, I should say, and being a mate, I am not seeing the  
6 | damage that people are saying that the small treble hooks do.

7 |           Utilizing a small treble hook, you are more in tune  
8 | with the rod and the reel, and most of the people I know, when  
9 | they are using these circle hooks, unless they are really  
10 | experienced, are just setting it in the rod holder and letting  
11 | it go.

12 |           On the trips I have taken as captain and as mate, I  
13 | am not seeing the discards so I don't honestly see where there  
14 | is a need for it.

15 |           The preseason catch and release, as you know, I  
16 | brought this up at the sport fish meeting last time, and I  
17 | have been polling quite a few people and my board of directors  
18 | and our members. And what you said here that I wrote down,  
19 | Tom, is doing everything possible.

20 |           Now when you deal with conservation equivalency I  
21 | think it would behoove us to go into sport fish, or at the  
22 | Atlantic States, to take from March 1 to opening day, and have  
23 | that to where it is not being targeted, just like Phil said.  
24 | That shows us that our fishery is -- really the majority is  
25 | our summer fishery, which is the males.

1                   And Addendum IV we talk about is protecting the  
2 spawning biomass, which is our spring season and the coast  
3 season. So by doing everything, even if it is just a little  
4 bit. And, you know, I have talked before: The catch and  
5 release has always been designed, and I never know how it got  
6 out of it, but was from a point A to a point B in the  
7 Susquehanna.

8                   And we have guides that are on the water that still  
9 do make a living or make part of a living by guiding in these  
10 areas, and I don't think they should be affected.

11                   But in the main heart of the bay we need to allow  
12 these fish, even for that little bit of time just like Phil  
13 was saying, to have that opportunity to get there. We have  
14 talked more and more in regard to Virginia and Potomac River  
15 on the size of their caps and all with their commercial so we  
16 need to push that.

17                   But MSSA would definitely support a preseason catch  
18 and release closed season, say from March 1st, a nontarget.  
19 It works all over the place. I mean there are nontargets in  
20 the ocean left and right, that you cannot go target  
21 these -- from March 1st through opening day, we shouldn't be  
22 targeting those fish. And you know I brought this up. Thank  
23 you.

24                   MR. O'BRIEN: It is as if I have talked to these  
25 previous four speakers before we came in here and I haven't.

1 I haven't talked to Mr. Wommack in months. But I have talked  
2 to him in the past a lot and he is a wealth of information,  
3 what goes on down around that Maryland-Virginia line on the  
4 eastern shore as well as the western shore.

5 He and I have talked about this Virginia commercial  
6 fishery -- no upper limit. Those big fish go to New York  
7 legally. And I had thought that maybe if Virginia could do  
8 something about that, this year it could have a potentially  
9 dramatic effect on ASMFC.

10 Now I know we don't like it, talking about the  
11 charter boat captains know what is going on. If recreational  
12 fishermen knew more about it, they wouldn't like it. And I  
13 know our watermen don't like it because they can't operate the  
14 same way. We have an upper limit on the size of fish that can  
15 be caught.

16 So I appreciate you maybe bringing this guy in here.  
17 I would like to see that kind of dialogue getting going  
18 because we are starting to see a lot of rockfish with crabs in  
19 them, particularly soft crabs.

20 Now on the catch and release, I feel that is  
21 important also. God knows with what is going on in ASMFC, we  
22 may see catch and release this summer like we have never seen  
23 it before. And that has many negative connotations to it when  
24 it comes to charter boats.

25 Now if we inhibit anybody catch and release, that

1 | should apply to everybody: charter boat captains, guides,  
2 | recreational fishermen, everybody. On the hooks: In my  
3 | experience, just one person, but the captains around me it  
4 | seems to be what has been evolving -- that small treble hook,  
5 | and again it is a small one, that we have been using when we  
6 | are live-lining or when we are fishing with clams, chumming,  
7 | that lip hooks a lot of fish.

8 |           And it can be easy to get out compared certainly to  
9 | a large treble hook and certainly to a circle hook. I mean,  
10 | circle hooks are like religion, and they certainly have their  
11 | place, but when a circle hook goes down a fish's stomach,  
12 | there is nothing harder to get out.

13 |           Now certain people have technique to where that  
14 | doesn't happen as much, professional fishermen, particularly  
15 | professional recreational fishermen let's call it that way.  
16 | Competent recreational fishing.

17 |           So that will be an interesting conversation when  
18 | that opens up for discussion, and I support that. Something  
19 | else, but I will think of it later.

20 |           MR. KIMBRO: I just wanted to visit the circle hooks  
21 | issue as well. Maryland and the mid-Atlantic area here that  
22 | we live in is one of the only places, probably the only place,  
23 | that I know of in the United States that you can get an  
24 | argument on circle hooks.

25 |           You can go to our states to the south -- Florida

1 requires them. The other states, they all either suggest  
2 circle hooks or they require circle hooks. If you go out with  
3 a guide anywhere else in the country, they are going to have  
4 circle hooks on their outfits because it eliminates that hook  
5 set malfunction that so many anglers have, especially  
6 inexperienced anglers.

7           So I certainly think that we should require circle  
8 hooks and not only in the spring but year round for every type  
9 of bait, and I would even go to suggest for every other kind  
10 of species besides striped bass.

11           Now when you talk about circle hooks, there is a lot  
12 of misunderstanding about circle hooks. And I always hear  
13 circle hooks deep-hook fish. And it is true. Some circle  
14 hooks do deep-hook fish. But the main reason circle hooks  
15 deep-hook fish is because people really don't understand what  
16 a circle hook is.

17           If you go down to any bait shop and buy a circle  
18 hook off the rack, it may not even be a circle hook. Even  
19 though it may say circle hook right there on the top, it might  
20 not be. What we have to specify when we are scoping this is  
21 that this is a non-offset circle hook.

22           And that -- you know we can't get into a situation  
23 where we are specifying a brand, but we are going to have to  
24 educate anglers on what a real circle hook is and what the  
25 difference is between an --- hook and a circle hook. Frankly

1 | it will be a challenge but I certainly think it is a noble  
2 | effort and worth it.

3 |           Now catch and release: Did I understand you to say,  
4 | Tom, that you didn't think there would be any measurable  
5 | impact to conservational equivalency to --

6 |           MR. O'CONNELL: Yes, I mean, it is very difficult to  
7 | assess -- if you recall when we tried to look at the issue  
8 | several years ago, we are looking at a brief period within a  
9 | one-, two-month wave of the National Marine Fisheries Service  
10 | recreational survey MRIP.

11 |           So it is difficult to assess, but I think what we  
12 | learned is that the level of interactions were pretty low and  
13 | that the conservation benefits of that are probably low to not  
14 | measurable just because the interactions are low.

15 |           But, you know, the reason we took action is because  
16 | we have seen an increasing trend in the level of effort and we  
17 | wanted to put some guardrails on that. You know, that said, I  
18 | think people who have put forth the argument that is one time  
19 | that we interact with these fish, you know, it is something  
20 | that is worth consideration and, you know, is that one time of  
21 | the year that we interact with these large females.

22 |           MR. KIMBRO: So the reason I ask that is that we  
23 | are -- the way I understand what Maryland's position is likely  
24 | to be at ASMFC is that we are not going to call for maximum  
25 | conservation. We are going to ask for 17 percent or 7,7,7 or

1 | whatever it is going to be.

2 |           So it seems disingenuous to me to go to ASMFC and  
3 | say, here is what we are doing for conservation in Maryland:  
4 | We are going to close fishing during March to catch and  
5 | release but we are not even asking for those maximum cuts.

6 |           Does that not seem like a conflict? To me it seems  
7 | like a conflict. Well, to me it does, Vince. So if we are  
8 | looking at something that doesn't even have anything to do  
9 | with conservation equivalency or frankly conservation, for  
10 | that matter, why are we doing it?

11 |           Is it because MSSA doesn't like it or the charter  
12 | boat association doesn't like it? Is it because you feel like  
13 | you need to punish somebody because you guys are getting cut?  
14 | Or is it because we really have a need to do that? That is  
15 | just my question.

16 |           MR. O'CONNELL: Just a point of clarification. You  
17 | know, Maryland hasn't formalized its position yet. We have  
18 | stated the preference for a three-year plan but in regard to  
19 | the spring trophy fishery which is considered part of that  
20 | coastal recreational fishery, we have -- our preference right  
21 | now is to support the maximum conservation of 25 percent.

22 |           I mean, that is the one area that we can protect,  
23 | and so I just wanted to clarify -- we are preferring a slower  
24 | approach in the summer/fall fishery because it us  
25 | predominantly males. That time of year that we do interact

1 with females, we are opting for the maximum.

2 MR. KIMBRO: I apologize. I misspoke. I meant 25  
3 percent in the first year.

4 MR. O'CONNELL: That would be for the spring trophy  
5 fishery just not for the summer/fall.

6 MR. GOLDSBOROUGH: Jim and then I will get you,  
7 Vince.

8 MR. GRACIE: A couple comments. I was chairman of  
9 this commission when we went through the controversy of  
10 catch-and-release fishing. It seems to me that many people  
11 supported more severe restrictions on the catch-and-release  
12 fishery.

13 And at the time I think MSSA objected to such severe  
14 restrictions on it. That would be the last organization that  
15 objected to restrictions on it as far as I know. At least  
16 based on the landscape at that time.

17 I would submit that you could calculate a  
18 conservation equivalency based catch-and-release mortalities  
19 data that we have. Maybe it is not strictly applicable  
20 because of the colder temperatures. But it is certainly in my  
21 mind -- it might give us a perceptual advantage in our  
22 negotiations with ASMFC, and I think that is what Ed is  
23 talking about.

24 And I think that makes a lot of sense. I don't see  
25 any inconsistency with that and what we are doing here. The



1 other point I would want to make is that in terms of the  
2 summer fishing, I don't know how else to say it. We keep  
3 talking about the forage space. Well, the consequence of the  
4 forage space we have now is that we have an overpopulated  
5 fishery of males.

6           You have got data on that, that shows slower growth  
7 rates, more susceptibility to disease, poorer conditions, and  
8 that has to do with a loss of the forage space, which is  
9 another way of saying there are too many fish for they amount  
10 of food they have to eat.

11           So I am not sure that the measures for the summer  
12 fishery are that significant in terms of the health of these  
13 small fisheries. I think it is a point that has kind of been  
14 ignored and not mentioned.

15           MR. GOLDSBOROUGH: Thank you, Jim. Vince?

16           MR. RINGGOLD: Just a few comments too. In regard  
17 to -- Shawn, to answer you, it is not that MSSA doesn't like  
18 it. We have quite a few members, and myself including, that  
19 practice catch and release every day. And we practice it the  
20 proper ways and even the ways that you have shown on your  
21 Website and in some of your books.

22           The problem when we talk catch and release is that  
23 come summertime, it is the hardest catch and release that  
24 there is. Mortality is just so strong, it is unbelievable.  
25 But the summertime, our summer and fall fishery, is the

1 majority of males. And what the addendum has set out to talk  
2 about is the protection of the spawning stock, which are the  
3 females.

4           For Maryland, we get them for a month and a half.  
5 Okay? And, you know, that is our only time, like you said,  
6 that we actually have physical control of that. We don't have  
7 control at any other time.

8           And we can argue that all you want but it is just  
9 the fact at this point, and I have made it very clear in my  
10 position as a sportsman and the MSSA position, that we have to  
11 have a plan that is a total plan, which is full circle.

12           And part of that is catch and release. And part of  
13 that is size limits, and part of that is the biomass, and part  
14 of that is the ecology. So it is not just one answer. But it  
15 is not that MSSA doesn't like it because most of our members  
16 support it.

17           But we realize --what can we do? If we are going to  
18 take a look that we have a very minute time to fish for big  
19 fish, and the majority of our time is spent on the water  
20 fishing for smaller fish, to maintain our smaller fish and to  
21 allow it to even grow more, we need to protect the big girls.

22           So why not give them that one opportunity? It  
23 wouldn't hurt anybody, and to be honest with you -- and even  
24 you and I have spoke with regard to it, you would agree that  
25 if that were the case, you would do that yourself. Okay?

1           So in this case, why wouldn't somebody take the one  
2 extra step, and step up and say, you know what, for one month,  
3 three weeks, whatever the case may be, you know, I am going to  
4 make my lures, I am going to put my fishing on hold. I am  
5 going to go out, as Micah has me doing now, practicing my  
6 flycasting.

7           MR. DAMMEYER: I knew you were going there.

8           MR. RINGGOLD: So I can scream again when I catch  
9 that blue gill. On the second part of that, I think  
10 everything that we do as this organization and as the fishery,  
11 when they go into Atlantic States and sit down and say -- and  
12 Atlantic States knows this straight up front -- that our  
13 majority of our fishery is the summer/fall, which is the  
14 males.

15           But this is what we are going to try to do to help  
16 in the spawning, to protect the girls. We are going to cut it  
17 down for a month and a half, a month and two weeks.

18           We are going to let the big ones get up there and  
19 spawn. We are going to try to protect -- we are doing  
20 everything we can in our four walls of the Chesapeake Bay, and  
21 if we do everything we can on our four walls of the Chesapeake  
22 Bay then we have done it all. Wouldn't you agree?

23           MR. KIMBRO: I do agree but whenever you are talking  
24 about doing everything we can, then why aren't we asking for  
25 25 percent in the first year? I mean -- to me that, I see a

1 conflict there. You can disagree with that. Now that was  
2 very well-stated, everything you said. And I think Maryland  
3 fishermen, myself, and a lot of other fishermen would you  
4 agree with you 100 percent if you can show us that there is a  
5 damage, that there is a consequence.

6           Then of course we would line up and say, yes, we  
7 won't catch and release during those times. We would happily  
8 do it. But where is the proof? Where is it? In fact, I saw  
9 something on Secor Labs, where they netted the fish, caught  
10 it, caught it again, and it still migrated up above the Bay  
11 Bridge.

12           So we don't have any science. That is not science.  
13 That is just what happened this year. So show us. Show us  
14 and we will do it. But we don't see it right now.

15           MR. GOLDSBOROUGH: Mark?

16           MR. DEHOFF: All right, just a quick comment on the  
17 circle hooks. I was fortunate enough to spend quite a few  
18 days on the boat with Rudy --- . And did quite a few of those  
19 studies back in -- that was going back some years ago. Matter  
20 of fact, Gina just got up and left, but she was on those trips  
21 as well.

22           And there were substantial differences in the amount  
23 of gut-hooking that the J hook provided than the circle hooks  
24 during the studies. I mean, it was substantial. I mean, we  
25 measured everything from every time you got a tickle on the

1 line to how many you hooked up to how many you brought on  
2 board, where they were hooked and everything else.

3 And the -- it was dramatic the amount gut hooks of  
4 that were not set up, that were not done the circle hooks.  
5 And again, like Shawn said, it has got to be non-offset circle  
6 hook.

7 An off-set circle hook, a standard off-set circle  
8 hook, is no different than a J hook and it will not do what a  
9 circle hook is supposed to do.

10 And so it is quite substantial. And then just one  
11 last quick comment on the catch and release.

12 You know, I wasn't on the commission at the time,  
13 but it did seem as though several years ago when we said, hey,  
14 it is okay to do the catch and release, what has changed that  
15 now -- because obviously the commission had to say, hey, we  
16 can see that it is okay to do this because there are not going  
17 to be substantial impacts to the fishery.

18 What substantial impacts do we see now where people  
19 want to rescind that decision that we made?

20 MR. GRACIE: Just a point of fact: Actually the  
21 commission recommendation was not what was implemented.

22 MR. DEHOFF: Okay.

23 MR. GOLDSBOROUGH: Would you care to elaborate a  
24 little bit, Jim?

25 MR. GRACIE: The commission recommended more

1 | restrictions on catch-and-release fishing than were  
2 | implemented.

3 |           MR. DEHOFF: But they said it was okay to do but  
4 | they just wanted to see tighter reins.

5 |           MR. GRACIE: We wanted to limit the amount of it, in  
6 | fact. What we recommended was cutting the number of days.  
7 | And what the department did was limit the number of hooks, of  
8 | lines.

9 |           MS. DEAN: Mark, was that with artificial lures or  
10 | with clams? What were you fishing with?

11 |           MR. DEHOFF: It was all live bait.

12 |           MR. GOLDSBOROUGH: Mack?

13 |           MR. WOMMACK: I hear you talking about the catch and  
14 | release in the upper bay. But let me ask you something: What  
15 | is the quota on, or has it gone down, on the netting in  
16 | Virginia's waters because when you talk about catch and  
17 | release up here that seems like such a small issue to me when  
18 | I see in the spring, like last year, those fish sat off shore  
19 | and didn't come down during the whole season of Maryland and  
20 | Virginia.

21 |           And then when they came down here, those guys  
22 | slaughtered these cows in the early spring in that lower  
23 | Virginia bay, and I mean in two days' time they had their  
24 | quotas.

25 |           So what I am trying to figure out is, you know, are

1 we together on this Chesapeake Bay or are we still at this  
2 dividing line because it is never going to work with this  
3 diving line.

4           This whole bay is going to have to be together when  
5 it comes down to doing something about the rockfish, the net  
6 and everything else. It is not going to work to say, I am  
7 going to penalize all of Maryland, the fishermen and the  
8 watermen, and we are going to allow this stuff to go on in  
9 Virginia and just act like it is not happening.

10           I know they are not a direct part of Maryland when  
11 it comes to that but somehow we have got to get on the same  
12 page with how we are going to deal with this bay and these  
13 fish spawning because they are not coming from the north,  
14 coming down.

15           They are coming from the south and they are coming  
16 off that ocean and they are coming up here, and those guys are  
17 slaughtering those fish in the early spring. And I mean cows  
18 after cows.

19           MR. GOLDSBOROUGH: So Mack, are you echoing the  
20 desire for a maximum size limit in the Virginia commercial  
21 that was discussed earlier?

22           MR. WOMMACK: We are going to have to get something.  
23 Sooner or later we are going to have to get there --

24           MR. GOLDSBOROUGH: Similar to Maryland's? Yes.

25           MR. WOMMACK: Because this isn't going to work

1 saying, I am going to restrict everybody in Maryland and it is  
2 open season down there because they are getting to them first.  
3 So then you create all the problems up here because you don't  
4 have quite the amount of fish that you used to have because  
5 they have been netted up before they get here.

6 MR. GOLDSBOROUGH: Point taken, and I think Tom may  
7 have a comment on this because he has been working with  
8 Virginia on this issue.

9 MR. O'CONNELL: Yes, you know, this is a topic that  
10 Ed and Mack have brought up in the past, and I have had an  
11 opportunity to kind of look into it and talk to Virginia  
12 again. They have some changed leadership there.

13 I think this is a really good discussion because a  
14 lot of issues of coming up. I think everyone has a chance to  
15 learn something. So on the maximum size for commercial:  
16 Maryland's commercial fishery is January, February, June  
17 through December. We have a size limit of 18 to 36 inches.

18 That is all during those time periods. Season is  
19 closed March, April and May. Virginia, they are open year  
20 round outside of the first two weeks in January. So the only  
21 time they are closed commercially is the first two weeks in  
22 January.

23 From January 16 through March 17, I believe, they  
24 have an 18-inch minimum with no maximum size. Now they may  
25 have a minimum mesh size that, you know, mitigates the



1 | interaction with large fish, but I am still waiting for that  
2 | information.

3 |           But the point is that they have no maximum size  
4 | during mid-January through mid-March, and we know that is a  
5 | time period when these large females start coming up the bay.  
6 | From March 18 through the end of the calendar year, they have  
7 | a 28-inch maximum size. So unlike Maryland at 36 inches,  
8 | Virginia, when they do have a maximum size, they have 28  
9 | inches. So they are more conservative.

10 |           The Potomac River Fisheries Commission is kind of in  
11 | between Maryland and Virginia. There is a period in late  
12 | winter -- in March, I believe -- they have no maximum size.  
13 | The rest of the year they have 18 to 36 inches, I believe.

14 |           So both Virginia and the Potomac River has a period  
15 | in time, during the late winter/spring, that has no maximum  
16 | size, and that is an issue that we are discussing with the  
17 | Potomac River and Virginia as an area, again, where there is  
18 | interaction with these large fish for which we should consider  
19 | taking some action, and where there is opportunity to be  
20 | consistent, we should strive for that.

21 |           MR. WOMMACK: Tom, are you talking about  
22 | commercial-wise or --

23 |           MR. O'CONNELL: Commercial, all that is commercial.

24 |           MR. WOMMACK: Okay.

25 |           MR. O'CONNELL: So we are trying to get data on the

1 level of interaction during these periods that there is no  
2 maximum size just to see, you know, how much they actually  
3 interact with these big fish and whether it is substantial or  
4 not substantial, you know, it is something worth considering  
5 because that is a time of year that we interact with these  
6 larger fish.

7 MR. GOLDSBOROUGH: Rachel?

8 MS. DEAN: And I know you already know this too,  
9 Mack, but I just wanted to reiterate that our commercial  
10 fishery does have a maximum size limit and I think that was  
11 why we were all kind of taken aback when we realized that it  
12 was the commercial quota too that this was coming after. If  
13 it was the --- .

14 So we thought we were ahead of the game, doing  
15 better than the other jurisdictions but still it kind of  
16 slapped us on the face.

17 MR. GOLDSBOROUGH: Any other comments?

18 MR. GRACIE: Wasn't the question on the table about  
19 scoping? Did we ever resolve that?

20 (Simultaneous conversation)

21 MR. GOLDSBOROUGH: If there are no further comments,  
22 this has been really great. You know, we haven't had this  
23 quality of discussion in a good while, and I think that is  
24 what we are here for, so I appreciate everybody thinking about  
25 it and coming up with some thoughts for the department.

1           Having said that, the point was whether or not the  
2 department should scope these additional issues -- the circle  
3 hooks and the preseason catch and release.

4           MR. GRACIE: We only do that for controversial  
5 subjects, right?

6           MR. GOLDSBOROUGH: But understand that scoping  
7 doesn't mean that we have given them a position on those  
8 issues, and that they are putting forth a position. All that  
9 they would do, if they scoped it, would be to put together  
10 information about those issues and put them out to the public  
11 to get some comment and consider whether or not they think it  
12 makes sense to move forward with a regulatory proposal.

13           So it sounds to me, and somebody correct me if I am  
14 wrong, it sounds to me like the view around the table is that  
15 these issues are both worth that kind of further deliberation  
16 and analysis. Does anybody disagree with that?

17           MR. GRACIE: Can you explain to the commission and  
18 maybe others the whole basis for scoping? We didn't used to  
19 do that.

20           MR. O'CONNELL: Up until probably five or so years  
21 ago, the department's public participation process didn't  
22 begin until we proposed a regulation. And when we went out  
23 and had public input, we may hear something, a piece of new  
24 information that would have resulted in us wanting to change  
25 the regulation. And when we decided we needed to change the

1 regulatory proposal, we had to go back and start the process  
2 all over again.

3 MR. GRACIE: The advice from the attorney general's  
4 office was that you can only make nonsubstantive changes once  
5 you have proposed a regulation.

6 MR. O'CONNELL: Exactly. So that is when scoping  
7 was suggested, that it is an opportunity to discuss options  
8 with the public to help determine how to proceed or not  
9 proceed with a regulatory proposal. And that should hopefully  
10 mitigate the number of substantive changes that would come out  
11 of a public hearing process after the regulation is proposed.

12 And I think it has been very successful. We haven't  
13 had many regulations that we have had to withdraw because of a  
14 piece of new information that resulted in a substantive  
15 change.

16 MR. GOLDSBOROUGH: So any further comment on that? I  
17 see no objections to supporting the department if they choose  
18 to move forward with scoping on these two issues?

19 (No response)

20 MR. O'CONNELL: I think it is a good idea. I mean,  
21 to Shawn's point, we could pull together some of the science  
22 on what a preseason catch-and-release prohibition would mean.  
23 We can look at some of the circle hook information and present  
24 that for more discussion and come back and talk about that.

25 MR. GOLDSBOROUGH: All right. Jacob, did you have

1 anything else?

2 MR. HOLTZ: That was it.

3 MR. GOLDSBOROUGH: All right, thank you. Okay, we  
4 are a little bit behind schedule and I didn't think we would  
5 be. I will take that as a good thing because that was a great  
6 discussion. But we will catch up. So let's move on to the  
7 estuarine and marine fisheries management planning, and I  
8 guess we will start off with Nancy?

9 MS. BUTOWSKI: Yes.

10 MR. GOLDSBOROUGH: On the Eel FMP review and then  
11 spot and croaker.

12 ***Estuarine and Marine Fisheries Management Planning***

13 ***American Eel FMP Review***

14 ***by Nancy Butowski, MD DNR Fisheries Service***

15 MS. BUTOWSKI: So this is your opportunity, as part  
16 of the review process, to provide comments on what we reviewed  
17 for the FMPs. Like I said, we are going to start with eels,  
18 and this is just to remind you of what we have done this year,  
19 the review schedule. We have already completed four reviews,  
20 and these are the last two for this year.

21 We will put together a 2015 review schedule probably  
22 by the end of the year and get the off to your probably after  
23 the first of the year.

24 (Slide)

25 So the Chesapeake Bay American eel FMP was developed

1 in 1991 and has been reviewed several times since then, and we  
2 have annually updated since 2007. The major framework has to  
3 do with conserving the stock, getting more information from  
4 catch and effort, especially on the --- fishery.

5           When this plan was developed we didn't really have a  
6 lot of information on what the crabbers were using as bait so  
7 we wanted additional information on catch and effort from that  
8 fishery. And we also wanted to promote research and  
9 understanding of the biology and to improve water quality and  
10 protect habitat.

11           (Slide)

12           So part of the actions in the FMP have to do with  
13 minimum size and mesh size requirements. We wanted to  
14 protect --- as part of protection of the stock. We put into  
15 effect some additional requests for gathering catch and effort  
16 statistics. And we have been doing several fishery dependent  
17 and independent surveys to get additional information on eels.

18           So we -- fisheries service conducts a Young of the  
19 Year abundance survey in the coastal bays. There is also a  
20 yellow eel pot survey and a silver eel trap survey at the end  
21 of the season.

22           And then our fisheries staff also goes out with the  
23 commercial fishery and gathers additional biological  
24 information. For improving water quality and habitat, we work  
25 with the Chesapeake Bay program, and there are a number of

1 | efforts to reduce nutrients, toxins, pollution, and to protect  
2 | SAVs and wetlands.

3 |           And also an effort to open additional spawning  
4 | habitat for the eels. So we have a pretty active fish passage  
5 | program.

6 |           (Slide)

7 |           From a coastal perspective, an ASMFC FMP wasn't  
8 | developed until 1991 and began being implemented in the year  
9 | 2000. Since then there have been several addendums to that  
10 | FMP. And again, recognizing the need for additional  
11 | information on catch and effort statistics to provide upstream  
12 | and downstream passage, especially at hydroelectric dams, and  
13 | active dam removal projects.

14 |           And additionally to, and most recently, to increase  
15 | the minimum size for both the eels themselves and gear  
16 | restrictions. Most recently ASMFC put together Addendum IV,  
17 | and I think Tom is going to be giving an update later in the  
18 | agenda. And that is to reduce fishing mortality.

19 |           So eels have a unique life history strategy, and  
20 | fishing mortality is really a concern, especially since all  
21 | fishing mortality occurs on prespawned individuals. And also  
22 | there is a concern about an --- fishery.

23 |           (Slide)

24 |           So the current status of eels along the coast -- the  
25 | last stock assessment was done in 2012. Based on that, there

1 are varying abundance indices that have different trends but  
2 the overall trend is that there has been some decline in  
3 abundance. So like in places like in the Hudson, in the  
4 south, there have been decreasing indices.

5           Around the mid-Atlantic region there has been  
6 stable -- and in the Chesapeake Bay there is actually some  
7 information to suggest that there has been some increasing  
8 abundance trends.

9           The general conclusion from the stock assessment is  
10 that the stock is depleted, and that is based on a combination  
11 of harvest pressure, reduced habitat -- and again, mainly due  
12 to fish blockages -- decreased water quality and possibly  
13 climate change since the eel stock relies on coastal current  
14 patterns to disperse larvae along the entire coast.

15           So that is where the depleted status comes from.  
16 Overfishing could not be determined. We don't have enough  
17 good information to really say what the actual biomass is.  
18 Again that has not been determined. Additional information is  
19 needed before reference points can be put forth.

20           (Slide)

21           The status of the fishery, you can see that for the  
22 commercial fishery, early on in the 1970s and '80s, there was  
23 a range between 2.5 and 3.6 million pounds of fish landed.

24           Since the mid-1980s, it has dropped a little bit,  
25 and currently the coastal harvest is between 700,000 pounds



1 and 1.5 million pounds. There is a glass eel fishery only in  
2 Maine and I think it is -- South Carolina or North Carolina,  
3 Tom?

4 MR. O'CONNELL: South Carolina.

5 MS. BUTOWSKI: South Carolina. That has been  
6 limited to some extent but it is about 20,000 pounds each  
7 year. But you can see that the price of the --- fishery is  
8 dramatic.

9 There is very little information on coastal  
10 recreational eel landings. It is very limited in scope and  
11 currently is -- we really don't have a good handle on what the  
12 recreational fishery takes of the eels.

13 So back when the Marine Recreational Fisheries'  
14 statistics program was in effect, they did some estimates. So  
15 around the 1980s they counted like maybe 160,000 eels were  
16 caught by the recreational fishery. And then they really  
17 re-examined how they collect the data, and there is really not  
18 enough information to say what the recreational fishery is.

19 So beginning in 2009, they no longer even try to  
20 calculate recreational landings.

21 (Slide)

22 The Maryland commercial eel harvest has been  
23 variable, as this graph indicates. And the average landings  
24 have been about 400,000 pounds over the long term. That is  
25 like a 22-year average.



1 out of these floats.

2           And it is some kind of delicacy over in China or  
3 something. They would directly take them to the airport. And  
4 I wondering has that taken any effect on the population of  
5 eels because like I said, last year was the most I have seen  
6 eels actually get hung up on lines in a long time in the back  
7 creeks because they had just went out of sight.

8           But the reason I ask that is because all that has  
9 something to do with the food chain, getting back to the  
10 rockfish as well so I am just curious. What is the percentage  
11 of commercial eels being taken out for market that is going  
12 overseas and different places?

13           MS. BUTOWSKI: You know, I don't know what the  
14 actual export of eels are. What size were they taking?

15           MR. WOMMACK: They had a float I guess about the  
16 square of these tables in here that they pulled right into the  
17 dock. And they had a truck come down with a vacuum system.

18           MS. BUTOWSKI: Could you tell the size of the eels?

19           MR. WOMMACK: Oh, there were all different types in  
20 there. You know, there were just bundles of eels in there. I  
21 don't know exactly what the size limit, you know, stretched  
22 out because they were twisted up. But I was just amazed at  
23 how many eels they were taking out, and I don't know how many  
24 times a week this was going on.

25           And that was just in this one particular river off

1 the lower Chesapeake Bay. And, you know, I talked to the guy  
2 and he was telling me they take it straight to the airport  
3 because it is a delicacy over there and they like to try to  
4 keep them alive until they get them over there.

5 And like I said, the last 7 to 10 years, I haven't  
6 really seen a lot of eel population for hook-and-line guys  
7 getting hung up eels anymore like it used to be at one time.  
8 So I am just curious.

9 MS. BUTOWSKI: Well, beginning this year, we have  
10 had a 9-inch minimum size limit so that was increased. So if  
11 they are taking eels that are smaller than 9 inches --

12 MR. WOMMACK: No, this was before this year. It was  
13 a couple years ago. I was just wondering what is the effect  
14 of the commercial people or businesses taking these eels out  
15 the bay and shipping them over -- on the population growth in  
16 the bay?

17 MR. BUTOWSKI: Well again, all of our commercial  
18 fisheries take eels before they are even -- before they have  
19 even spawned once. So no matter what stage you are at, you  
20 are having some impact.

21 Obviously smaller eels, which provide food for other  
22 organisms, that would be an issue. There is a big market for  
23 the Asian community for --- of smaller eels, for their market,  
24 their live market.

25 MR. WOMMACK: I remember at one time there was talk

1 about sectioning certain sections off in the bay just for  
2 that, keep the eels in until they were ready to get them. I  
3 don't know where it got to on that. I think that was  
4 somewhere down off of --- Island where they wanted to do that.

5 MS. BUTOWSKI: Well, that is another issue of  
6 concern, especially when they are congregating and moving  
7 upstream. They are extremely vulnerable to being caught in  
8 large quantities because they are concentrated as they are  
9 moving upstream. So you probably want to be mindful --

10 MR. WOMMACK: I would be curious to know what the  
11 commercial percentage of that is.

12 MS. BUTOWSKI: I don't know if we even have that  
13 information, to tell you the truth, as far as what goes for  
14 bait and what goes for food market or aquaculture.

15 MR. GOLDSBOROUGH: Thank you, Mack. Jim, you had a  
16 comment?

17 MR. GRACIE: Yes, maybe I am the only who doesn't  
18 understand. I thought you said you can't determine whether  
19 they are being overfished.

20 MS. BUTOWSKI: Right.

21 MR. GRACIE: What measures are you using? Since our  
22 population data is based on harvest, what measures are you  
23 using to say the population is in decline?

24 MS. BUTOWSKI: Well, the different indices.  
25 Different states have different indices. We actually can

1 calculate a catch per unit (CPU) effort based on the surveys  
2 that we do. So although we can't say exactly what the size of  
3 the stock is, there is too much uncertainty --

4 MR. GRACIE: I didn't see anything on CPU here. I  
5 saw harvest numbers, which you are up and down all over the  
6 place. It doesn't seem to really indicate any trends. I  
7 didn't see a catch per unit effort presented. Did I miss  
8 that?

9 MR. O'CONNELL: What me to comment, Nancy?

10 MS. BUTOWSKI: Go ahead.

11 MR. O'CONNELL: So as Nancy mentioned, the  
12 assessment of data that the technical committee reviewed  
13 wasn't a quantitative assessment. It was more juvenile  
14 indices along the Atlantic coast. They also developed a model  
15 that is based upon harvest that they can kind of use that as a  
16 proxy for population.

17 And when they compare that to historical levels, in  
18 looking at the juvenile indices, they determine that the  
19 population was depleted. They can't say that overfishing is  
20 occurring but just based upon their model, their model using  
21 the harvest and these indices, they believe that the  
22 population is depleted compared to historic levels.

23 And the difficulty for the management board is that  
24 the technical committee cannot offer what level of reduction  
25 is warranted.

1           MR. GRACIE:  When they listed the factors, they  
2 listed everything you could think of, with no weighting.

3           MR. O'CONNELL:  To Mack's point -- you guys remember  
4 the tsunami that hit Japan in 2011?  That wiped out the  
5 aquaculture farms for eels over there.  So that is what drove  
6 the glass eel fishery in Maine and the fishery in the  
7 Chesapeake Bay region is that those companies were seeking  
8 young eels to repopulate their aquaculture farms.

9           Fast forward a few years, they are back up and  
10 running and they are starting to put yellow eels back on the  
11 market, and that has decreased the prices.  And some of the  
12 decreased harvest you see is probably more related to lost  
13 market opportunity than reduced population size because the  
14 catch per unit effort is still about the same.

15          MS. DEAN:  I was just going to say that we do have  
16 the harvest data.  Every eel that comes over the side of a  
17 boat, whatever I do with it, I record it.  We do have that.  
18 But of course that leads back to what you were saying, Jim,  
19 about you know, if we are using that harvest data, how  
20 accurate is it?

21          Harvest goes up and down for numerous factors,  
22 including shifts in trend.  So to say that, you know, the  
23 population based on the harvest, we can quantify that, would  
24 probably be difficult to do.

25          But, yes, overseas is where they were going, keeping

1 | them alive. And my understanding was they would come back.  
2 | So it is kind of interesting.

3 |           MS. BUTOWSKI: Do you have an idea of what  
4 | percentage is going?

5 |           MR. O'CONNELL: I think it is a high percentage. I  
6 | am not positive of that.

7 |           MR. GOLDSBOROUGH: All right, any other comments or  
8 | questions for Nancy on eels before she moves on to spot and  
9 | croaker?

10 |           MR. O'CONNELL: Just one last comment. The Fish and  
11 | Wildlife Service was petitioned to list American eel as a  
12 | threatened or endangered species. They are going to be making  
13 | an announcement of their final determination here in the next  
14 | couple weeks.

15 |           You know, from some of the information they sent out  
16 | to the Technical Committee, it sounds like they will not list  
17 | them but they haven't made that determination yet. So if they  
18 | list it, it is probably going to present some pretty  
19 | significant challenges so we are hopeful that they won't and  
20 | we can continue managing --

21 |           MR. GRACIE: Based on the data, I would think it  
22 | would be pretty controversial if they did.

23 |           MR. O'CONNELL: In 2007 they were petitioned and it  
24 | was determined there wasn't sufficient information to list  
25 | them, and their report to the Technical Committee was



1 basically that there hasn't been much change in the  
2 information. That is where the people are starting to suggest  
3 that it is probably not going to be listed.

4 MS. BUTOWSKI: That is what I thought I had heard,  
5 that it wasn't going to be listed.

6 MR. O'CONNELL: They won't say formally but that is  
7 what --

8 ***Atlantic Croaker/Spot Fisheries Management Plan Review***

9 ***by Nancy Butowski, MD DNR Fisheries Service***

10 (Slide)

11 MS. BUTOWSKI: So going on to the spot and croaker  
12 FMP, our Chesapeake Bay program plan deals with both of these  
13 species in one plan. Again over the years it has been  
14 reviewed several times and updated regularly since 2007.

15 The management framework for spot and croaker mainly  
16 have to do with monitoring stock status and working  
17 cooperatively with ASMFC in the coastal process to reduce the  
18 harvest of small spot and croaker, to promote research and  
19 data collection and again to improve water quality and  
20 habitat.

21 (Slide)

22 Several actions that we are taking within the plan  
23 again had to do with minimum size limits for croaker and a  
24 recreational creel limit. And a commercial season open from  
25 March through September. There are currently no recreational

1 or commercial regulations for spot.

2 Reducing the catch of small fish in the Chesapeake  
3 Bay, at least from a Maryland perspective, is not that big of  
4 an issue. The Chesapeake Bay jurisdictions supported the use  
5 of by-catch reduction devices, especially in the southern  
6 shrimp fishery. And that has proven successful in reducing  
7 some of the by-catch.

8 And the bay jurisdictions would continue their mesh  
9 size restrictions for both trawl and gill nets. And again  
10 that was to reduce mortality for small fish.

11 (Slide)

12 We currently do not have any directed fishery  
13 dependent or independent surveys for spot and croaker.  
14 However, we do collect biological information on our finfish  
15 surveys. So there is a coastal bay and a Chesapeake Bay ---  
16 and a same survey that collects information on Young of the  
17 Year spot and croaker.

18 And we just started a pilot study in 2013 for gill  
19 net and that is in the Choptank River, looking at adult fish.  
20 The information on that has not been thoroughly processed but  
21 as years go by we should get some additional information on  
22 those stocks.

23 Improving water quality and habitat, again we  
24 continue to work with the Chesapeake Bay program to reduce  
25 nutrients, toxics, pollutions and protect wetlands and SAVs or

1 submerged aquatic vegetation.

2 (Slide)

3 From a coastal perspective, ASMFC developed a  
4 separate management plan for spot and a separate one for  
5 croaker back in 1987. The croaker plan since then has been  
6 replaced by Amendment I, which defined fishing mortality and  
7 spawning stock biomass reference points.

8 Since then there have been several addendums. One  
9 to expand the management unit or area. Before it was just  
10 like, kind of based on the middle plan of the region and now  
11 it is from New Jersey down to Florida. And they also revised  
12 the biological reference points.

13 Most recently, just in August of this year, they  
14 have established a precautionary management approach called  
15 the traffic light approach, which I will talk about in a  
16 little bit. And that again is both for spot and croaker.

17 For spot, again, just to reiterate, a plan was  
18 developed in 1987. There was recently an amendment in 2011,  
19 and that was for a couple of other species as well as spot  
20 because under the framework they did not -- well, this plan  
21 did not meet the standards that ASMFC had since adopted.

22 So they developed some triggers for management  
23 actions. But for both of these species, there are no required  
24 management actions by any of the coastal states. And again I  
25 will talk about the traffic light approach in just a few

1 | slides.

2 |           (Slide)

3 |           So the status of the stock: Croaker had a stock  
4 | assessment. The most recent one was in 2010. They determined  
5 | that overfishing was not occurring. But again estimates of  
6 | stock abundance were highly uncertain, and so they cannot come  
7 | to a conclusion about whether the stock is overfished or not.

8 |           However there are some indications that the stock is  
9 | in okay shape in that there has been increasing biomass and  
10 | the age structure within the stock has been expanding. So  
11 | there is still concern about the discards, and again I  
12 | mentioned that the by-catch reduction devices have been  
13 | successful at reducing the catch of small seine. It is  
14 | especially croaker and spot.

15 |           But however the discards haven't been quantified and  
16 | that is one of the reasons why it is uncertain as far as what  
17 | the stock biomass is at this point in time. For spot there  
18 | has been no coastal stock assessment either in Maryland or  
19 | along the coast so the status of the stock really is unknown.

20 |           There is some concern in regard to decreasing trends  
21 | in abundance along the coast. Again it is highly variable.  
22 | Spot is a short-lived species and reaches maturity early. So  
23 | we are expecting that there would be variability in population  
24 | but it has been variable.

25 |           Maryland juvenile indices have been again variable

1 over time without any trends so again we don't have a really  
2 clear picture as far as what the status of spot is.

3 (Slide)

4 As far as the commercial fishery goes, the coastal  
5 catch has been between 2 and 30 million pounds. Again that  
6 has been highly variable. Since about 2000 there has been a  
7 noticeable downward cycle but that is not unusual either if  
8 you look at the whole total picture. There seems to be a  
9 cyclic nature in harvest.

10 Maryland's long-term annual harvest has been around  
11 1 million pounds, and landings have been below or around 1  
12 million pounds for the last few years.

13 For spot, again the coastal commercial catch has  
14 been variable and between 3 and 14 million pounds. There has  
15 been a decrease since the 1990s and it has to do with -- the  
16 range has been closer than it had been before so there is less  
17 variability in the stock or commercial catch.

18 Most recently the coastal harvest has been 1.2  
19 million pounds. For Maryland, the commercial catch has been  
20 around 172,000 pounds and we have been around that for about 6  
21 of the last 10 years.

22 (Slide)

23 Regarding the recreational fishery, the coastal  
24 harvest estimates for croaker have been again variable, 3 to  
25 11 million pounds. The 2013 estimate is around 4 million

1 pounds.

2           That includes -- I was going to say that includes  
3 the discards or releases but I am not sure that is part of the  
4 estimate. I will have to go back and check on that. Maryland  
5 harvest estimates have been around almost a little less than  
6 800,000 pounds, and that has been about average for the last  
7 few years. Again, highly variable from year to year.

8           For the spot commercial harvest estimates, for  
9 recreational fishery, it has been between 1.3 and 6.9 million  
10 pounds. The most recent estimate for 2013 was around 3  
11 million pounds. Maryland harvest has been variable and most  
12 currently it has been around 280,000 pounds. That is for  
13 2013.

14           But again both these fisheries are highly variable  
15 from year to year.

16           (Slide)

17           I told you I would talk a little bit more about the  
18 new costal management approach, and it is called the traffic  
19 light approach or TLA for short. It is based on assigning  
20 different colors to categorize relative levels of indicators.  
21 And the condition of both the population abundance and  
22 harvest.

23           It is a precautionary approach for data-poor  
24 species, and it is considered just an interim approach until  
25 the next stock assessments can be completed. So both spot and

1 croaker both scheduled for coastal stock assessments in 2016.  
2 But until then this approach provides some statistical way and  
3 objective way to determine whether or not management measures  
4 are necessary. So I will show you a figure in just a moment.

5 But these levels -- red, yellow and green -- are  
6 assigned colors. And then as harvest increases or abundance  
7 increases, you would see more green on your figure. As the  
8 proportion of harvest decreases from the mean, then you would  
9 get more red.

10 (Slide)

11 So I just copied an example from the ASMFC croaker  
12 addendum. And this again illustrates what the traffic light  
13 approach is all about.

14 So generally the line between the yellow and the  
15 green, that is usually what your mean, long-term average  
16 should be for that particular characteristic. So this is the  
17 fishery independent traffic light approach, which is the  
18 abundance, the adult abundance characteristics.

19 There is another graph that they put together for  
20 the traffic light approach for recreational and commercial  
21 harvests. So you have two graphs to look at about those  
22 parameters.

23 The red and yellow line is usually about 60 percent  
24 of what the long-term average has been. So you can think of  
25 that as about a 40 percent reduction in either abundance,

1 | depending on what you are looking at, or harvest.

2 |           So the ASMFC has determined two levels that they  
3 | want to use as triggers. The first is a 30 percent level,  
4 | which is the lower line. And then a 60 percent level, which  
5 | is the top line.

6 |           So under the new management regime, what they would  
7 | do is like if we -- based on what we are looking at right  
8 | here. Back in the 90s, the middle ones, you noticed all the  
9 | red is above and there are three consecutive years where it is  
10 | above the 30 percent line.

11 |           So at that point, it would be determined that some  
12 | moderate management measures would be necessary to be put into  
13 | place. If the race went above the 60 percent line three  
14 | consecutive years, and this is for croaker, then you would  
15 | look at significant or more drastic management measures to  
16 | consider and to put into effect.

17 |           For spot it would be a two-year -- it has about the  
18 | same general framework as for croaker, with a 30 percent level  
19 | and a 60 percent level. Except that instead of looking at  
20 | three years spot would be after two years.

21 |           So if two years went by where the red light went  
22 | above 30 percent, you would think about establishing some  
23 | management levels. Those management levels have not been  
24 | determined at this point. And again this is a precautionary  
25 | management framework and just an interim approach until the



1 stock assessments can be completed.

2 (Slide)

3 So based on the information in the review, the  
4 fisheries service Plan Review Team noted that there were no  
5 requests for any changes in allocation, and right now we don't  
6 have any defined allocation between the commercial and  
7 recreational fisheries.

8 But based on the last 10 years of like harvest data,  
9 croaker, about 60 percent of the harvest has been for  
10 recreational and 40 percent for the commercial fishery. For  
11 spot, it has been about 70 percent of the total harvest for  
12 recreational and 30 percent for the commercial.

13 But there were no public input or requests to change  
14 any of the allocation framework. Currently we have -- our  
15 harvest limits on croaker are more conservative than the  
16 coastal -- what ASMFC requires. And again, like I mentioned,  
17 there were no restrictions on spot whatsoever.

18 Both species are under this new traffic light  
19 approach management scenario, which may result in some  
20 management measures over the next few years but to date the  
21 team recommended that the FMP is still an appropriate  
22 framework for managing the spot and croaker stocks in the  
23 Chesapeake Bay, the Maryland portion, and recommend that the  
24 plan be reviewed again after the stock assessments are  
25 completed in 2016.

*Questions and Answers*

1  
2 MR. WOMMACK: I know you said the stock assessment  
3 is going to be in 2016, but I truly feel you will be behind  
4 the eight ball because there are issues going on with the  
5 croakers and the spot and the schools. In my personal fishing  
6 and charter boat captains that depend on them -- and headboat  
7 captains depend on that type of fishing -- the fish aren't  
8 there.

9 The schools are smaller, they are spread out. Now I  
10 know a couple years ago we had something unusual happen where  
11 the water cooled down.

12 MS. BUTOWSKI: What, winter kill?

13 MR. WOMMACK: We lost a lot of juvenile. But even  
14 this year, the demand was on for small spots just for  
15 live-lining. And they weren't there. Usually you would see a  
16 lot of juvenile croakers and spot just taking -- what I call  
17 bait thieves. But they weren't even there this year.

18 So it really worries me because without that next  
19 generation around, where are we going to be at because in my  
20 personal -- I see the schools starting to get smaller and  
21 smaller for both species. I think they need to get on that  
22 assessment as soon as possible.

23 MS. BUTOWSKI: Well, hopefully the traffic light  
24 approach will help us a little bit too in the interim until we  
25 get those completed.

1 MR. GOLDSBOROUGH: Nancy, are you done?

2 MS. BUTOWSKI: Yes.

3 MR. GOLDSBOROUGH: Okay. I did have a hand already,  
4 and that was Vince. And then I will get you, Shawn.

5 MR. RINGGOLD: In regard to spot, I apologize. I  
6 don't know the gentleman's name, but is my understanding that  
7 fisheries is doing a study with spot to where they are  
8 actually trying to design a better spot trap because spot  
9 traps always have been the issues.

10 Where -- do we have any information on where that is  
11 and what is going on with it at this time?

12 MS. BUTOWSKI: I don't know. I don't have the  
13 answer to that but I can find out for you.

14 MR. O'CONNELL: Based upon our previous spot pot  
15 trap discussions, staff have reached out to some commercial  
16 fishermen to conduct some field studies this year, trying to  
17 get a better understanding of by-catch issues and, you know,  
18 the current trap designs that are utilized.

19 I know that study was initiated earlier this year.  
20 I don't know the status of it right now. We could find out  
21 and get back to you.

22 MS. BUTOWSKI: I don't think we -- we must not have  
23 the information because Harry didn't provide it, and he would  
24 have been the one that was doing the sampling. So hopefully  
25 early next year, beginning in January, we should have some

1 information on that. We could get back to you.

2 MR. GOLDSBOROUGH: Thank you, Vince. Shawn?

3 MR. KIMBRO: Just two quick questions. First of  
4 all, on the commercial spot landings chart, does that data  
5 include spot that are caught and used for bait in the  
6 hook-and-line fishery?

7 MS. BUTOWSKI: No.

8 MS. DEAN: Yes.

9 MS. BUTOWSKI: For the commercial?

10 MS. DEAN: Yes. I have to report that. I report  
11 that on my log.

12 MR. KIMBRO: How do they report that?

13 MS. DEAN: Every day we have to write in the gear  
14 code that we use and the type of fish that we caught, and you  
15 have to record either in pounds or numbers.

16 MS. BUTOWSKI: So that was commercial hook-and-line.

17 MS. DEAN: Yes, because it is under a TFL.

18 MR. KIMBRO: And the next question is on the  
19 recreational harvest. So correct me if I am wrong, some of  
20 you guys who have been doing this a long time: The boom in  
21 live-lining using spot has just come along recently here.  
22 Does that sound right? Have we been doing that, Ed, for a  
23 long time?

24 MR. O'BRIEN: I would say it really has picked up  
25 the last five or six years.

1 MR. KIMBRO: So when I am looking at the chart, I  
2 see, you know, 2007, 2009, the harvest was really up. But  
3 otherwise it is not up. So this kind of doesn't jibe with  
4 what we are seeing out there on the bay.

5 MR. GOLDSBOROUGH: Okay, I have got Phil next and  
6 then Jim and then you, Ed.

7 MR. LANGLEY: I just want to touch base with what  
8 you were saying, Ed, as far as -- what I saw this year as far  
9 as, in my travels, it was an abundance of mature spot this  
10 year. Probably a two, three year class.

11 The juvenile spot were very scarce except for they  
12 did show up about August. So there was --- on spot. From  
13 what I understand with the spot being a, with the short life  
14 cycle, I am hoping with the numbers of mature spot that we  
15 had, that we have a year with high salinity conditions.

16 From what I understand, croaker and spot spawn  
17 better, reproduce better in high salinity years than they do  
18 in wet years or low salinity conditions. So with the number  
19 of mature spot we saw in the bay this year, I am hoping the  
20 numbers of juvenile spot next year --

21 MS. BUTOWSKI: As long as we don't have a cold  
22 winter.

23 MR. GOLDSBOROUGH: Thank you, Phil. Jim?

24 MR. GRACIE: You have got a slide, Nancy, that  
25 showed some ranges and said the variability has decreased.

1 Was that based on just the range or was there a standard  
2 deviation from mean or what?

3 MS. BUTOWSKI: That was based on range.

4 MR. GRACIE: It really looked to me like the  
5 variability was four-fold in each case, just the numbers went  
6 down.

7 MS. BUTOWSKI: That was for the --

8 MR. GRACIE: I couldn't write fast enough to catch  
9 which one it was.

10 MS. BUTOWSKI: Was that the spot? That was for  
11 spot?

12 MR. GRACIE: I think it was. It had 4.6 to 14  
13 million at the initial one --- . It is still roughly four-  
14 fold in each case, just the numbers went down. But you didn't  
15 have a mean and standard deviation to base that on. Just the  
16 range?

17 MS. BUTOWSKI: That was based on ASMFC coastal  
18 information.

19 MR. GRACIE: Okay. And the other thing is I really  
20 don't understand this --

21 MS. BUTOWSKI: Traffic light approach?

22 MR. GRACIE: Traffic light thing. Can you go  
23 through that really slow or is there something I can read on  
24 it?

25 MR. GOLDSBOROUGH: Red means stop.

1 MR. GRACIE: The higher numbers mean less or  
2 something. It is just really confusing.

3 MS. BUTOWSKI: Well, again, the level where the  
4 yellow and the green coloring would be, that would be like  
5 what the long-term average would be.

6 MR. GRACIE: The juncture between yellow and green.

7 MS. BUTOWSKI: Yes.

8 MR. GRACIE: Okay.

9 MS. BUTOWSKI: And so then they take a 60  
10 percent -- 60 percent would be where the yellow and the red  
11 come together, all right?

12 MR. GRACIE: And what does the red mean?

13 MS. BUTOWSKI: The red means a decrease. So if you  
14 get a --

15 MR. GRACIE: So a .68 red is a greater decrease than  
16 a .66 red.

17 MS. BUTOWSKI: Well, you want to look at it the  
18 other way around. So you are looking at like up. You are  
19 looking at it up. So this is in relationship to one another,  
20 so it is proportion and percentage of the whole. So when you  
21 get your red above your threshold lines or your trigger lines  
22 actually, that is when you would want to think about doing  
23 some management measures.

24 MR. GRACIE: What are the trigger lines?

25 MS. BUTOWSKI: 30 percent of --

1 MR. GRACIE: Of what?

2 MS. BUTOWSKI: Of the total. And again, it is based  
3 on statistics.

4 MR. GRACIE: Is there something I can read, because  
5 I need to think about this. I am just totally confused. It  
6 is counterintuitive to me.

7 MS. BUTOWSKI: Again this has to do with like  
8 proportions and -- so when the red line is increasing --

9 MR. GOLDSBOROUGH: There was a discussion on it I  
10 believe at the summer meeting of ASMFC. And the South  
11 Atlantic Board, the Technical Committee presentation -- you  
12 can go online and see that presentation. That might help you.

13 MR. GRACIE: Thank you. I will do that.

14 MR. GOLDSBOROUGH: I have got Ed and Rachel, and  
15 then we will wrap this up because we have got to move on.

16 MR. O'BRIEN: Yes, on the spot I think Phil said it  
17 well. But what did you say the life cycle for the spot is?  
18 How long do they live typically?

19 MS. BUTOWSKI: Well, they reach maturity really  
20 early. I think that it is only --

21 MR. LANGLEY: Two or three years, I believe.

22 MS. BUTOWSKI: Yes, it is only like two or three  
23 years, four years.

24 MR. O'BRIEN: I have heard four years. To me, it is  
25 a breed of fish that remarkably recycles itself. This year,



1 anybody, any charter boat captain will tell you -- who is  
2 live-lining -- will tell you that we have seen the biggest  
3 spot overall that we have seen in a long time. I mean, they  
4 are huge. They are huge. They are great in a frying pan.

5           Last year, we had all these little ones. You know,  
6 big difference between what showed up this year early and last  
7 year. And of course they were the best bait to use, the small  
8 spot.

9           Just like Phil says, about August, the small ones  
10 were starting to show up again. Now we had some people who  
11 were really worried about the spot. And different motives for  
12 that. Some people don't like the commercial hook-and-line  
13 season. So they were very worried about spot, spot pots and  
14 that kind of thing.

15           But my experience is they recycle themselves very,  
16 very regularly and dramatically. And I don't think we have to  
17 worry about them as much as we do croaker. We haven't had  
18 good croaker in so long -- and I read all the stories about  
19 the hauls made at the mouth of the bay. They just haven't  
20 come back.

21           MS. BUTOWSKI: Well, some species are particularly  
22 susceptible to environmental conditions as well, so --

23           MR. O'BRIEN: On that issue, what environmental  
24 issue do you think is negative toward spot?

25           MS. BUTOWSKI: Well, especially like -- cold kills

1 | happen in the wintertime --

2 |           MR. O'BRIEN: Okay, I remember.

3 |           MS. BUTOWSKI: -- especially for smaller fish. They  
4 | get caught in the bay and they are in shallow waters. I think  
5 | we had significant fish kills.

6 |           MR. O'BRIEN: When they spawn, it is a very short  
7 | cycle before that gets to that, and it can come in one season,  
8 | the first season.

9 |           MS. BUTOWSKI: They have a --- spawning too  
10 | depending again on environmental conditions.

11 |           MS. DEAN: Ed said it well. It is up and it is  
12 | down. And I do -- I personally target them using pots. And I  
13 | just say I couldn't believe what I was seeing in May, the  
14 | small ones. I thought it was early for them. And then, you  
15 | know, all of a sudden we got all of these big fish. Of  
16 | course, I guess they are a different year class. But just the  
17 | ups and the downs -- I mean, I wish we could put our finger on  
18 | them.

19 |           The other thing is -- and I know it is anecdotal,  
20 | but sometimes that is what we talk about, there kind of was a  
21 | question about maybe the shift, we should see an increase in  
22 | the commercial harvest. But I can say that I have been out  
23 | there fishing and had another commercial fisherman say to me,  
24 | well, the rockfish aren't here right now. I think I am going  
25 | to head back to netting the spot for market.

1           So, you know, he might have left his netting of spot  
2 to spot pot to target the rockfish, get that trend. Then he  
3 returned to netting. So it is kind of, you know, one half  
4 dozen in the other -- that might be where we are not seeing  
5 the change in the increase that you might see.

6           It might be again the trends of where people are and  
7 what they are doing.

8           MR. GOLDSBOROUGH: Thank you, Nancy. I think we are  
9 going to move on now. Let's go the Coastal Fisheries Forum.  
10 And Lynn, you are subbing for Mike, I think?

11          MS. FEGLEY: Yes, I am.

12                               ***Coastal Fisheries Forum Update***

13                           ***by Lynn Fegley, Maryland DNR Fisheries Service***

14          MS. FEGLEY: Okay, I think I can catch us up quickly  
15 here. Just so that you are all, to remind  
16 everyone -- hopefully you got an e-mail from us. As you all  
17 know, we had a coastal fisheries advisory meeting, and we have  
18 replaced that process with a new one called our Coastal  
19 Fisheries Forum.

20           And in order to try to grab a more diverse and  
21 representative group of our stakeholders down there -- and we  
22 are going to hold these twice a year. We advertise it on our  
23 Website. We send out a blast e-mail. We put together an  
24 agenda and we ask for input.

25           We had our first one. Mike and Carrie Kennedy and I

1 | went down there on September 23rd. It was great. We met a  
2 | lot of people both on the recreational and commercial side,  
3 | and that day the two hot topics that we covered were striped  
4 | bass and also summer flounder.

5 |           Striped bass, we walked through the upcoming  
6 | addendum, got some feedback from our stakeholders. And I am  
7 | thinking that people showed up consequently at the subsequent  
8 | hearing for ASMFC.

9 |           The other big one is summer flounder. We had  
10 | a -- there is a public comment document out right now. It is  
11 | a joint document from the Atlantic States Marine Fisheries  
12 | Commission and from the Mid-Atlantic Fisheries Management  
13 | Council.

14 |           You can access this document on the ASMFC Website if  
15 | you go to summer flounder, and I would highly, highly  
16 | recommend that every person go take a look at what this  
17 | document is. This is an interesting process. In 2001, round  
18 | about, summer flounder was allocated -- for the recreational  
19 | sector it was allocated to states along the East Coast based  
20 | on harvest in those states in 1998. That is one year.

21 |           The commercial sector got a little different  
22 | allocation scheme. That allocation scheme started causing  
23 | some problems among the states. There was an addendum passed  
24 | in 2014 that moved us, for recreational flounder fishing, into  
25 | a regional management.

1           And so now there is this thought that there is this  
2 changing distribution in summer flounder up and down the  
3 coast, that there is more -- the fish are moving north. And  
4 so both the commission and the council are interested in  
5 surveying constituents to discuss a whole -- shaking up the  
6 summer flounder management.

7           And it is an interesting process because what they  
8 are asking you to do now is to really comment broadly on your  
9 thoughts on summer flounder management up and down the coast.  
10 There are five management issues. Public comment is open  
11 until October 31st. You have got another two weeks.

12           We had a meeting, the Atlantic States and the  
13 council, there was a meeting down in, an Atlantic States  
14 meeting in Ocean City earlier this month but if anyone wants  
15 to get to an Atlantic States meeting and hear what this is  
16 about personally, I will just let you know there is another  
17 meeting in Washington, DC, on October 21st.

18           All of this information is on the commission  
19 Website. And I would just definitely encourage people to go  
20 out there, look at the document. And if anyone has any  
21 questions about it, Carrie Kennedy is a great resource, Mike  
22 Luisi or I are available to answer questions.

23           MR. GOLDSBOROUGH: Thank you, Lynn. We can send out  
24 to everybody the link to that document?

25           MS. FEGLEY: Sure.

1 MR. GOLDSBOROUGH: Any questions for Lynn?

2 (No response)

3 MR. GOLDSBOROUGH: Good.

4 MS. BUTOWSKI: I forgot to mention something at the  
5 end. If everybody, if they have any comments or reviews for  
6 either the eel or the croaker/spot FMPs, just to get those to  
7 me by October 31st as well.

8 MR. GOLDSBOROUGH: Okay. Tom, you want to take us  
9 through ASMFC?

10 ***Overview of ASMFC Annual Meeting of October 27-31***

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

12 MR. O'CONNELL: So the Atlantic States Marine  
13 Fisheries Commission is having their annual meeting in  
14 Connecticut the week of October 26. A couple of big topics  
15 that are on the commission's agenda: One is American eel. We  
16 touched on that a little bit earlier.

17 Measures that impact recreational fishermen with  
18 eels have already been addressed in the previous action.  
19 Increasing the minimum size limit from six to nine inches,  
20 that is already done. This addendum focuses on the commercial  
21 yellow eel and glass eel fisheries so I don't think I need to  
22 go into a lot of detail of that at this meeting.

23 We obviously will be talking more about it at the  
24 Tidal Fisheries Advisory Commission. But if you have  
25 questions on that, let me know. And then I want to talk

1 | about striped bass. But first, any questions on eels?

2 | (No response)

3 | MR. O'CONNELL: All right. So striped bass is the  
4 | other major action item on the commission's agenda. The  
5 | meeting is on the 29th. And the board has been given I think  
6 | seven or eight hours to have the meeting, which is a marathon  
7 | meeting for the commission.

8 | We have spent a lot of time over the past year  
9 | talking about striped bass. Many of you came to the ASMFC  
10 | public hearing. Maryland had a great turnout. There was a  
11 | little over 100 people there. And the diverse perspectives on  
12 | the issue was well-voiced to the commission staff person  
13 | conducting the hearing.

14 | You know, I don't think I should go into a lot of  
15 | detail. I think a lot of you already know the issues that are  
16 | before the commission. I will probably open it up to see if  
17 | you guys have some questions. But just in a nutshell, you  
18 | know, the board is going to be looking at adopting the new  
19 | reference points.

20 | And those reference point implications are that we  
21 | no longer have a Chesapeake Bay reference point but there is a  
22 | commitment to make it a priority for the Technical Committee  
23 | to come back to the board with recommend bay reference points.  
24 | But we will not have them for at least 2015.

25 | The second issue is what is the timeframe for the

1 board to reduce fishing mortality to the target level. And  
2 Amendment VI calls for one year right now. And this addendum  
3 provides the flexibility to pursue that for three years. It  
4 could also mean two years.

5           And then lastly once the board makes those  
6 decisions, what are the management options that are going to  
7 be used to achieve that reduction over that timeframe?

8           And a one-year reduction is going to require -- a  
9 one-year timeframe to reduce fishing mortality to the target  
10 is going to require a 25 percent reduction the first year.  
11 And there has been some misunderstanding that while it is  
12 called a one-year plan, it is likely to be in place for at  
13 least three years because there is not another assessment  
14 until that time.

15           If the bay reference points are developed, perhaps  
16 that is another period that they will be reassessed but likely  
17 to be in place for three years. A three-year plan, there are  
18 two options: One is to reduce the harvest 17 percent the  
19 first year and keep those measures in place for three years.  
20 And over the three-year period you achieve the necessary  
21 reduction.

22           And the other three-year plan is where you do a  
23 tiered reduction of about 7 percent each year for three  
24 consecutive years. So unlike the three-year option with the  
25 17 percent reduction where you implement the measures and you



1 just hold them in place for three years, those same measures.

2           The other three-year option is you take a 7 percent  
3 reduction the first year, you take another 7 percent the  
4 second year, another 7 percent the third year. And you are  
5 basically reducing the quota scale or you are increasing the  
6 size limit each year.

7           So those are the three options that are available.  
8 I mean, those are the options that are available. ASMFC had  
9 incredible turnout of the public for these public hearings,  
10 from Maine to North Carolina.

11           I think you have heard me say before that while we  
12 will not make our final position until after the board's  
13 deliberation, that going into the meeting, we feel like our  
14 area to protect the female spawning stock is in the spring.  
15 That is part of the coastal recreational fishery.

16           We should take the 25 percent reduction. That would  
17 require us to go to a 36 inch size limit in that spring trophy  
18 fishery. In regard to the summer/fall, you know, our current  
19 perspective is that we should go with the three-year plan  
20 because our fishery is predominantly males. And that will  
21 allow time for the Technical Committee to come forward with a  
22 reference point.

23           I think it is a little misleading for the public to  
24 think that a 25 percent reduction in the bay is going to  
25 result in protection to the female spawning stock. People

1 have asked questions regarding the sex ratio issue. And I got  
2 some further clarification of that this morning that I want to  
3 pass along to you.

4           So those of you who have been coming to meetings  
5 have heard me say that, you know, we strongly believe that our  
6 fishery in the summer/fall/winter is male fish. The Technical  
7 Committee is saying that they don't have sufficient sex ratio  
8 data to come up with the bay reference points.

9           That in turn has led people to believe that our data  
10 is flawed. That is not the case. We have four separate  
11 surveys for about 10 years that looks at the sex ratio of fish  
12 from mid-May through February, and those surveys year in, year  
13 out, show 70 to 90 percent of those fish are males.

14           The issue with the Technical Committee is one, is  
15 that to utilize the statistical catch at age model that they  
16 use in the stock assessment, they need sex ratio by size. And  
17 there is some variability with the sex ratio by size that they  
18 are having some trouble working through the model.

19           They do not argue that Maryland's summer/fall  
20 fishery is predominantly male. That is not -- that is a fact.  
21 The issue is that there is some variability in the sex ratio  
22 data by size that is making it challenging for them to  
23 recalculate the Chesapeake Bay reference point.

24           A bigger issue is they have less data on sex ratio  
25 by size for the coastal population. And when they recalculate

1 the bay reference point, they need to go back and recalculate  
2 the coastal reference point.

3           So I just want to make it very clear that it is not  
4 a matter of question as to whether or not our summer/fall  
5 fishery is a male predominantly fishery. It is. The issue  
6 that the Technical Issue is having goes beyond that fact in  
7 the way they have to incorporate the data and the model that  
8 is making it challenging for them to come up with the bay  
9 reference points.

10           So, you know, we feel that, you know, our ability to  
11 take action is on the fisheries that interact with the  
12 spawners, and that is the spring fishery. It is going to come  
13 as an impact, but that is one area that we can play our part  
14 to help protect this resource.

15           In regard to the summer/fall fishery, you know, it  
16 is largely going to be a reduction of male fish. And that is  
17 not going to offer the protection that the commission is  
18 seeking at this time.

19           We should take some action. Some of the interim bay  
20 reference points do suggest that we take some corrective  
21 action in the bay. And taking a three-year plan allows us to  
22 initiate that reduction, but also allows time for the  
23 Technical Committee to come back to the board with some new  
24 reference points.

25           So that is where we at. I know a lot of the

1 organizations have submitted their associations' positions,  
2 and it varies across the board, across the spectrum of options  
3 that the board will consider.

4 But if there is any additional feedback that you  
5 guys want to provide to me today -- Bill is also sitting on  
6 the board and Russell Dize from Senator Coburn's office. We  
7 will share input from the two commissions with him. Or any  
8 questions, I will be happy to try to address them.

9 *Questions and Answers*

10 MR. GOLDSBOROUGH: Rachel?

11 MS. DEAN: I just wanted a clarification. Did I  
12 hear you say that if we implement these reference points,  
13 ASMFC will then have to go back and adjust the coastal  
14 reference? So for example, they would have to then possibly  
15 admit that there is more mortality outside --

16 MR. O'CONNELL: That is exactly -- right now, they  
17 have kind of averaged things between the coast and the bay,  
18 and they say a 25 percent reduction, right?

19 MS. DEAN: I couldn't figure out the resistance. I  
20 get it.

21 MR. O'CONNELL: If you go into the stock assessment,  
22 there is one very important graph. And the last stock  
23 assessment looked at fishing mortality across the bay fishery  
24 and the coastal fishery.

25 And if you look at the bay fishing mortality, that

1 fishing mortality trend has been stable to decreasing because  
2 we have been adjusting the quotas downward as the population  
3 shrunk.

4 The coastal didn't have that management tool, and  
5 the coastal fishing mortality went up from 2004 to like to  
6 2008 and then it has come back down because population size  
7 decreased.

8 If you then look at the updated stock assessment  
9 fishing mortality graph, that shows that we have been  
10 overfishing in several of the last 10 years, it corresponds  
11 identically to the years that the coastal fishing mortality  
12 was up.

13 So if you look at why have we been overfishing for  
14 the last 10 years, it seems very clear to me that it is not  
15 the bay fishery. It is the coastal fishery.

16 And you are exactly right, Rachel, that if they  
17 recalculate the bay reference point and that fishing reduction  
18 is decreased from 25 percent to a lower percent, that means  
19 that the coastal fishing harvest reduction has to be higher.

20 MS. DEAN: And that is why the Technical Committee  
21 dragged their feet.

22 MR. O'CONNELL: Hope not, let's hope not.

23 MR. GOLDSBOROUGH: Mark?

24 MR. DEHOFF: Just for clarification, we actually  
25 have a meeting after this meeting of our MSSA group, and just

1 for clarification on the one, two, three year, even though  
2 they are called one, two and three year, basically if nothing  
3 changes between now and the next assessment, whatever is  
4 brought into play for 2015 might very well stay on the books  
5 until the next assessment.

6 MR. O'CONNELL: Yes.

7 MR. DEHOFF: So it is possible that if we were to  
8 choose, or if 25 percent were to come down, it is going to be  
9 25 percent for 3 years.

10 MR. O'CONNELL: The only way that it would change is  
11 that if the Technical Committee came up with reference points  
12 for the bay. Other than that, it is going to be in place  
13 until the next assessment, which is three years out.

14 MR. GOLDSBOROUGH: Ed?

15 MR. O'BRIEN: On the reference points, I mean, I am  
16 not asking you to comment, but being involved with this since  
17 before the moratorium, there has always been this bias up  
18 north toward the bay. With certain other organizations  
19 chiming in. It has always been there.

20 And on the reference points, looking at the  
21 Technical Committee, it seems to me that they have been in no  
22 hurry to come up with bay reference points. We are starting  
23 to raise some hell now, and that is going to get some kind of  
24 apparent results. But they have not been in any hurry.

25 Now I know the charter boat captains up there, and I

1 | hear their comments. We are up against it, and it is the same  
2 | people with the same states, and a lot of this, you know,  
3 | really settles up in Maine and comes down. Maine is very  
4 | important.

5 |           Now going back to something I said before, I really  
6 | feel that wherever we can have everybody do it the same way is  
7 | important on any issue. But I don't want to cast in stone  
8 | what I said relative to catch and release. But it is an  
9 | important factor. It is important to me because it is one of  
10 | the things I hear about all the time.

11 |           And if Bill will remember, and part of our  
12 | delegation disagreed, but I came to the forefront when Jensen  
13 | was not there for that one meeting in support of our fishery  
14 | up the bay, Susquehanna Flats. And I still support that  
15 | because that was something at ASMFC that drove them nuts.

16 |           And states rights, we took our states rights and had  
17 | that recreational catch-and-release fishery, no live bait, and  
18 | some of the things we did, you know, no live bait.

19 |           Taking this where there has to be commonality when  
20 | it comes to decisions. I just abhor having to face charter  
21 | boat captains and recreational fishermen once it gets around  
22 | if the commercial fishery can keep an 18-inch fish,  
23 | hook-and-line, and we have to go to 20 or 19. I abhor that  
24 | and how that will react from a PNR standpoint.

25 |           And the other thing is, you know, I read some things

1 and it looks to me that they would want their commercial  
2 fishery on the coast to come out of all this whole or even  
3 getting some more pounds. And I abhor that. How that is  
4 going to settle down with the general population, the charter  
5 boat captains, et cetera.

6 MR. LANGLEY: I guess my question is to you Tom or  
7 Bill or whoever can possibly answer it. But based on the  
8 Chesapeake Bay reference points, that you have got a pretty  
9 good idea that the numbers are good. If they were implemented  
10 what cutback would have been necessary for the Chesapeake Bay,  
11 if any?

12 MR. O'CONNELL: It is not as black and white. So  
13 the interim reference point option that the Technical  
14 Committee came up with, one, it utilized the same model  
15 approach that was used for the coast. So that was consistent  
16 and that was a big plus to it. But it was not able to  
17 incorporate the predominance of males into that reference  
18 point.

19 But using that approach, which was very conservative  
20 because it basically assumes the same sex ratio rather than  
21 the predominance of males, it came up with a reference point  
22 that our technical person believes would have resulted in a 10  
23 to 15 percent reduction in the bay versus 25 percent.

24 And again that does not take into account the  
25 predominance of males, so that level of reduction should be



1 | considered a high value from where we would be if the model  
2 | did account for males.

3 |           MR. LANGLEY: So 10 to 15 percent would have been  
4 | conservative.

5 |           MR. O'CONNELL: Yes. And if you look at the  
6 | three-year options, you are kind of bracketing where we would  
7 | have been. So if we go with the three-year option and we get  
8 | the bay reference points, we may find ourselves in the  
9 | position where we could just maintain status quo after the  
10 | first year.

11 |           So rather than going 19, 20, 20, we could stay at  
12 | 19. Or if we started with 20, I guess we are stuck with 20  
13 | maybe. Maybe fall back to 19. But, you know, it is a lot of  
14 | heavy lifting to do between now and then.

15 |           MR. LANGLEY: It is going to be a tough sell?

16 |           MR. O'CONNELL: Yes, I mean -- well, I will leave it  
17 | at that.

18 |           MR. GOLDSBOROUGH: Any other questions? Rachel?

19 |           MS. DEAN: I was just going to address what Ed  
20 | O'Brien brought up. We have got a little bit of confusion in  
21 | the commercial industry too. I know that it is on the table  
22 | for the size differences and the discrepancy. And I have  
23 | heard a lot of things from, you know, we have it in other  
24 | species, the size differences and all.

25 |           But we have a shorter timeframe to work with,

1 knowing that this needs to be implemented by essentially  
2 January. So I would love to have that discussion. I had  
3 hoped this would meeting would happen after ASMFC made that.

4 And I don't really know -- I mean, where you guys  
5 are going to come to a consensus. Is it the size change that  
6 you are looking for, whatever.

7 So it is kind of hard for me to take it back and be  
8 like, look, this is an issue that they are having. You know,  
9 and predominately it will probably be our pound net fishery  
10 and the hook-and-line fishery that it would affect.

11 But I just -- we don't know how it is going to play  
12 out either, and of course then, you know, NRP and all those  
13 other issues. Although, like I said, other fisheries may have  
14 it. So we are kind of on edge too.

15 MR. O'BRIEN: But you know the conversation is going  
16 around.

17 MS. DEAN: Yes, definitely. And we are attuned to  
18 it and aware and we are just, you know, I guess we won't even  
19 have an opportunity to meet with the department on that. And  
20 your decisions probably won't be made --- January 1.

21 MR. O'CONNELL: Well, one is that, you know, we  
22 don't have any scheduled commission meeting and we could  
23 schedule one, but we also will have a public outreach to scope  
24 the idea and then a hearing for the regulatory proposal so we  
25 will have opportunity to hear.

1           But I think you bring up a really good point that  
2 absent all that, we know that the recreational fishery is  
3 either going to be 19, 20 or 21 in the summertime. And the  
4 question I would like to hear from tidal fish Thursday night  
5 is, you know, could they live with an increased size at 19 or  
6 20 or 21.

7           You know, the one three-year option is 19 and then  
8 20 and 20. And if we get new bay reference points, maybe we  
9 stay at 19. I don't know. But is there a size limit that  
10 would be, you know -- could the commercial guys live with some  
11 size limit increases?

12           It is not a biological issue. It is a user conflict  
13 issue largely between the commercial hook and liners and the  
14 charter boats fishing on the same area.

15           MS. DEAN: And I can't answer that question or speak  
16 to it but I will say that I think -- even myself, I get  
17 frustrated when I think, I know, I am taking the cut. I know  
18 it is coming right off the top. Now I need to increase my  
19 size too.

20           And I understand this commission's concerns with  
21 that but I also feel like, okay, now what? What is next? I  
22 have got an upper limit. I have got a lower limit. And it  
23 keeps kind of squeezing in so I would like to have that  
24 conversation and continue that conversation.

25           MR. GOLDSBOROUGH: Mark?

1           MR. DEHOFF: One comment and piece of data we need  
2 to make sure we keep I mind when we talk about these minimum  
3 sizes and what we are going to do: We all know that right now  
4 the future of the stock is based on our 2011 year class.

5           And those sizes, those fish, are just now going to  
6 be 18, 19 inches long. And if we have any intent of  
7 protecting them -- because we still need to give some  
8 protection to these fish because it is the last big spawn that  
9 we have had, that we need to be careful that we don't like  
10 make the size too small so that we end up taking our next set  
11 of big spawning class females out of the population before  
12 they become spawning age.

13           MR. O'CONNELL: And just to give you a sense of  
14 what -- based upon our understanding of growth rates, if we go  
15 to a 20-inch size limit next year, 45 percent of the 2011 year  
16 class is expected to be less than 20 inches, all right? So  
17 almost one of every two 2011 year class you are going to have  
18 to release because they are less than 20.

19           In 2016, they are all above 20 inches. So the  
20 protection of the 20-inch size limit on the 2011 year class is  
21 really for next year. If you go to a 19-inch fish, it is  
22 probably about a quarter. If you go to a 21-inch fish, you  
23 are looking at like three-quarters.

24           So then it gets back to some of the issues of  
25 concern about discard mortality. You want to give protection

1 | but you don't want to lose a lot with discard mortality so  
2 | what is that right balance there?

3 |           MR. GOLDSBOROUGH: Vince.

4 |           MR. RINGGOLD: Looking on this, I mean, from  
5 | different aspects, I know a lot of people would like to see  
6 | status quo. And I know you are going to do your best to get  
7 | the minimum instead of pushing it but can you explain to me  
8 | what is going to inhibit us from getting a 19-inch fish or a  
9 | 20-inch fish and making us push to a maximum of 21.

10 |           From a charter boat industry, with what I am  
11 | learning, a 21, I might as well through my license away  
12 | because I am the new kid on the block and it ain't happening.  
13 | Okay? So can you explain to me what is going to prevent us  
14 | from going in and saying, we need 19 and we are planning on  
15 | doing A, B, C, D and E to show you that we can maintain 19 and  
16 | still do what we need to do.

17 |           As opposed to either going to 20 -- and like I said,  
18 | God forbid 21 inches.

19 |           MR. O'CONNELL: I can't speak for Bill and Russell  
20 | Dize but right now Virginia and Maryland want to, they are  
21 | going to go in and push for that three-year plan. What is  
22 | going to prevent us from leaving there with that flexibility,  
23 | it is 15 other votes on the commission.

24 |           There are 16 votes. We need 9. You count outside  
25 | the bay region -- I mean, with the bay region, you have 4.

1 Potomac River, DC, Maryland, Virginia. There are not many  
2 other states that are interested in pursuing a plan outside of  
3 the one-year plans. So, you know --

4 MR. RINGGOLD: Assumably we have those four so we  
5 are almost halfway there.

6 MR. O'CONNELL: Yes. So it is big lift but we are  
7 doing what we can to make the arguments and to do what we need  
8 to be partners on this conservation effort but also make it a  
9 priority to bring better science to the table so we are being  
10 treated fairly.

11 MR. RINGGOLD: And that is why I think it is  
12 important that we go in with more of a comprehensive plan to  
13 try to help our cause.

14 MR. GOLDSBOROUGH: Thank you, Vince. Anybody else?

15 MR. LICCIONE: Public comment?

16 MR. GOLDSBOROUGH: Yes, I think on this issue we  
17 certainly should entertain public comment since it is pending  
18 decision making in a couple weeks. Ed, would you like to lead  
19 off?

20 MR. LICCIONE: First of all, I had a question, Tom.  
21 Did I hear you right, saying you are going in proposing 7,7,7?

22 MR. O'CONNELL: We are going in -- right now our  
23 preference is to push for a three-year plan.

24 MR. LICCIONE: Okay.

25 MR. O'CONNELL: Not sure if it is the 7,7,7 or the

1 17 percent.

2 *Public Comment*

3 MR. LICCIONE: Okay. There is going to be change.  
4 I don't know whether that change is going to be 25 percent, if  
5 it is going to be 17 percent. I hope it is not three years at  
6 7,7,7 because I don't want to see recreational anglers have to  
7 change their size and their creel every year for three years  
8 in a row.

9 I don't want NRP to be completely confused about  
10 what is a legal fish and what is not a legal fish. That is  
11 secondary. I can tell you this: If we don't spend time on  
12 the important stuff and we keep talking about catch-release  
13 fishing and circle hooks and size -- if we don't look at the  
14 big picture, we don't have a shot.

15 Now the big picture is having the right reference  
16 point for the bay. Right now the information that ASMFC has  
17 is that the reference point for the bay is fine the way it is.

18 Now we could have 90 percent of the people in this  
19 room disagree with that. It doesn't matter. If their  
20 information says, this is the reference point, this is going  
21 to be the reference point. The only thing that I would --- is  
22 to hear that comprehensive plan and all that kind of good  
23 stuff. What I propose is that I think it makes sense for the  
24 various groups in Maryland to get together.

25 Okay, when I say various groups -- on the

1 recreational side, I will talk about CCA, MSSA -- combined  
2 with various commercial fishing groups, okay, and ask for one  
3 thing. Don't ask for 7,7,7. Don't ask for this or that. You  
4 can all do that individually.

5           Ask for ASMFC to give us the information that we  
6 need to close the data gaps on what Tom is talking about with  
7 the sex by year. Until you got that, you ain't got zoo. And  
8 I don't care what kind of passion you have or don't have for  
9 this thing. If you don't have the right information, if you  
10 don't have the right data, chances are you are not going to go  
11 anywhere with this thing.

12           So what I would propose is the groups in Maryland  
13 that have a very difficult time agreeing on anything, if there  
14 is one thing that we could probably agree on, it is that what  
15 do we need from ASMFC to close the data gaps and the sex/size  
16 relationship? That way at least you put the Technical  
17 Committee at ASMFC on a bit of a hot seat because, you know,  
18 Tom, to his credit, for you people, has been pushing this  
19 thing ad nauseam in terms of the different reference points.

20           And I haven't always agreed with the way he is going  
21 on things, I have to tell you that. But, you know, I  
22 understand it. If we don't have the data, if we don't have  
23 the right information to close the data gaps from ASMFC, what  
24 kind of data do you need? Then you are not going to change  
25 this thing for three years.



1           You are not going to change it next year I don't  
2 think at all because I don't think they are going to be able  
3 to come up with a reference point in time for next year. They  
4 are certainly not going to go back, as people know, and change  
5 what the coast is for their reference points for next year.

6           So that is what I would suggest: We get together  
7 and put together just a simple letter from the groups, not on  
8 anybody's stationary or letterhead. And we read it into the  
9 minutes before the ASMFC meeting.

10           I think that will probably be the way to go. At  
11 least we get on record in terms of just the information we  
12 need. The Technical Committee has got to get on the stick and  
13 get off their ass and do this.

14           Because right now there is no initiative for them to  
15 do it. None, none, because they are tired of listening to  
16 Tom. If he could have changed it, he would have changed it by  
17 now. So that is what I suggest. I would be more than happy  
18 to try to put together a very brief document to send it around  
19 to folks to see what you agree on, but that is going to be the  
20 only issue that I am going to deal with.

21           I am not dealing with size. I am not dealing with  
22 spring trophy season. I am not dealing with catch and release  
23 to ASMFC because they could care less. Until you get what  
24 those top-line categories are, okay, until that happens, then  
25 you can't fill in all the gaps.

1           And what we need is what information do you need to  
2 close the data gaps --- different reference point with that.  
3 So that is it. Period, the end. Thank you for the  
4 opportunity.

5           MR. GOLDSBOROUGH: Thank you, Ed. That is very  
6 helpful. And I would encourage you to come to tidal fish on  
7 Thursday and make that --

8           MS. DEAN: Can I ask a question? Are you saying  
9 that we get together to request the reference points or first  
10 admittedly accept the 25 percent reduction?

11          MR. LICCIONE: No, no, no. All I am saying is get  
12 together to say, ASMFC, tell us what you need to close these  
13 data gaps that are out there right now for the bay.

14          MR. DEAN: Okay, because I thought you started by  
15 saying let's come up with an agreement --

16          MR. LICCIONE: No, no, no. For me to get into  
17 percentages and all that, forget it.

18          MR. GOLDSBOROUGH: On that, Jim?

19          MR. GRACIE: Well, there are three other issues on  
20 the table that we have to respond to so I am not sure what you  
21 are suggesting about that, Ed. Do we ignore them?

22          MR. LICCIONE: The other three issues being?

23          MR. GRACIE: Size, how you phase the reductions.

24          MR. LICCIONE: Yes, until you get a reference -- if  
25 you are going to have this reference point, then whatever you

1 are going to do go ahead and do.

2 MR. GRACIE: I am not understanding the answer to my  
3 question.

4 MR. GOLDSBOROUGH: What I took it to mean -- correct  
5 me if I am wrong, Ed, is that all of us here discussed this in  
6 a couple meetings. All the groups involved have made their  
7 views known to the Maryland delegation. So the Maryland  
8 delegation is going in with that input already.

9 But that the message, the predominant message, as Ed  
10 looks at it, that ASMFC needs to hear from those stakeholders  
11 is that overarching message of the need for bay reference  
12 points.

13 MR. LICCIONE: What information do you need.

14 MR. GOLDSBOROUGH: What information do you need?

15 MR. GRACIE: I certainly agree that is an important  
16 question to ask and we need to put them on the spot for that.

17 But are you suggesting -- what are you suggesting  
18 about the rest of the process because it is going forward and  
19 they are going to make a decision.

20 MR. LICCIONE: I am not suggesting anything with the  
21 rest of it.

22 MR. GRACIE: Oh, okay.

23 MR. LICCIONE: I am just commenting on that one  
24 point.

25 MR. GRACIE: Not that we abandon our --

1 MR. LICCIONE: No, do whatever you want.

2 MR. GOLDSBOROUGH: The Maryland delegation already  
3 has to sort out all the input it has gotten on that stuff and  
4 come up with something.

5 MS. DEAN: Really quick, then: So have we not done  
6 enough to voice that we need a reference point? Do you think  
7 this is something we should do, Tom?

8 MR. O'CONNELL: It won't hurt and it will show some  
9 united voice among the diverse stakeholders of Maryland.  
10 Right now, the Technical Committee, through board direction,  
11 from my request, is charged with, one, identifying what the  
12 data limitations are. Two, how best to achieve that data.  
13 And three, how long it will take to get there.

14 And they were supposed to discuss that at their  
15 September meeting but they ran out of time because they were  
16 focusing on the addendum. They are not meeting again until  
17 December. Prior to this meeting, I voiced my concern to the  
18 board chair that I don't feel like the priority is being  
19 placed on this, and he promised he would pay closer attention  
20 and make sure that their December meeting would accomplish  
21 that goal.

22 But reiterating that in a letter, consistent across  
23 all Maryland stakeholders, would be a positive thing, I think.

24 MR. GOLDSBOROUGH: Okay, is there any other public  
25 comment on striped bass?

1 (No response)

2 MR. GOLDSBOROUGH: Phil?

3 MR. LANGLEY: Well, it is not public comment but it  
4 is a question for Tom. If there is a possibility in that  
5 December meeting, if something came out of that, is there a  
6 possibility that you could do something for compensation for  
7 conservation equivalency? Is it too late at that point?

8 MR. O'CONNELL: Yes, I think the best course of  
9 action is that some -- it won't happen at the December  
10 meeting -- but at some point in 2015, the Technical Committee  
11 would be able to come forth with a consensus on a bay  
12 reference point. And then that would require a management  
13 change with another addendum.

14 And if the board was able to initiate that by their  
15 August meeting, it could be put in place for 2016.

16 MR. GRACIE: For public comment in 2016.

17 MR. O'CONNELL: Implementation for 2016. So if the  
18 board were able to initiate an addendum in August, they could  
19 go out for public comment and then in October make final  
20 decisions for implementation in 2016. I mean, that is the  
21 best course of action for us, whether the Technical Committee  
22 will be able to deliver that.

23 They might be able to recommend an interim bay  
24 reference point until they have more time and more of this  
25 data that is lacking.

1 MR. GOLDSBOROUGH: Okay, folks, we need to move on  
2 unless there is another pressing -- did you have something,  
3 Ed?

4 MR. O'BRIEN: Yes. I support the situation where  
5 the key players, when it comes to stakeholders, come out with  
6 that one-page letter. That is a good idea. I don't think  
7 anybody disagreed with that. But I am a little confused  
8 relative to the answer to Phil's question.

9 First of all, when do you think the state, once we  
10 get back here, will make a final decision on what we are going  
11 to do in 2015?

12 MR. O'CONNELL: Well, following the commission  
13 meeting we will initiate our public scoping process and then  
14 submit regulations prior to mid-December. So prior to  
15 mid-December you will see our proposed actions for the 2015  
16 fishing season.

17 MR. O'BRIEN: That is important because trophy  
18 season, needless to say, charter boats have most of the same  
19 people that we have taken out previous years signed up for  
20 next year. And they are going to take a close look at that.

21 MR. GOLDSBOROUGH: Okay, let's move on and switch to  
22 freshwater. Don, you still with us?

23 ***Inland Fisheries Management Plan***

24 ***by Don Cosden, MD DNR Fisheries***

25 MR. COSDEN: I am going to discuss a little bit

1 about the largemouth bass fishery and focus on the Potomac.  
2 We sent out results of an angler survey. Hopefully everybody  
3 got that a few weeks ago.

4           And I just briefly want to go over that, where we  
5 stand right now. So that survey actually went to -- I believe  
6 685 anglers opened that survey up and responded at least to  
7 some degree, which is pretty amazing. It went out on a Survey  
8 Monkey poll.

9           (Slide)

10           62 percent of those people actually responded that  
11 they favored a regulation change on tidal bass. And what is  
12 interesting is that 59 percent of the anglers that did respond  
13 were tournament fishermen.

14           And what makes that kind of remarkable is that the  
15 proposed regs are not proposed but the regs that were  
16 discussed in that Survey Monkey poll basically would have  
17 affected tournament anglers. There is very little harvest  
18 going on, on largemouth bass. So it is typically the  
19 tournament anglers, the catch-and-release anglers. Those  
20 regulations would have mostly affected tournament anglers.

21           So it is interesting that there was a majority of  
22 anglers who said they would like to see a change. We think  
23 that is based on the fact that fishing on the Potomac has been  
24 pretty lousy for the last two years. And anglers would like  
25 to see it improved. So would we.

1           If you read the introduction to that information we  
2 sent out, the analysis that we have looked at, our sample data  
3 and the catch data, tournaments -- it is not clear we are  
4 overfishing the population. And therefore it is not clear  
5 that a regulation, an increased size limit or reduced creel  
6 limit, would result in a better fishery.

7           Before we get into that, I would like to say that we  
8 did go out as we got word again this spring, fishing got  
9 started again, we did extra survey work above and beyond what  
10 we typically do. We typically do our annual survey in the  
11 fall. We did a spring survey this year that mimicked what was  
12 done 20 years ago by some of the previous tidal bass  
13 biologists.

14           And that work looked pretty promising. We actually  
15 saw a good number of fish in some of these creeks. This is  
16 mainly pre-spawn fish, and I was feeling a little better about  
17 the fishery at that point. However, as time went on this  
18 spring, the fishing reports came in, and they were showing it  
19 hadn't really improved from last year.

20           So we have recently completed our survey on the  
21 Potomac, our annual fall survey, and I was hoping for better  
22 results. We just have back-of-the envelope calculations right  
23 now but it doesn't appear that the adult abundance has dropped  
24 again. This would be five years in a row that it has gone  
25 down --- and it is the lowest of the time series.



1           We did see an improvement in Young of the Year,  
2 better than it has been for a couple of years. And I would  
3 consider that a plus. As I said, right now our feeling is  
4 that this has not been related to overfishing but is probably  
5 related to habitat, and mainly may be related to the loss of  
6 SAV in recent years in the Potomac River.

7           However, we can do little to manipulate SAV. Our  
8 FMP, fisheries management plan, for tidal bass does call for  
9 examination and possible action when our indices and abundance  
10 are at this level. So that is what we are looking at. That  
11 is why we are looking possibly making a --- change, one of the  
12 reasons.

13           And the quickest response would be to reduce fishing  
14 mortality by either reducing creel to three fish, increasing  
15 the size limit in the summer to 15 inches. I am not going to  
16 go into a big discussion. We looked at how much we probably  
17 might reduce the number of fish that are carried in the live  
18 wells away and how much that might reduce mortality.

19           We could have that discussion at a later date. I am  
20 not making a proposal at this point. I just wanted to let you  
21 guys know it is not looking better and potentially getting  
22 closer to choosing one of these regulations potentially to put  
23 into effect.

24           We do have a meeting scheduled for early November to  
25 talk to PRFC, Virginia and DC. And that is purely an agency

1 discussion. We have had some phone calls with some of those  
2 managers but have not sat down in a room and hashed  
3 out -- seen their data.

4           What they are telling us -- Virginia has continued  
5 to say their fishery looks good, their sampling looks good. I  
6 can tell you it is not as extensive as ours. And that is part  
7 of the problem. Our stream sampling that we did was more or  
8 less fixed stations, sort of cherry picking the best  
9 locations, which is what we had done years ago.

10           It makes me feel better that those good locations  
11 still have good numbers of fish for the spawning period but  
12 the more river-wide survey that we do in the fall has been  
13 showing a consistent trend down. That leaves me to believe  
14 the population has been on the decrease.

15           After the meeting in November we are going to have a  
16 public meeting at PRFC to hear comments from anglers from that  
17 side of the river, and anybody is welcome to come voice their  
18 opinion. We are not proposing anything at that meeting but it  
19 is sort of a continuation of this discussion and getting a  
20 little more input as to what might be the preferable course of  
21 action if we did choose a regulation.

22   ***Questions and Answers***

23           MR. TRAGESER: Is there a date on the public  
24 meeting?

25           MR. COSDEN: The public meeting is December 5th. We

1 will get that information out.

2 MR. TRAGESER: And you were talking about loss of  
3 SAVs. I didn't hear you say anything, and we have had this  
4 discussion numerous times, about invasive species:  
5 snakeheads, blue cats.

6 Do you guys, have you been doing, ever since the  
7 snakeheads have become an issue, have you been doing an annual  
8 survey, to some degree, as much information as you can collect  
9 on where we are as far as the overall snakehead population or  
10 getting reports from those fishermen who have been targeting  
11 snakeheads and what their catch has been?

12 Trying to establish some relationships between the  
13 number of snakeheads and blue cats for that matter that are  
14 out there and the pressure they may be putting on that  
15 population, whether they are contributing to, you know,  
16 reducing the population or is it more a matter of relocating  
17 some of the population, especially with snakeheads since they  
18 tend to like to inhabit the same areas that largemouth like to  
19 live in --

20 MR. COSDEN: Well, we have been working with  
21 Virginia and the Fish and Wildlife Service to try and see if  
22 we could normalize the data, the sampling that goes on between  
23 the different agencies.

24 And they did an index of abundance using data from  
25 all three agencies. It looked like snakeheads were on the

1 increase until just the last year or so. It looks like  
2 numbers have probably decreased for snakehead.

3           That may very well be because of the popularity of  
4 bow fishing and anglers pulling into them, and maybe we have  
5 actually done a good job of telling people to go get them. Or  
6 maybe they would have done it on their own.

7           On the other hand, blue catfish I think -- I don't  
8 have data on blue cats but just the impression, and our guys  
9 are out sampling bass and other species, that blue cats  
10 continue to increase. They are in all habitats.

11           You think of big blue cats, they are big fish, they  
12 are going to be at the channel. Well, we find, they find blue  
13 cats all over the shallow water, deep water, mid water, in the  
14 grass, and even some larger ones sometimes are in those areas.

15           Potentially there is some impact from that species.  
16 My gut feeling --- . And the loss of SAV may make that worse  
17 because that is refuge for small bass. So there is less grass  
18 for the bass to hide, and increasing abundance of a predator  
19 that wasn't there 10 or 15 years ago, perhaps there is a  
20 relationship.

21           It is not something we can quickly fix or perhaps  
22 ever fix depending on --

23           MR. TRAGESER: If the department decides to impose  
24 any of the restrictions, my guys -- and we talk about this,  
25 not so much doing a size restriction or size change

1 restriction right now or making it all 15 inch -- probably  
2 would be more comfortable with going to a three-fish limit.

3           Even our tournament guys. Now how that is going to  
4 impact some of the bigger groups that may come down, and I am  
5 not just talking about Delaware or New Jersey, like our  
6 groups, --- , whatnot. But there are some other -- I don't  
7 know what Potomac has on the books.

8           I know what the upper bay has on the book in August  
9 in the way of a large, large tournament, and that is one of  
10 the BASS elite series tournaments that is booked in August on  
11 northeast.

12           But I don't know that your restriction plans are  
13 talking about all tidal water. I know your surveys had that  
14 information in there about would you want to see it just on  
15 the Potomac? Would you want to see it on all tidal waters?  
16 So I don't know where we are with that or how you would deal  
17 with some of these other groups coming in.

18           If you implement any restrictions, would this be  
19 something that would go into effect, these regulations go into  
20 effect next year in 2015?

21           MR. COSDEN: Well, the -- we would not have time.  
22 We would need to do the scoping here. I would consider this  
23 scoping at PRFC. We need to come back and do the scoping  
24 here. We would not have time to have something in place by  
25 January 1, possibly even March 1.

1                   Now a 15-inch minimum size would really only affect  
2 the June through fall season so that potentially could go into  
3 effect next year but --

4                   MR. TRAGESER: But you got a 15-inch restriction up  
5 until June 15 anyway.

6                   MR. COSDEN: Right, right, so we wouldn't be worried  
7 about getting any place --- . So that is the schedule. I  
8 will say that the -- I don't have any numbers for the upper  
9 bay but the biology stuff, it looked pretty good this year.  
10 Indices have been stable. Our fear is that we make a change  
11 on the Potomac that reduces its desirability for tournament  
12 anglers --

13                   MR. TRAGESER: Throw everything up on the upper bay.

14                   MR. COSDEN: It is going to push them more into the  
15 upper bay where we have a really good fishery. That is kind  
16 of the thought behind do we make this baywide so we are not  
17 just crowding more anglers into smaller areas.

18                   MR. TRAGESER: Plus I think you will create some  
19 confusion among tournament anglers if you say, well, your  
20 creel limit can be this one down here. But it can be  
21 something different up here. I know our group would prefer to  
22 see, if it is going to be done, would prefer to see some  
23 uniformity across the entire watershed if you are going to do  
24 it.

25                   MR. COSDEN: Well, we will be in touch. Stay tuned.

1 We will be coming back to Maryland to talk to anglers as well.

2 MR. GOLDSBOROUGH: You have got a couple other  
3 hands, Don.

4 MR. GRACIE: Maybe I didn't hear you right but what  
5 I thought I heard was that you have no evidence that harvest  
6 is affecting the population, so you have no other basis for  
7 considering regulations other than an uninformed public  
8 opinion poll. Tell me I am wrong.

9 MR. COSDEN: No, I said our index on adult abundance  
10 was down for the 5th year, and it is at its lowest in the  
11 15-year time series that we have.

12 MR. GRACIE: And you have no relationship to that  
13 with harvest, right? That is what you said. You have no  
14 evidence.

15 MR. COSDEN: According to our management plan, it  
16 might call for three different actions. It might call for  
17 stocking. It could call for habitat enhancement and  
18 protection. Or it call for reducing fishing mortality.

19 MR. GRACIE: And where were those questions in your  
20 survey? I only heard one of them.

21 MR. COSDEN: The survey -- we are already stocking.  
22 We don't need to ask anglers should we protect habitat or  
23 improve habitat. We are doing our best to do that. But that  
24 is a long-term process.

25 The only short-term solution that might turn it

1 around is to reduce fishing mortality. And that not fair to  
2 take away from anglers because of some other thing here that  
3 has perhaps increased overall mortality, but that is the  
4 reality of almost every fishery we are managing here.

5 MR. GOLDSBOROUGH: Phil?

6 MR. LANGLEY: I just want to go back to Roger, what  
7 you started off with, the invasive species and the blue cats.  
8 I have spoken to recreational anglers as early as yesterday  
9 morning who were fishing for striped bass in the Potomac River  
10 off St. Clements Island and they were catching 15 to 20 blue  
11 cats trolling in the 20-plus pound range.

12 And that is not something that, you know, you heard  
13 of in the past. It seems like that population seems to be  
14 thriving. And part of it could be they are not as habitat  
15 dependent as a lot of the other species. You know, maybe they  
16 can adapt a little bit better, and the numbers are --  
17 reproduction levels are pretty high up there.

18 But it kind of amazed me that they were actually  
19 catching them trolling before striped bass but that is not the  
20 normal technique for fishing for blue cats.

21 MR. COSDEN: They are not competing with largemouth  
22 at St. Clements. It is a big issue.

23 MS. DEAN: I got the chance to see it commercially  
24 done, and I was just -- I don't even know how anything else  
25 lives up there. It was that much. Snakeheads, no biggie.



1 Those things are big.

2 MR. O'CONNELL: So one, we have been trying to  
3 promote this fishery and we are having some success. Last  
4 week I was asked to go up to Philadelphia with Congressional  
5 Seafood to meet with Whole Foods, their global manager and two  
6 regional managers. And Tim Sugrue from Congressional Seafood  
7 is pitching to them to market a frozen blue catfish product.

8 And based upon their sales in one of the regions of  
9 the mid-Atlantic, they are very optimistic that it will be  
10 well-received. The profit margin on wild blue catfish is  
11 about double that. Actually more than that. It is about \$4  
12 to \$5 for a wild blue catfish and it is \$1 for a farm-raised  
13 catfish.

14 So Whole Foods sees a great opportunity here to tell  
15 a story, which they do very well, to increase the demand  
16 nationally for this product. Congressional Seafood is also  
17 making a \$16 million expansion to their Jessup facility and  
18 looking to purchase a filet machine so they can process the  
19 smaller catfish in large numbers and freeze them, get them  
20 while they are available and then freeze them for the annual  
21 market.

22 So knock on wood that is going to come forward and  
23 maybe establish the market that the fishermen need to pursue  
24 these things.

25 MS. DEAN: Can I just ask, are there recreational

1 | tournaments for them? Is that --

2 |           MR. TRAGESER: For what, for the blue cats?

3 |           MS. DEAN: For the blue cats.

4 |           MR. TRAGESER: Yes, they have turned that into a  
5 | cottage industry actually once that species sort of  
6 | established themselves.

7 |           Well, you can speak to it better than I can. But I  
8 | have actually, when I have been fishing bass tournaments, and  
9 | we are in the shallows, off the channels you have got the  
10 | other boats that are fishing the blue catfish tournaments. Of  
11 | course, they are fishing the deeper waters off the edge of the  
12 | channels.

13 |           And I don't know that it is necessarily a  
14 | catch-and-keep situation with them. I think it is sort of a  
15 | catch-and-release because they are trying to maintain that  
16 | sport.

17 |           MS. DEAN: So it is sort of like a Calcutta, like a  
18 | side tournament?

19 |           MR. TRAGESER: Yes. I don't know how they set up  
20 | the payout structure or anything like that --

21 |           MR. DEHOFF: They release them all because they want  
22 | to catch them when they get bigger. They don't keep any of  
23 | them.

24 |           MR. TRAGESER: No, they don't keep them.

25 |           MR. COSDEN: So I am done. I will brief -- well, we

1 will have more information on the --- on the North Branch. We  
2 are meeting with MDE in a few weeks, and I should know a  
3 little bit more. We are collecting data so we will come back  
4 and talk.

5 MR. GOLDSBOROUGH: That will be good, Don. Thank  
6 you. Okay, let's move on to the Habitat Workgroup Update.  
7 Jim, and I think you have Margaret here too.

8 ***Fisheries Habitat Workgroup Update***

9 ***by Commissioner Jim Gracie***

10 MR. GRACIE: I think we have had four meetings now.  
11 We have had kind of variable attendance. We are not sure what  
12 that is all about at this point but we are working on that.  
13 We are thinking of broadening the invitation to allow people  
14 interested to join, not just have various commission  
15 representatives there.

16 We found that some commission representatives are  
17 more interested than others and we had some people who are  
18 interested enough that they want to attend the meeting. So we  
19 are going to ask them to join the workgroup.

20 Two meetings ago we had a facilitated session to  
21 develop a mission statement. And we revised that last week at  
22 our following meeting. So Margaret, if you could read that to  
23 the group. This is kind of what we are about.

24 MS. MCGINTY: So the revised as of last Wednesday is  
25 protect and restore fisheries habitat using ecosystem-based

1 management and practical understanding of watershed ecology to  
2 educate and engage people and influence decisions and  
3 policies, respecting all voices. That is the short version.

4 MR. GRACIE: And that is fine. We are going to  
5 start developing some goals and they are going to be driven by  
6 the interests of the members of the group. But I can tell you  
7 we have representatives who are interested in oysters habitat,  
8 tidal fisheries habitat, SAVs, freshwater habitat, land-use  
9 issues -- the whole spectrum of habitat impact issues.

10 So I wouldn't say we are off to a fast start. I  
11 think it has been kind of painful but that is not Margaret's  
12 fault. She pushes us pretty hard. We are making some  
13 progress and I think we will probably -- by our next  
14 commission meeting we will probably have some goals identified  
15 and some people working on some issues.

16 MR. GOLDSBOROUGH: Good. With your membership  
17 issue, would you like commissioners to put out feelers for  
18 interested parties that might still be representative of the  
19 fisheries stakeholders?

20 MR. GRACIE: Yes. Don't make any commitment to  
21 anybody because we are going to try to limit the size of the  
22 group. So if we had 30 new people, I am not sure we would  
23 want that many. I guess we are looking for people who have  
24 strong interest, I would use the word passion, in various  
25 habitat issues that represent the spectrum of habitat issues.

1 MR. GOLDSBOROUGH: Everybody got that? Good. Thank  
2 you, Jim. Okay. This is good. Let's move into legislative  
3 updates. Gina, and Bevin is here too, right?

4 MS. HUNT: Well, quite honestly I will just save you  
5 a lot of time. I don't have an update from what we have talked  
6 about last time.

7 MR. GOLDSBOROUGH: But you are going to introduce  
8 Bevin.

9 MS. HUNT: But I can -- sure, because Bevin has an  
10 update. The only thing I would mention is because this  
11 commission doesn't meet again until February and session will  
12 already be in, you know, when we have things that are coming  
13 up that are actually going to be departmental bills or when  
14 things start moving, we will just have to do it by e-mail.

15 If you guys hear anything, please e-mail me and let  
16 me know if maybe if within your organization there is some  
17 interest and where the recreational community is on certain  
18 goals because otherwise by the time I see you again as a  
19 commission, we are going to be pretty far into the session to  
20 get any comments on anything.

21 So Bevin is here from the Chesapeake Bay Commission  
22 to talk about an invasive species bill, the potential for an  
23 invasive species bill next year, and we did have one in 2013  
24 that passed in an amended form so I think Bevin has some ideas  
25 to kind of put back what maybe could have been done in 2013.

1 ***Invasive Species Bill***

2 ***by Bevin Buchheister, Chesapeake Bay Commission***

3 MS. BUCHHEISTER: Right, so our members carried  
4 this legislation in 2013. It increased the fine for spreading  
5 an invasive species. I think the fine had been \$2,500. And  
6 we increased it to \$25,000, and made it clear that the fine  
7 was a violation per species. So it was \$2,500 per species  
8 violation up to \$25,000.

9 That was just to, you know, to address the  
10 seriousness of invasive species. As you all know, it ruins  
11 habitat. There are predators, and sometimes, like the blue  
12 catfish, they don't have other predators. And once they are  
13 introduced it is pretty hard to eradicate them, and close to  
14 impossible.

15 So a part of that legislation that we had sponsored  
16 in 2013 was to allow for anybody who gave information on  
17 somebody who spreads invasive species, and that information  
18 led to an arrest and conviction and a fine, then the informant  
19 could collect up to half of the fine. And that was at the  
20 discretion of the presiding judge in the trial.

21 That piece did not pass. There were some concerns  
22 with creating a bounty industry. We looked at Maine and  
23 Alaska, and that really didn't happen. I think in Maine, as  
24 of 2013 in Maine, they had had one incident where somebody  
25 gave information on somebody else who was spreading invasive

1 species. It led to a conviction and a fine. So it didn't  
2 really spawn a bounty industry.

3           There was some other concern about it changing DNR  
4 jurisprudence because right now there is no other provision in  
5 the natural resources code that allows for a bounty to be paid  
6 for collecting information.

7           There is in Maryland state law, I believe it is at  
8 the governor's discretion, he can award, he or she can award  
9 up to \$25,000 for information and conviction to somebody who  
10 gave information about somebody who killed a police officer or  
11 firefighter or fire marshal or ambulance crew.

12           So that --there is precedence for this in Maryland  
13 law, and we thought we would come back again -- and especially  
14 with the bay, the bay programs, fisheries goal team had come  
15 out with management strategies for blue catfish so it brought  
16 it back to the attention, the invasive species issue.

17           And so they thought they would pursue it this next  
18 session and we wanted to get your input early on this. I know  
19 your next meeting isn't until January so you are the first  
20 group we have talked to, and we just wanted to get your input.

21           And this is a first draft so if you have any -- if  
22 see anything in there that, you know, raises the hair on the  
23 back of your neck, please let us know. That is what I am here  
24 for.

25           MR. GOLDSBOROUGH: Questions, comments for Bevin on

1 | this bill? I think you already got the flavor of how this  
2 | group feels about invasive species. Yes, Ray?

3 | *Questions and Answers*

4 | DR. MORGAN: Question for Tom: Do all these go up  
5 | before a district judge? This would not be like circuit where  
6 | it could potentially go to a trial. This would all be  
7 | district, right?

8 | MR. O'CONNELL: I don't know off the top of my head.  
9 | Gina, would you know?

10 | DR. MORGAN: Does it go up before a district judge  
11 | or a circuit judge? They can ask for a trial, right?

12 | MR. HOLTZ: They can always ask for a trial.

13 | MR. HUNT: Yes, but it is going to go to district.

14 | MR. GRACIE: We can't hear the question and answer  
15 | here.

16 | DR. MORGAN: The question was where does the hearing  
17 | start? Does it start at district? You know, they can ask  
18 | for -- because of the severity of the fine, they could ask for  
19 | a trial in circuit court.

20 | MR. : You have to have a maximum 90 days  
21 | in jail before you can request a jury trial in circuit court.

22 | MR. GRACIE: I didn't see any jail sentence in here.

23 | MS. HUNT: Subject to imprisonment not exceeding 30  
24 | days. But each one is a separate offense so depending on how  
25 | many nuisance organisms, you could easily get over 90 days.



1 MR. GOLDSBOROUGH: More comments on this,  
2 including -- I mean, if you want to just underscore that you  
3 think anybody who would do this should be drawn and quartered,  
4 that is fine too. Jim?

5 MR. GRACIE: Is the law valuable without the bounty?

6 MS. BUCHHEISTER: The bounty provision is because  
7 DNR really doesn't catch anybody doing this and they need  
8 information from somebody to be able to catch somebody.

9 MR. GRACIE: Just like they do for any other  
10 violations that get reported. They still get reported.

11 MS. BUCHHEISTER: I am not sure the violations get  
12 reported. At this point I think it is an incentive for  
13 people --

14 MR. GRACIE: We report people for violating fish and  
15 game laws all the time. There is no bounty on that.

16 MS. BUCHHEISTER: I am talking about the spread of  
17 invasive species. I don't think they are getting reports on  
18 that.

19 MR. GRACIE: I understand but you might still get  
20 reporting without the bounty.

21 MS. BUCHHEISTER: I think that what they found in  
22 Maine is that is the incentive for people to report.  
23 Otherwise there is not really an incentive.

24 MR. GRACIE: So it is not valuable without the  
25 bounty.

1 MS. BUCHHEISTER: Right, that is what I believe.

2 MR. GRACIE: The 1999 Rivers and Harbors Act had a  
3 bounty provision for pollution violations until --- .

4 MR. GOLDSBOROUGH: There you go. Micah?

5 MR. DAMMEYER: I have just -- maybe it is a minor  
6 question. Does each nuisance organism, so it could be like if  
7 somebody had like a bucket full of snakeheads, a dozen in  
8 there, right?

9 MS. BUCHHEISTER: Right.

10 MR. DAMMEYER: It could be 12 kinds of counts  
11 separately, right? It doesn't have to be snakehead and a  
12 crayfish and --

13 MS. BUCHHEISTER: No, no, if it is 12 snakeheads  
14 that is 12 counts.

15 MS. HUNT: Like to be clear, that is existing law.  
16 That is what passed in 2013 was the separate offense part.  
17 This part is about the reward, and actually getting to that  
18 point where you are going to write the ticket, you have got to  
19 find out who is doing it. So it is that incentive to get  
20 somebody to call in.

21 MR. KIMBRO: Back during the gill net poaching  
22 thing, there were some rewards offered. How did we do it  
23 then? Was it private?

24 MS. HUNT: No, that was just a reward from, a reward  
25 offered for information that would lead to conviction. It was

1 not out of -- that was just department money that would have  
2 awarded that. This is actually --

3 MR. O'CONNELL: Private money.

4 MS. HUNT: Right, private money that was offered to  
5 the department --

6 MR. KIMBRO: So that wasn't public funds.

7 MS. HUNT: Right, it was private money offered to  
8 the department. This is actually out of the fine that they  
9 would pay, part of it would go to the person who turned them  
10 in.

11 MR. GOLDSBOROUGH: Okay, I think I am on pretty safe  
12 ground by saying the commission is fully supportive. But just  
13 to formalize that, does anybody have any objection to what is  
14 being proposed?

15 (No response)

16 MR. GOLDSBOROUGH: Okay, great.

17 MS. BUCHHEISTER: Thank you.

18 MR. GOLDSBOROUGH: Thank you, Bevin. We ended up  
19 coming a lot closer to our timeframe but we are not done yet.  
20 And I appreciate everybody's forbearance. This has been some  
21 good discussion. And we have one more yet to go so I would  
22 like to invite Greg Schildwachter up.

23 And Greg, I appreciate your patience because we  
24 weren't sure when we would be able to fit you in.

25

1 *Fishing App*

2 *Greg Schildwachter, Watershed Results*

3 MR. SCHILDWACHTER: Well, I appreciate being  
4 included. I used to do a lot more of these kinds of meetings,  
5 and it is seriously good to be back because this is really  
6 where conservation begins and I appreciate all of you taking  
7 the time to do it. It is the least I can do to sit here and  
8 get educated about some of the issues.

9 I am still relatively new to the area. I have only  
10 been here 10 years. And only in the last few years have I had  
11 time enough to really, you know, start focusing on hunting and  
12 fishing in the bay area as much as I would like to.

13 So one of the things I am doing to make myself  
14 useful is working with a group of anglers, many of whom are in  
15 this room right now, and others who are nearby -- Dave  
16 Sikorski, he can't be here because he is hunting and fishing.  
17 Good for him. And Bill and Shawn and Ed, of course.

18 But what we have done is we have developed an  
19 electronic system for anglers to be able to report their own  
20 fishing experiences and their catch data and their release  
21 data.

22 And the way this is going to work is anybody who  
23 cares to participate would be able to use their smart phone to  
24 use an app to record their catch. Those data would come to a  
25 Website which, you know, we are building in cooperation with

1 | some Florida anglers who have pioneered this system.

2 |           And then we as anglers would be able to talk amongst  
3 | each other on how to make those data available to the agency  
4 | in a way that is useful to them for just about everything you  
5 | all have spent the last three hours talking about. You know,  
6 | you all know like I do that, I mean, especially on fisheries  
7 | management, we are often blind casting when it comes to making  
8 | these decisions with the kind of data that are available or  
9 | missing.

10 |           So our idea here is that having anglers be able to  
11 | have their own system of collecting useful data on catches is  
12 | going to improve management, is going to improve the ability  
13 | of anglers to participate in those management discussions,  
14 | and, you know, really take advantage of the fact that every  
15 | line in the water is an opportunity to learn something about  
16 | what we are trying to accomplish.

17 |           So that is what we want to do. Data is key both in  
18 | terms of quantity and quality, so, you know, improving that is  
19 | what we are trying to do.

20 |           And, you know, the other aspect of it, of course,  
21 | electronics today is an important way for people to  
22 | communicate with one another so on these questions of getting  
23 | the word out about meetings that you want to have attendance  
24 | to or surveys, wanting to get, you know, more people involved  
25 | in other surveys, we think the system can also help with that.

1           So we have got this application up and running. It  
2 is in a form now where I can send it to anybody who wants to  
3 look at it and start giving us some feedback. You can -- I  
4 will just say my e-mail address in a minute and you can just  
5 send me a note and I can send you what you need to know.

6           Pretty soon it is going to go the app stores for  
7 review and then it is going to be available just like any  
8 other smart phone app. And what you would do is download it.  
9 You would create an account on the Website, which would serve  
10 as your personal logbook. You know, private to you, and you  
11 get to use that to, you know, spread your fishing stories  
12 around to other people who are signed up and do whatever you  
13 want.

14           Use it to learn and track where you have been  
15 successful, where not. And then of course your data will also  
16 be part of the overall collection that we as anglers can work  
17 together on deciding how to interact with Tom and his staff,  
18 and also with universities and researchers and, you know, and  
19 others.

20           So that is my story. I am happy to take any  
21 questions. And if you want the information on the app, just  
22 send me an e-mail at [Greg@watershedresults.com](mailto:Greg@watershedresults.com). And I will be  
23 glad to be in touch with you anyway and send you this.

24           You can look at the Website and see Steve Linheart's  
25 picture he put up of himself and all the other people who are

1 involved in helping to make this happen. I am just kind of  
2 chief cook and bottle washer, helping to make it happen.  
3 Bill, that is all I got.

4 MR. GOLDSBOROUGH: Thank you, Greg. I am going to  
5 ask commissioners if they want to ask you questions. First, I  
6 am going to toss it to Tom for a second.

7 MR. O'CONNELL: Yes, I just wanted to mention that  
8 Greg and his team have worked closely with our staff person,  
9 Linda Barker, whom many of you know. She surveyed our  
10 managers and they believe that data collected through this app  
11 can be very beneficial to them.

12 It is not going to replace like MRIP for harvest  
13 estimates but it can provide a lot of data on angling effort  
14 and catches that can be used when looking at management  
15 strategies and exploring new approaches. So we are really  
16 excited on the potential application of this app and would  
17 encourage you all to take a look at it and provide some  
18 constructive feedback to Greg.

19 MR. GOLDSBOROUGH: Did everybody get Greg's e-mail  
20 address? Do we need to repeat it?

21 MR. SCHILDWACHTER: Remember, just two G's: one at  
22 the beginning, one at the end.

23 ***Questions and Answers***

24 MR. RINGGOLD: I didn't hear, and I apologize if you  
25 said it. Is there a projected cost or is it a free app?

1           MR. SCHILDWACHTER: No, no, it is free. We got  
2 grant money behind it and we are partnered with  
3 the --- Gamefish Foundation and so we are poaching on some of  
4 their staff to help run it and all that but any money aspect  
5 that we anticipate in the future, we will be trying to raise  
6 that money.

7           But we want any avid angler or newbie angler,  
8 whoever you might know who, you know, might want to contribute  
9 to use it.

10          MR. GOLDSBOROUGH: Don, do you have something?

11          MR. COSDEN: I would just like to comment. Linda  
12 clued me in a couple weeks ago and I went online and checked  
13 it out. And it is a pretty impressive application. I think  
14 it would help any fisherman be a better fisherman themselves.

15          And from a manager's standpoint, this is the kind of  
16 information for like the tidal bass fishery on the Potomac, we  
17 are desperate to have. We get these reports from anglers:  
18 Fishing is lousy. What is going on? We have some --- from  
19 tournaments but that is based on the number of fish brought to  
20 weigh-in, you know, the creel limit is --- , the seasons  
21 change, the size limits.

22          So it is really limited what we know about angler  
23 catch, and it is expensive data. So this is -- I encourage  
24 you, Roger, to tell your guys to download this thing and have  
25 at it.



1 MR. SCHILDWACHTER: Liccione even bought a smart  
2 phone just so he could use it.

3 MR. GOLDSBOROUGH: Any other questions for Greg, or  
4 comments? I think we all, the many times that we have dealt  
5 with data and lack thereof, lack of quality, whatever, and  
6 recognize the need of it to have effective management that  
7 helps our fisheries, I think we all recognize that something  
8 like this has a great deal of value.

9 So I too would encourage everybody to give the app a  
10 try and provide feedback because it is still an opportunity to  
11 help perfect it. Okay, great. Thank you, Greg. In my  
12 excitement about Greg's topic, I skipped over one final thing  
13 that was on the agenda, and on that last item this will be Tom  
14 on the fisheries annual budget report.

15 ***Fisheries Annual Budget Report***

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

17 MR. O'CONNELL: I will just provide a brief overview  
18 as you have had a chance hopefully to take a look at it.  
19 First, I just want to acknowledge Gina, Karen Knotts and Carl  
20 Simon. Carl may be a new person to you. Raise your hand,  
21 Carl. He is our new fiscal person who took over George  
22 Hurl's\* spot a little over a year ago.

23 And he has been a great asset given his experience  
24 with DBM to make a lot of strides for fisheries. He continues  
25 to look at all of our budget issues with a cost-recovery lens

1 on it. He has developed some budget management tools that our  
2 managers can look at their budgets and manage it like a  
3 checking account.

4 And we also have some new revenue tracking tools  
5 where we can look at the special fund revenues coming in on a  
6 monthly basis to make sure that our revenues are coming close  
7 to our appropriations.

8 And also be able to possibly use that information to  
9 look at marketing, sport fish marketing products that we hope  
10 to initiate next year to see if we can get some bump-ups when  
11 we do the marketing.

12 But just in regard to license sales on page four,  
13 some positive news to report. You know, if you just look at  
14 our major licenses -- resident nontidal and resident bay  
15 sport and in the trout stamp -- all of them we had an increase  
16 in 2013 and for the first time resident nontidal and resident  
17 bay, we had the highest number of license sales for going back  
18 to five or more years.

19 So that is very good news, to see some increased  
20 license sales there. Going on to revenues, you will see that  
21 our revenue went up by \$5.4 million in FY14. It doesn't mean  
22 we have a lot of extra money. If you look at that more  
23 closely, of that \$5.4 million, \$1.7 was from the commercial  
24 fee increase, and \$600,000 was from a general fund match to  
25 that commercial fee increase.

1           So that in itself was \$2.3 million, and if you go  
2 back to the cost recovery, we were looking at \$2.2 to \$2.4  
3 million. So that increased revenue is just to cover our  
4 operations that we have been conducting.

5           In regard to the sport fish license sales increases  
6 I just mentioned, we got about a \$300,000 increase from that.  
7 And you will see shortly that is helping us stabilize our  
8 special fund reserve. And then the remaining funds that are  
9 listed on page five are dedicated funds. They are oyster  
10 surcharge money for oyster industry projects, MDOT money for,  
11 you know, fish hatchery projects for mitigation.

12           So really the new money is that \$300,000 from the  
13 sport fish license sales, and that is going to help us  
14 stabilize our special fund reserve.

15           In regard to expenditures, getting back to what I  
16 just mentioned, for the first time since 2010, our special  
17 fund balances were stable and actually increased by \$158,000.  
18 That is great news, and through a lot of effort to put us in a  
19 better position. You may recall a few years ago we were  
20 talking about running out of our special fund reserve and  
21 looking at major reductions in the services.

22           We have now stabilized that and we have actually  
23 increased that by \$150,000. That increase comes from the  
24 Fisheries Research and Development Fund. You will see about a  
25 \$470,000 increase there. We have some work to do with our

1 Fishery Management Program Fund. That is the nontidal license  
2 sales. We are running a deficit of a little over \$300,000  
3 there.

4 We have already begun to make some realignments in  
5 looking at the job functions our staffs are providing to -- we  
6 found some opportunities to reprogram some of the salaries to  
7 FR&D, given changed responsibilities over the last few years.

8 So we think we are going to be able to address that.  
9 And then just in closing, you will see in appendix one and  
10 appendix two that we listed our priorities for the coming  
11 year. You will see that our main focus is to continue  
12 operations, but we continue to strive for achieving new  
13 priorities and we challenged our staff to come up with a list.  
14 They are listed on that appendix one.

15 And as opportunities become available, we strive to  
16 make progress on those priorities. And then the last appendix  
17 is just a summary of some of the more major accomplishments  
18 that we made during the past year. So with that, I will be  
19 happy to try to answer any questions or comments.

20 And one last comment is, you should have seen this  
21 in an e-mail, but our graphics person had a sudden loss of her  
22 husband and was not able to, you know, put the graphics on  
23 this report when the text became final. When we are able to  
24 do that, we are going to, probably in a couple weeks. And  
25 then we will make this report final and include some pictures

1 and put it on the Website.

2 MR. GOLDSBOROUGH: Questions, comments?

3 (No response)

4 MR. GOLDSBOROUGH: Thank you, Tom. You had one  
5 final note I think for everybody.

6 MR. O'CONNELL: Yes, with mixed feelings I wanted to  
7 let you guys know that Noreen Eberly -- she hates when I do  
8 this -- is retiring at the end of this month. And she has had  
9 a long state service --

10 (Applause)

11 MR. O'CONNELL: Most of her tenure with state was  
12 with the Department of Agriculture but we were very fortunate  
13 to have her transferred over here when the Aquaculture and  
14 Seafood Marketing Program was, and I can tell you that she has  
15 been incredibly helpful as one of my assistants and I am going  
16 to miss her greatly. So thanks a lot, Noreen.

17 MR. GOLDSBOROUGH: And with that, we are adjourned.

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