

***Maryland DNR***

***Spring Meeting of the Tidal Fisheries  
Advisory Commission***

Thursday,  
May 1, 2014

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

***Maryland DNR Spring Meeting of the Tidal Fisheries Advisory Commission***

May 1, 2014

**TFAC Members Present:**

Billy Rice, Chair

Robert T. Brown

Dale Dawson

Rachel Dean

Robert Gilmer

Bill Goldsborough

Greg Jetton

John Martin

Bill Sieling

Gail Sindorf

Aubrey Vincent

Lee Wilson

Richard Young

**TFAC Members Absent:**

Mike Benjamin

Charles Manley

**Maryland DNR Fisheries Service**

Tom O'Connell

Noreen Eberly

May 1, 2014

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

A F T E R N O O N   S E S S I O N

(2:10 p.m.)

***Welcome and Announcements***

***by Billy Rice, Chair, TFAC***

***and Gina Hunt, Deputy Director, MD DNR Fisheries Service***

MR. RICE: We would like to get started. Being that Tom is not with us right now, we have Gina to my right doing the welcome and the announcements. Gina, please?

MS. HUNT: Yes. Hello, everyone. And welcome again. I just wanted to give a couple announcements and acknowledge two commissioners. Well, Aubrey is not here yet, so I am guessing that she will be here for her first meeting.

MR. : She is stuck in traffic.

MS. HUNT: Is that right? That may be where a few others are too.

MR. : There is an accident on 50.

MS. HUNT: At the bridge?

MR. : She said they got it down to one lane, so I don't know.

MS. HUNT: Well, when she gets here, this will be Aubrey's first meeting representing seafood dealers. And then I believe we had a -- is he here?

MS. : He is not here.

MS. HUNT: We also have a proxy who is supposed to be here for Richard Manly, which is Brian Nesspor. So they

1 | may both be -- he is Eastern Shore. So he may also be stuck  
2 | in that traffic.

3 |           Then I just also wanted to acknowledge that, you  
4 | know, in your -- you have your agenda in your binders, and  
5 | then after the agenda are the action items from last meeting.

6 |           And so to close the loop on -- there was the action  
7 | item, the question in regard to charter boat and commercial  
8 | activity. And this came about because last meeting we talked  
9 | about the new regulations on charter crabbing. And then the  
10 | question was will DNR provide a written summary of what is  
11 | currently and not currently allowed?

12 |           So that is actually provided. A written summary is  
13 | provided right behind this action item. And this issue is not  
14 | on the agenda because we were just following it up with the  
15 | action item but, you know, the second action item was to  
16 | consider opportunities -- I am sorry, was to consider what  
17 | else, you know, we would change or could change back.

18 |           So I don't know if after you review that, if you  
19 | want to bring that back to another commission meeting or  
20 | something else that we discuss at the end of this meeting. I  
21 | just wanted to make note that it is in your binders, although  
22 | it is not on the agenda. It is follow up to that action item.

23 |           So that is it for announcements. Do we have anybody  
24 | signed in on that public comment? No?

25 |           MR. RICE: Okay. Being that we don't have anybody

1 signed in, I know Steve has got something to bring before us.  
2 Would you rather wait for the rest of the people to get here,  
3 Steve or are you good?

4 MR. LEIGH: Well, do we know that several more are  
5 definitely going to be here?

6 MS. HUNT: Well, they haven't sent -- you know, they  
7 haven't told us that they weren't coming; in fact, the one  
8 person who told us they weren't coming supposedly has a proxy  
9 coming and that person is not here. So I mean just that issue  
10 of, you know, if you know there is an accident and these are  
11 Eastern Shore folks, then that is two.

12 But you know we -- most of the commission is  
13 present.

14 MR. RICE: Okay, well, if you are fine with that  
15 then why don't fill this slot in with your presentation.

16 MR. LEIGH: I can do that.

17 MS. HUNT: While he is doing that, we are not going  
18 to have the agenda on the screen but you have it in your  
19 binders and there are some extra copies back there by Robert T  
20 if you need one.

21 ***Public Comment***

22 MR. LEIGH: Good afternoon. My name is Steve Leigh.  
23 Today I would like to talk about yellow perch. I would like  
24 to begin by saying my presentation is in no way to restrict or  
25 regulate further any recreational yellow perch activities on

1 | the Chesapeake Bay. I am going to do a comparison as part of  
2 | my presentation. But I am not here to comment on anything  
3 | that has to do with recreational yellow perch activity.

4 |         The first page is an overview of the yellow perch  
5 | fishing in Maryland. We have, on size limits, recreational, 9  
6 | inch to unlimited size. In commercial, 8 1/2 to 11, called a  
7 | slot limit.

8 |         Creel limit, recreational fishing is 10 fish.  
9 | Commercial hook and line, is 10 fish. The seasons, 365 days a  
10 | year for the recreational yellow perch fishery. January 1 to  
11 | March 10 or until the quota is caught for commercial fishing.

12 |         Areas: All the Chesapeake Bay and its tributaries  
13 | are open to recreational fishing. The commercial sector has  
14 | the upper bay, the Chester River and the Patuxent area. The  
15 | heads of the rivers are not allowed to be commercially fished.  
16 | There is an imaginary line drawn across all of them as a  
17 | commercial sanctuary or as a recreational-only fishing area.

18 |         The allocation for yellow perch is 50 percent  
19 | recreational, 50 percent commercial. Accountability for the  
20 | yellow perch fishery: There is zero accountability on the  
21 | recreational side. On the commercial side, we have to declare  
22 | our intent to catch yellow perch and purchase a \$25 yellow  
23 | perch permit.

24 |         We call in, in December to order tags for our yellow  
25 | perch, which have to be tagged. A pre-determined quota is



1 established each year for the three fishing areas. We have to  
2 buy tags from DNR and tag each fish for sale on the dead  
3 market, not the live market.

4           We call DNR every day of the season to report our  
5 catch, whether we fish or not. And end of season overage, if  
6 we would happen to go over our quota, is subtracted from next  
7 year's quota. But if we do not catch our quota, we do  
8 not -- those fish are lost. We do not get to add them to the  
9 following year's quota.

10           I will ask if there are any questions on that right  
11 now before we go to page two.

12           (No response)

13           MR. LEIGH: Okay, page two is why I am here. There  
14 are some areas of concern that the yellow perch fishermen have  
15 that I would like to address. When this yellow perch fishery  
16 was set up, we were told by DNR that we would fish alone until  
17 we got close to catching our quota, and they would determine  
18 when they thought we would do that and set an end date to the  
19 fishery and give us a couple days advance notice.

20           That worked very well for the first few years that  
21 this system was in place. The last two years has been a  
22 disaster. In 2013 we were only allowed to catch 60 percent of  
23 our quota, and last year 2014 we were able to catch 70 percent  
24 of our quota.

25           For various reasons I guess why DNR thought that 60

1 and 70 percent was adequate but the watermen don't feel that  
2 way. Those fish were designated as safe to be harvested,  
3 would not impact any fishery, any biomass part of the yellow  
4 perch fishery. And we would like DNR to hold up their end of  
5 the bargain and allow us to catch 100 percent of our quota.

6 Also in the yellow perch fishery we have to call in  
7 on days -- every day of the season. Last year we had 15 days  
8 where the ice was solid from Havre de Grace to Crisfield. We  
9 still had to call in: no fish, no fish, no fish.

10 Typically we only fish one or two days a week in the  
11 winter when we are yellow perch fishing. It is just a waste.  
12 There is no value in calling in every day. It is nonsense.

13 You look at the rockfish on days that the season is  
14 open and fishermen don't fish, they are not responsible for  
15 any accountability. You look at the crab industry, which is  
16 doing the pilot program with the electronic reporting. On  
17 days you do not crab, you do not call in. It is just assumed  
18 you didn't crab and you didn't have a harvest.

19 We have a live fishery in the yellow perch fishery.  
20 Some of the watermen keep their fish alive in boxes and sell  
21 them. Those fishermen are not required to tag their fish but  
22 they are required to buy tags.

23 At the time they sell their fish, a DNR  
24 representative comes to the dock, monitors the sale of those  
25 fish, counts them, gets the weight on them, and takes back

1 those tags that they just bought that were never used. They  
2 go to Mattapeake to be thrown in the dumpster or the recycling  
3 bin.

4 This is a ridiculous policy. It needs to be  
5 changed. There is no need for people in the yellow perch live  
6 market to have to buy tags that are never used.

7 We do have established right now a closing date. It  
8 is March 10. And that closing date does not need to be in  
9 existence. We should be allowed to catch 100 percent of our  
10 quota, whether it is on the 26th of February, the 26th of  
11 March. Those fish have been deemed safe to catch. There is  
12 no reason not to catch 100 percent of that quota, which we  
13 have not been able to do the last two years.

14 The last item is something that has been kind of a  
15 dead issue here lately but it needs to be addressed. The  
16 Choptank and Nanticoke Rivers have an adequate yellow perch  
17 population, and those two rivers need to be open for a  
18 commercial fishery.

19 When Larry Simns was alive, he was pushing for that.  
20 DNR did some fish surveys down there, and decided I believe at  
21 one point that it was safe to have a fishery in those two  
22 rivers. And it was going to happen and for whatever reason at  
23 the last minute it did not happen.

24 I would like the support of this group in dealing  
25 with DNR to see if we can't make a few modifications in this

1 fishery, and most important to allow us in the future to catch  
2 100 percent of our allocated quota. So any questions on page  
3 2? Robert?

4 *Questions and Answers*

5 MR. BROWN: Yes, I will go back to page one to start  
6 with. It says that the recreational fishery, where it goes to  
7 accountability, has none. How do they know when they catch  
8 their 50 percent or where is that at? I have a problem with  
9 that because there is no accountability on that part.

10 And when it comes to you catching your quota, I  
11 think you ought to be allowed to catch it. And you will never  
12 catch your quota unless you go over it a little bit. I think  
13 that -- and they say if you go over it, they just deduct it  
14 from next year.

15 And I have not problem, when it gets up to the very  
16 last, if you go over it a few, a couple thousand pounds or  
17 whatever it may be, or whatever, that you deduct it next year  
18 because if you always stop at 92 percent or 95 percent, you  
19 will never catch what you are supposed to catch.

20 And whatever amount you go over, if you deduct it  
21 the next year, then you have caught your quota but you have  
22 deducted, say, 2,000 pounds or so from the next year.

23 Also as far as the closing of the season, I think it  
24 should be open long enough that you be able to catch your  
25 fish. I don't care if it is the first of April or whatever it

1 is done. When you catch your quota, the season is closed.  
2 And as far as if the department says if there is -- got  
3 scientific evidence that the Choptank and the Nanticoke River  
4 have recovered enough to open the fishery, that it should be  
5 opened.

6 But if it is opened, I would like to see that a  
7 quota be set for those rivers down there added to it because I  
8 wouldn't want to take from the quota that you all have up at  
9 the head of the river.

10 MR. LEIGH: Let me elaborate a little bit. We have  
11 in past years gone over the quota, and it has been subtracted  
12 from the following years. The watermen don't have a problem  
13 with that. What we have a problem with is that 60 or 70  
14 percent, and DNR has not been living up to their end of the  
15 bargain.

16 MR. BROWN: And another thing: Up the head of these  
17 rivers, you are all the way up the head of the bay and people  
18 up the head of the Patuxent or the Choptank and the Nanticoke,  
19 most of the time they don't have too much other stuff that  
20 they can rely on, you know.

21 Up the head of the bay you are so far away from the  
22 oystering and your crab season starts last and ends first. So  
23 I think you all need this.

24 MR. LEIGH: It is an important fishery for the upper  
25 bay because we don't have many rockfish up there and this does

1 help out the watermen trying to make a living up there.

2 And we are not arguing with the number that our  
3 quota is or any part of the recreational quota. We want to be  
4 able to catch our 100 percent of our commercial quota.

5 MR. RICE: Well, Steve, to me we have got two  
6 separate items. No. 1 you have concerns with the quota not  
7 being caught. The second item is the Choptank and the  
8 Nanticoke. Would you like this, would you be open for this  
9 commission to make recommendations on these two items on your  
10 behalf?

11 MR. LEIGH: Yes, I would.

12 MS. HUNT: Can I just add something to the first  
13 one?

14 MR. RICE: Yes.

15 MS. HUNT: I wanted to comment on the first point,  
16 which was the department not allowing you to catch your quota.  
17 So we have not shut down the fishery prematurely.

18 MR. LEIGH: Yes, you have.

19 MS. HUNT: -- when the quota had not been caught,  
20 when the estimates were the quota would not be caught, that  
21 has been shutting down the fishery in the two years that you  
22 were saying that it hasn't been working, this year and last  
23 years.

24 The regulation states that the fishery will close  
25 March 10. So not that -- I mean, if the quota is caught

1 before that certainly it can be shut down. But that whether  
2 the quota was caught or not, the fishery was shutting down  
3 March 10.

4 Now we extended the season beyond what was set in  
5 regulation. We did that by public notice. So I guess my  
6 point is that, that date was set in regulation. There was  
7 public comment to that regulation. There was process to that  
8 regulation.

9 It was not that we are just picking a number and  
10 saying, no, no, I don't think that is the right number  
11 anymore. We are following a date that is set in regulation.

12 So I just want this commission to understand that,  
13 you know, there are two separate things I think going: Not  
14 when do we shut you down but is that date then that is in  
15 regulation that is actually controlling the harvest, not the  
16 department putting out a public notice and shutting you down.

17 Really that is not what has been happening. What  
18 has been happening is that we have been putting out a public  
19 notice to extend.

20 MR. LEIGH: You have extended the season. I agree  
21 with the that, but you have not extended it to let us catch  
22 100 percent of our quota. There is no reason if you can't  
23 extend it 10 days you can't extend it 15.

24 You have made no effort to make sure that we caught  
25 our quota in the last two years, which is -- I feel and the

1 commercial and yellow perch fishermen feel is part of the  
2 original deal, that, you know, that quota was set, those fish  
3 were safe to harvest.

4           It worked for several years and now the last two  
5 years you have just gotten into this habit of saying that 60  
6 or 70 percent was good enough. You could have extended it  
7 long enough to let us catch our quota. Did you have that  
8 power? You extended it 10 days. We didn't catch it. You  
9 could have extended it two more, three more, five more.

10           MR. RICE: Go ahead, Mike.

11           MR. LUISI: Mike Luisi, DNR Fisheries Service,  
12 Estuarine and Marine Division. Steve, you make a lot of good  
13 points, you really do.

14           I can't say that the points that you have made  
15 regarding the season end date being in the regulation as March  
16 10, whether that is something we need to look at, I feel we  
17 do. I think that we need to look at the science that went  
18 behind establishing that date and determine whether or not we  
19 need to continue having an end date for the future.

20           You know, the point where we are now with how we  
21 have managed is that, as Gina mentioned, there is an end date.  
22 And we have provided an extension. That end date was part of  
23 an agreement between recreational and commercial fishermen  
24 years ago, quite a while now.

25           And I think if we are going to deviate from having



1 an end period from which we extend from, we need to do that,  
2 we need to fully vet that, you know, through the commissions,  
3 through work with staff, and the commercial fishermen to  
4 determine whether or not that is the point from here forward.

5           And if we were to do that or remove the end date and  
6 have a quota and manage that quota, I think there are a few  
7 other management tools that we could use to help the  
8 commercial fishery attain that quota to a point where -- I am  
9 not sure we have ever managed to exceed it -- to allow for  
10 exceeding the quota, but to get you as close to 100 percent as  
11 possible.

12           I know you and I and Lynn have had that discussion  
13 about finding a way toward the end of the year where the  
14 harvest is not so dramatic and drastic so we can -- we don't  
15 have to guess as to when the quota is going to be caught.

16           I think there are a number of tools we can use. I  
17 think your points regarding tags are very valid, whether or  
18 not we continue for the live market tagging. Whether or not  
19 tagging individual fish is something that we will consider.

20           Another thing you mentioned -- electronic reporting  
21 is going to play a big role I believe in allowing for a  
22 hailing and an electronic reporting component such that you  
23 would not have to report when you are not fishing or hail when  
24 you are not fishing.

25           I think all of the points you made are absolutely

1 valid. I believe and the department believes that they are  
2 something that we need to think about, and what I would like  
3 to commit to for the commissioners here, I am certainly  
4 committed to getting together with any of the fishermen you  
5 speak for here today.

6           If I could work with you, we could maybe plan a  
7 meeting for early June sometime to sit down and come up with  
8 the points we want to try to address. If regulations are  
9 going to need to be changed for next year, they will have to  
10 be proposed sometime in September, so that gives us a few  
11 months to work with staff.

12           I would like to bring in the staff who are  
13 responsible for the science. That goes into the quota setting  
14 to determine what that date, the significance of that date,  
15 and whether or not that is something we can deviate from.

16           And then again the Nanticoke and the Choptank, I  
17 think you mentioned, I would like to bring some staff in to  
18 have that discussion. So the department is absolutely  
19 committed to dealing with some of these issues and I  
20 certainly -- with electronic reporting we can cover some of  
21 the bases a little more easily than we were able to in the  
22 past when we have talked.

23           So, Steve, if we can work together to set something  
24 up --

25           MR. LEIGH: We have tried to work together. We have

1 had meetings for years. Not one thing has ever been done in  
2 the past. Am I correct? Maybe the watermen don't want an  
3 electronic reporting system. We just want to catch our quota  
4 and leave things just the way they are.

5 MR. LUISI: Well, there are certain things that we  
6 have talked about where the accountability, you know -- if we  
7 don't have a system, let's just if say electronic reporting is  
8 not part of the new design of the management system, then it  
9 is going to be difficult for us to know who went fishing each  
10 day to manage a quota unless you call in every day.

11 So there are certain parts of your proposal that I  
12 think would be addressed -- some of the issues that we have  
13 discussed about why we haven't gone forward with your  
14 proposals in the past can be addressed through electronic  
15 reporting, but those are all things that I am certainly  
16 committed to talking with you and the fishermen. You have got  
17 our commitment on that.

18 MR. JETTON: Educate me here a little bit. The end  
19 date that is in effect, was that put in effect at the same  
20 time with the quotas or was that before there was a quota and  
21 that was just the end of the season? I am losing the timeline  
22 here.

23 Have we always had a quota on yellow perch and the  
24 end date? Was is put in effect --

25 MS. HUNT: Yes it went in effect if that is your

1 question. So when we knew we were managing -- in a quota per  
2 river system too, you know, there is a Patuxent quota, there  
3 is an upper bay quota. So there are different quotas that we  
4 manage to.

5 So when you call in your harvest, you are actually  
6 calling it in for a particular region.

7 MR. JETTON: And that is what I am trying to get  
8 past. Like the striped bass has an end date because we get  
9 into the spawning season, and I understand that.

10 But with yellow perch I am not sure that is an  
11 issue, so if there is 100 percent there and there is a way to  
12 regulate this, maybe it is online, you know, calling in, I  
13 think the we ought to work it and find a way they can catch  
14 that.

15 Because he is right, the upper bay, that is the only  
16 thing in the spring for some of the guys up there.

17 MS. HUNT: Well, I think, you know, to Mike's point  
18 though and in regard to that date, that date, those line  
19 restrictions, a lot of what went in, in this proposal was done  
20 in collaboration with recreational/commercial, so --

21 MR. JETTON: That is why I am wondering where it  
22 all -- where does the timeline kind of fit there, and I am  
23 unclear on that, and without Larry here anymore we are kind of  
24 lost and sort of starting over again. So but I think we ought  
25 to investigate that for those guys.

1 MR. RICE: Okay, well, I think it would behoove this  
2 group to make some type of a motion on how we want to move  
3 forward with this. If we go with Mike, want to go with that,  
4 if we think that we can sit down now and possibly hammer out  
5 something. I think we need to move forward in some direction.

6 I know Tom is committed with trying to work with  
7 this group and that we have got it out and now we need to go  
8 forward with it somehow or another. So I guess I am asking  
9 for a motion from somebody. Robert T?

10 *MOTION*

11 MR. BROWN: First I am glad to hear that the  
12 department is willing to work with these people on the yellow  
13 perch, and I move that Mike -- or I move that we get the  
14 department to have a committee pull up to look into this and  
15 report back to us by our next meeting so we can be kept up to  
16 date on it and hopefully we can get this resolved.

17 MR. JETTON: I will second that.

18 MR. RICE: Any further comment?

19 MR. YOUNG: Can I ask Steve a question? --- .

20 MR. LEIGH: Sure, yes.

21 MR. YOUNG: I just want to know what you are looking  
22 for us to do for you.

23 MR. LEIGH: We have had meetings in the past.  
24 Nothing has ever been done, and that is why I felt a need to  
25 come to you guys this year. I need a little help. I can't

1 get anywhere with the department on anything with this.

2 MR. RICE: Well, I think that we have publicly shown  
3 that we all have a commitment to that and we stand behind  
4 that.

5 MR. LEIGH: That is fine. That is good. If we  
6 could get something done, it would be a change.

7 MR. RICE: Well, Robert T., your motion pertains to  
8 the quota situation and the opening of the two areas?

9 MR. BROWN: Yes.

10 MR. : Whatever the committee does, it  
11 should do the whole thing.

12 MR. RICE: Correct. I just wanted to agree on  
13 that. If we don't have any further discussion I would like  
14 for everybody to signify in favor of this motion by raising  
15 your right hand.

16 (Show of hands)

17 MR. RICE: Opposed, abstentions? The motion is  
18 unanimous, and we will --

19 MR. LEIGH: I appreciate your time, everyone, and  
20 this is an important issue to the watermen. And again I want  
21 to reiterate, it has nothing to do with the recreational  
22 fishery. They can go fish everywhere 365 days a year. I have  
23 no problem with that. The watermen don't.

24 We just want to have a reasonable fishery and be  
25 allowed to catch our 100 percent. Thank you.

1 MR. RICE: Thank you.

2 MR. LUISI: Just a point of clarification. A few  
3 people just mentioned a committee, getting together with a  
4 committee. There is no committee. But if I were to work with  
5 Steve and work with other yellow perch permit holders as a way  
6 of announcing a meeting and having basically a public meeting,  
7 I don't know if that is the way we want to proceed with this?

8 Just offering to have any fishermen who have had a  
9 yellow perch permit in the last year or two to come here and  
10 bring their issues and work with us on that. That is what we  
11 can do.

12 MR. : A public workgroup.

13 MR. LEIGH: Would they all be notified by mail?

14 MR. LUISI: Yes, absolutely. I would notify  
15 everybody by mail and whoever shows up, shows up.

16 MR. LEIGH: Right, as long as they are given an  
17 opportunity. Thank you.

18 MR. RICE : Okay, moving right along, we have the  
19 Natural Resources Police activity report. I don't see anybody  
20 here from NRP, so then if you have an interest in this report,  
21 and everybody has it in their packet of information, feel free  
22 to review it.

23 Steve Vilnit is with us and he is going to give us a  
24 report on seafood marketing. Steve?

25

***Seafood Marketing Update***

***by Steve Vilnit, MD DNR Fisheries Service***

MR. VILNIT: Okay, everybody. I am going to give you a quick update on what we have been working on and what we have coming up in the next couple weeks.

(Slide)

What we are passing around right now, we recently printed off the first batch of the Maryland Consumers Guide. Basically this is just an all-encompassing look kind of to consolidate all of the print that we did in the past into one document.

This is going to be available to go out to the general public. It is going to be available as a PDF version online. It has a little bit of everything, from crabbing to oysters, just general knowledge for the public so we can get some information out there.

This one does have a couple typos, and we said instead of trying to pay someone to go through and edit it and proof it, we put it out to the public as a contest. If you find a typo, you get a hat. It is an advertising thing, and also accomplished two things: We get them to read every word of it because they are trying to find the typos.

So we are pretty confident that the next run -- we only did a run of 500 of them, so the next run is going to be typo-free. But that is the original run. So hang on to



1 | those. They are going to be a collector's item someday.

2 | (Slide)

3 | Just a little update on social media. Our Facebook  
4 | page, we continue to grow that pretty rapidly. We are almost  
5 | at 10,000 likes right now and it is growing at a pretty good  
6 | rate. This has been a great tool for us to get word out to  
7 | the public. Just anything we want to do. Season openings,  
8 | products going on. We continue to do contests on there.

9 | (Slide)

10 | And just a little bit on the metrics. I guess it is  
11 | tough to see on there. But every time we do a post, which is  
12 | usually once a day, twice a day, we get between 1,000 and  
13 | 4,000 people clicking on it. If we give away a pound of  
14 | crabmeat or something like that, we get 300,000 people  
15 | clicking on it.

16 | On the right there you can see this is where most of  
17 | the people are coming from -- Baltimore and DC. Cambridge was  
18 | No. 3 which is kind of surprising. Annapolis needs to pull  
19 | their weight a little bit more. But these are all Maryland  
20 | people who are really going on here and just following  
21 | everything we are putting put on the page.

22 | (Slide)

23 | I mentioned last time we had the Flying Dog beer  
24 | partnership going on. We are really excited. The launch of  
25 | this is tomorrow. So this is the cookbook that they are

1 putting out in collaboration with the beer.

2 (Slide)

3 They are going to talk about True Blue and the  
4 watermen and what a dead rise boat is and that sort of thing.

5 (Slide)

6 There are a bunch of recipes in there from local  
7 chefs, celebrity chefs. This is one from a restaurant right  
8 here in Annapolis. He is doing blue catfish tacos. They did  
9 a great job on this book. Jay Fleming, who works with us, did  
10 all photography for it. As always, he did a great job on it.

11 \$1 from each case is going to go back to the True  
12 Blue program to help us advertise that program and get the  
13 word out about crabs. The demand already has been more than  
14 they expected. They did -- I don't know if it means anything  
15 to you. They did a 100-barrel run, which is normally what  
16 they do for their initial deployment of a beer.

17 They said the feedback from restaurants calling them  
18 was so great that they had to put six more barrels going  
19 already. They had 300 restaurants calling in saying they want  
20 the beer on the first day. So it could be good, and like I  
21 said, \$1 from each case and \$5 from each keg that they sell  
22 goes back to the program.

23 (Slide)

24 Just a couple news articles. Noreen printed these  
25 off. Just a couple things we have been working on recently,

1 | seafood fraud. There was the house bill, 913, that was in, so  
2 | that continues to get a lot of press. So these were a couple  
3 | articles that came out.

4 |           How to tell if your crabmeat is really from  
5 | Maryland, that was a big story the Baltimore Business Journal  
6 | did. Just trying to get the word out there that your crabmeat  
7 | is not necessarily Maryland crabmeat and getting consumers to  
8 | ask the questions when they go into the restaurants.

9 |           (Slide)

10 |           We recently did the Boston Seafood Show. This is  
11 | the second largest seafood show in the world. This was a  
12 | fantastic year for it. It broke attendance records this year.  
13 | So just a couple pictures.

14 |           (Slide)

15 |           There were 1,000 companies exhibiting this  
16 | year, JM Clayton and three oyster companies were there this  
17 | year, which was great.

18 |           (Slide)

19 |           28,000 people attended the show this year. This was  
20 | a shot from opening day, people coming down the main hallway  
21 | there.

22 |           (Slide)

23 |           Just a couple shots of some booths and things like  
24 | that, that were going on at the show.

25 |           (Slide)

1                   This is actually our booth. So that is our booth  
2 that goes along this hallway.

3                   (Slide)

4                   And these are the companies -- oyster companies,  
5 crabmeat companies in there. We have a 60-foot booth now, and  
6 it is right -- when you come from registration, so it is a  
7 great spot.

8                   (Slide)

9                   Some overall shots. Again, that is our booth down  
10 there. Overall shot of the show. It was packed.

11                  Johnny Shockley, one of our oyster farmers, had a  
12 booth there, and he says his sales went up 600 percent since  
13 the show. So he is selling a lot of oysters, and the demand  
14 is amazing for oysters. We had some Chinese buyers come into  
15 the booth that wanted to buy our Maryland oysters for \$4  
16 apiece, which is a fantastic fishing price.

17                  (Slide)

18                  Just some of the companies that were in there. Guys  
19 from Barren Island. J.M. Clayton serving up some crabmeat.  
20 Shucking oysters, handing them out.

21                  (Slide)

22                  Some of our competition, Phillips crabmeat. We took  
23 a couple pictures of some of the other booths in there so you  
24 can kind of see what we are up against. The Phillips booth  
25 was right next to ours, and this was Louisiana seafood. Some

1 nice booths that these guys had.

2 (Slide)

3 So this is our thing we are about ready to launch.  
4 We are trying to get people out of the old wives' tale that  
5 you can only eat oysters in the months that end with R.

6 So it is always the right time to eat an oyster, the  
7 myth has been busted. So telling people why there was a myth  
8 and what we are doing to -- you know, just trying to get this  
9 into restaurants, getting people eating oysters year-round  
10 now, really focusing on that so we don't have the seasonal  
11 drop in oyster sales.

12 That is about it for right now. Anybody have any  
13 questions?

14 MR. JETTON: Can you get me a case of these?

15 MR. VILNIT: Yes, as soon as we print out the next  
16 run. I mean, they are in the works right now. They should be  
17 in within the next couple weeks.

18 MR. RICE: Okay. Thank you, Steve. As always, you  
19 are doing a great job. Tom, do you have any announcements  
20 being that you have been able to join us now?

21 MR. O'CONNELL: Yes. I apologize. Busy activity  
22 today. The NRP Activity Report, Lt. Windemuth sent an e-mail  
23 to me just before the meeting started. Due to some activity  
24 down in the Little Choptank River today, he had to be down  
25 there so he is unable to make it.

1           So if you have any follow-up questions on the report  
2 that was in your handout, you can follow up with me directly  
3 and I will try to get back to you.

4           And I think Gina Hunt mentioned that we have a new  
5 commissioner, Aubrey Vincent, and I would like to welcome  
6 Aubrey. She is going to be representing Dorchester County and  
7 the harvesters and the processors down there so we are glad to  
8 have you aboard.

9           MS. VINCENT: Thank you. I apologize for being  
10 late. Unfortunately I am awful at misjudging traffic in  
11 Easton and did not estimate how much time it was going to take  
12 so I apologize.

13           MR. MARTIN: I was late too because of the same  
14 thing.

15           MS. VINCENT: One lane on Route 50, one lane. But  
16 anyhow I am here and I really appreciate the opportunity, so  
17 thank you.

18           MR. RICE: All right. Next on the agenda we have  
19 our regulatory updates with Sarah Widman. And just so you all  
20 will know that Moochie is taking care of his job, he is going  
21 to run the meeting while I step out.

22           ***Regulatory Updates and Regulatory Scoping Items Legislation Update***  
23           ***by Sarah Widman, MD DNR Fisheries Service***

24           MS. WIDMAN: Hello, everyone. You should have a  
25 couple handouts from us, so I will just go through what you

1 | should have from us. You have our normal reg update, which I  
2 | will go through briefly. You have our scoping handout, which  
3 | we will go through.

4 |           And then you also have from us the current list of  
5 | people who have been penalized commercially and  
6 | recreationally. And I just haven't printed it out. We will  
7 | include it from here out in your handouts. But those are also  
8 | always up online and updated as penalties are assessed, so  
9 | just so you are aware and can view it. We will include it.

10 |           So that is what you have from us. On the regs  
11 | update front there are the normal sort of public notices. The  
12 | striped bass fishery season modifications, several of them.  
13 | Spiny dogfish commercial catch limits. There is an oyster  
14 | harvest reserve area opening. The yellow perch, which we  
15 | talked about a minute ago.

16 |           There were several shellfish aquaculture leases.  
17 | The annual blue crab female harvest catch limits include  
18 | requirements that were put out. And that is basically the  
19 | public notices.

20 |           The regs that became effective, there were a few of  
21 | them since we last met. The spiny dogfish limited entry  
22 | system that was asked for by that fishery was put into effect  
23 | back in February. We had some shark changes, mostly to the  
24 | recreational sector in March. We have eels lining up with  
25 | ASMFC's management plan. It went into effect in March.

1           Menhaden, this was the --- requirements specific to  
2 pound nets, making sure that the menhaden catch for them are  
3 reported throughout the year. That was in March as well.  
4 Oysters, we were able to increase our bushel price that we pay  
5 for bushels of shell. And that was in March.

6           The Snapping Turtle Workgroup had asked for some  
7 changes or some updates to that as well as aligning the permit  
8 with our license renewal time period. We are trying to do  
9 that with all our permits now that you can get the permit and  
10 pay for it at licensing.

11           We are trying to make sure that the time periods for  
12 those align with your renewal time periods. That took place  
13 in March. Our annual penalty changes, based on the --- from  
14 last year, went into effect in March.

15           We have again the bait harvester permit and some  
16 penalty-related stuff on that, but again aligning it with the  
17 license renewal time period. Spotted sea trout -- that was in  
18 April -- spotted sea trout in April as well. And that was  
19 reducing the recreational catch limit, increasing commercial  
20 size from 12 to 14 inches.

21           We put in place in March the shell recycling tax  
22 credit program, and then currently, which I think one is  
23 missing, we have three -- now we have five as of a few days  
24 ago but it didn't make it on your handout -- but the three  
25 that are out for comment that I put on the Website as well.



1           Menhaden: So this was asked for by the industry to  
2 allow permittees to name an operator or employee on the permit  
3 that could take that out. Now you can do that with your  
4 license so it aligns with the license allowance for letting  
5 your employee take your vessel out to harvest for you.

6           Crabbing charters: This again was at the request of  
7 the industry. So this clarifies periods of activity. We  
8 created a crabbing charter decal for individuals who are going  
9 to be out --- chartering crab trips as well as allowing the  
10 commercial operators to have educational tours while they are  
11 out doing their commercial activity.

12           The third one was the striped bass. The Atlantic  
13 ocean side we usually had over the winter. They wanted to  
14 align what essentially was their ITQ system with the current  
15 ITQ rules from the bay as well as allowing for -- instead of  
16 an every other year declaration period for your striped bass  
17 permits it would be every three years.

18           And then this past week we just put in a tagging  
19 clarification for striped bass. This was discussed at the  
20 Striped Bass Workgroup I believe in March clarifying that  
21 you -- if you are tagging the fish it needs to be your own  
22 tags or tags that you got through transfer of someone's quota.

23           And then also horseshoe crabs --- was also one of  
24 these declaration permit changes. We also have, just as a  
25 reminder, the rec side, they asked for a three-rod limit we

1 had taken out and put in place in tidal waters to be removed,  
2 and that is currently in place.

3 Questions on what we have done so far? If not I  
4 will move on to scoping.

5 MR. YOUNG: So on the tagging thing, tagging the  
6 rockfish, hypothetically speaking now, I know what you are  
7 trying to avoid is me bringing fish in and letting someone who  
8 hasn't been out fishing use their tags and their quota.

9 So what happens if I am out there -- say I am gill  
10 netting, and I set on a bunch of fish. And I got say a 300 or  
11 400 pound a day quota, and my net comes up with 800 pounds.  
12 What I am supposed to do? I can keep 400. I am supposed to  
13 throw the other 400 back, and they are dead.

14 That is a waste of resources. It would be better if  
15 I called my buddy, and he was able to meet me at the dock and  
16 put his tags and report them under his quota. Rather than  
17 just throw it away and waste it.

18 MS. WIDMAN: I will let Mike answer.

19 MR. LUISI: I completely get it. I think we all do.  
20 The intention is not wastefulness. It is about  
21 accountability, about who is on the water, who is fishing,  
22 finding a point at which fishermen are accountable for what  
23 they are harvesting rather than harvest all you can and hoping  
24 you get back to the dock, there will be enough people there to  
25 come down to the dock to tag those fish.

1           This was an issue that we have had meaningful  
2 discussions with Natural Resources Police about, and we just  
3 feel at this time with the system that we have in place, that  
4 having fishermen tag their own fish with their own tags or  
5 tags they received through a transfer of some sort, that are  
6 with them on the vessel, is just the most accountable system  
7 that we could have for this fishery.

8           Now whether this can change in the future  
9 when -- again, we bring it up all the time but with hailing  
10 and electronic reporting, maybe there could be something we  
11 could consider that would be as accountable.

12           But the purpose -- what I have heard over years is  
13 that fishermen need to be accountable for their harvest. And  
14 a fisherman isn't accountable for his harvest if he is coming  
15 to the dock with more fish than he has quota for.

16           And we are just trying to get away from that at this  
17 point given that concerns have been raised by enforcement, by  
18 people getting to the dock with more fish than they have got,  
19 maybe intending in some way to call people, but they realize  
20 there is nobody there to watch, and they have then taken off  
21 with those fish.

22           MR. YOUNG: Well, I understand that. But what I  
23 would like an answer to is, is the department responsibly  
24 managing the fishery if you are requiring overages to be  
25 discarded dead, which is what you are doing.

1                   And it is not responsible to the fishery. It is not  
2 responsible to the fishermen, and it is not responsible to  
3 common sense. We are throwing fish away that have been  
4 caught. They are dead but you are requiring them to be  
5 discarded and just wasted.

6                   MR. DAWSON: I would like to respond to that. They  
7 are not all dead. And when we know we have got a problem, we  
8 release the live fish, and the ones that come up we keep.  
9 They are not all dead. We have done surveys for 15 years with  
10 the DNR with the gill net, and we release the fish live. You  
11 don't kill them all.

12                   Once in a while if their gills are pinched shut they  
13 will drown, but 90 percent of the fish get through enough that  
14 they can gill and they are still alive. So we release -- like  
15 I said, if we know we have got too many we will release the  
16 lively fish and keep the others back. And then we won't go  
17 over.

18                   So we are not going to ride around trying to peddle  
19 fish away to somebody.

20                   MR. RICE: John?

21                   MR. MARTIN: I was just going to say we have the  
22 same situation on the ocean side for dragnets because when we  
23 hit the pot, when we do find a pot of fish, we can't  
24 necessarily say we only want 2,000 pounds of you.

25                   They all come up, and we have basically said the

1 same thing. How can we work this out so that -- and we  
2 release them as fast as we can, and you know, some do live and  
3 some just float away, just inherent to that type of fishery, I  
4 guess.

5 But we have been wondering the same thing. How can  
6 we responsibly handle the fish when you can't be so  
7 discriminating?

8 MR. RICE: Mike, you had a comment?

9 MR. LUISI: Yes, just wanted to comment to the  
10 point. I think what the answer is, is more fishing transfer  
11 and process of quota.

12 We currently have individual fishing quotas in both  
13 the Chesapeake Bay and on the Atlantic coast. We just don't  
14 have a system in place to efficiently transfer quota from  
15 person to person that can happen in a timely enough manner  
16 that somebody who does catch more fish than they have can get  
17 a quota transfer to them to cover them before they get to  
18 dock.

19 In my opinion, that is the answer. We just aren't  
20 there yet. Transfers now have to come through the department  
21 and be approved by a person, and we can't have that happen in  
22 real time.

23 Now electronic -- technology can go a long way in  
24 the future, and I think that is our answer. We can have a  
25 system in place with electronic quota transfers that can

1 | happen in real time so that if you do catch more fish than you  
2 | have got, and there are people who are willing to release  
3 | their quota to you, you have got that option available.

4 |           Not to say we will have that in place tomorrow but  
5 | we are just not there yet. Lynn is going to give you guys an  
6 | update on the progress with electronic reporting. And I  
7 | think, you know, that is going to go a long way in the next  
8 | couple of years.

9 |           MR. RICE: Moochie?

10 |           MR. GILMER: As to what Mike is talking about, we  
11 | went on an EDF trip to Florida. They had a system in place  
12 | where if you caught a fish that you didn't have a permit for  
13 | or whatever, they actually had a broker set up that you  
14 | actually called, and you could make a deal for that fish  
15 | within 5 to 10 minutes on your different quotas of fish, that  
16 | you had that.

17 |           And I know that is sort of what you are referring to  
18 | but it is a system that took -- I don't know how many years it  
19 | took them to get it place.

20 |           But in the snapper fishery, they were snapper  
21 | fishing but they would catch a fish that they didn't actually  
22 | have a permit for, but they could get on the phone, and this  
23 | broker had a bank of people who had permits who were willing  
24 | to sell, and you just almost called them and negotiated price  
25 | right on the phone, and you got those permits to come to shore

1 with.

2 So I think that is basically what you are talking  
3 about.

4 MR. LUISI: Pretty much.

5 MR. RICE: All right. Does anybody else have a  
6 comment? I think it is plain enough to see that we recognize  
7 this as a problem, and that we will be working on it in the  
8 Striped Bass Workgroup. Is that correct, Mike? Okay. All  
9 right. Fisheries-related legislation, Gina?

10 MS. WIDMAN: Billy, do you want me to do the scoping  
11 stuff?

12 MR. RICE: Oh, I am so sorry.

13 MS. WIDMAN: That is okay. I think they want to  
14 hear it. I don't know. Really quickly.

15 MR. RICE: That is what I get for turning the torch  
16 over to Moochie and coming back halfway.

17 MS. WIDMAN: We are going to do some housekeeping.  
18 The recreational community is allowed to have -- . On the  
19 ocean side right now you don't need a license to crab  
20 recreationally. So we just need to make sure they can use  
21 either a DNRid on those or their name and address.

22 We also clarified the distance between the trotlines  
23 and the collapsible traps and net rings to make sure that rule  
24 is still clear.

25 Shellfish: During session the industry worked with

1 the department, and the outcome of that is some of the  
2 shellfish stuff we are scoping. There is wild ground that  
3 would be added as the new power dredge area in Eastern Bay,  
4 and it is expanding the existing area as well as the Swan  
5 Point area.

6 And those would be under a five-year study time  
7 period as well as the reg would allow for opening and closings  
8 of the hatchery seed-planting areas and other components of  
9 the study to be done by public notice.

10 Fisheries also had a request from Somerset County  
11 Oyster Committee to expand the size of the Evans Reserve near  
12 Deal Island. The reason, laid out there, is related to  
13 poaching issues. Additionally there were some fixes and typos  
14 in some of the coordinates that we had that came about. When  
15 we were mapping we found errors.

16 Some of them, just numbers were wrong and things  
17 like that. So we want to fix those while we are in there.

18 Right now all of these things, other than the  
19 housekeeping fixes and the coordinates, have been discussed  
20 with the industry. We planned on putting them up on our  
21 Website as well. We are looking for any other ideas if you  
22 think of any additional scoping ideas.

23 Snapping turtles: Again removing declaration  
24 periods on that. They came up with, at the workgroup meeting  
25 in March, that there were some issues. If someone wanted to



1 get a temporary transfer and come into the snapping turtle  
2 fishery and get a permit for that, and we don't have a limit  
3 on those permits, so the time period threw that ability off  
4 for those people.

5           So we just decided we would remove that declaration  
6 period and make it any time throughout the year that you could  
7 declare for it. That came again from the workgroup, and we  
8 will have it up on our Website.

9           There are some suggested changes for the  
10 license-free fishing areas for recreational folks that we have  
11 been discussing with the Sport Fish Advisory Commission.

12           This is just kind of looking at the criteria for  
13 safety and accessibility in quality fishing that we have for  
14 these areas, removing the ones that no longer meet those  
15 criteria, looking for new ones, trying to make sure we have a  
16 good array of them throughout the state for folks.

17           That input is ongoing with sport fish, and we will  
18 have more information up on our Website as well, and we will  
19 of course be reaching out to any specific jurisdictions if we  
20 are going to be removing a free fishing area in a  
21 municipality. We can reach out to them specifically to  
22 discuss that.

23           Gear: This is on the recreational side right now.  
24 Again, just as a reminder, on the spot pot/fish pot issue, we  
25 do have the biologist going out with the watermen this summer

1 to study what came out of our Commercial Gear Workgroup last  
2 year.

3           So that study will be happening, looking at mesh  
4 sizes and the escapement panel, this summer. So at the end of  
5 the summer we should have some information we can bring back  
6 to you on that. These gear changes are related to the  
7 recreational components -- jugging, trotlining and rod limits  
8 mostly.

9           We had a workgroup with the recreational sector, and  
10 those ideas are going to be up on -- or they are now up on the  
11 Website for scoping.

12           And then the dealer penalty system: This is again  
13 something that we worked with the industry on last fall, and  
14 over the winter we put together a system that essentially kind  
15 of mirrors the commercial harvester penalty system but  
16 specifies those actions that are only specific to dealers and  
17 not harvesters.

18           Looking at again the quantity of fish and whatnot,  
19 that deal with trying to address those types of things. That  
20 was given out to the Penalty Workgroup about six weeks ago or  
21 a month ago. I got some feedback on it. That current version  
22 of it should be up on the Website for everyone to view and  
23 comment on.

24           The goal would be to move forward with something to  
25 put into place by the end of the summer. So we would be

1 looking for comment kind of toward the middle of the month so  
2 we can start putting the final touches on that. And we would  
3 report back out to the penalty workgroup, which will be  
4 meeting hopefully sometime in the end of May, beginning of  
5 June.

6           So again that will be up on our Website. We could  
7 send correspondence out to licensed dealers asking for more  
8 input on that as well if need be. And we will be following up  
9 with the Penalty Workgroup on that, that topic.

10           Regs that are being developed: So we previously  
11 scoped some things that we haven't done yet, but just as a  
12 heads up that those are in the writing process right now. Our  
13 normal commercial license targets, the number of licenses we  
14 give out, needs to be adjusted based on, in the past, upgrades  
15 and downgrades of unlimited tidal fish licenses.

16           And then we had to wait for renewal time period to  
17 find out who had given up a license. We could give those back  
18 out. So based on a lot of things we were waiting on, we  
19 should have the targets set in reg again soon.

20           Restitution: This was a several-year process we  
21 have been working on, trying to move in a direction of  
22 bringing fines back to actually the department to restore  
23 fisheries based on egregious violations in taking a fish. So  
24 that will be something we will discuss in Penalty Workgroup  
25 again but I would imagine we would try to get something

1 together this year.

2           Aquaculture harvester permit restrictions: Again  
3 making sure there are restrictions on people who have  
4 repeatedly violated in the oyster fishery in their abilities  
5 to have harvester permits, and that should be shipped out  
6 shortly for public comment soon.

7           Permit declaration standardization: We already  
8 talked about this, making sure you can renew your permits or  
9 purchase your permit when you go to renew your license, so  
10 those are all in the works, as well as with yellow perch, we  
11 have a line fixed. Again the coordinate issue we found.

12           And then the last one there, summer flounder. This  
13 one has been a little while since we scoped it. We have been  
14 working with the industry out in the oceanside looking at a  
15 pilot program that would be in place for two years to allow  
16 commercial hook-and-line -- right now it is the same size  
17 limit as recreational hook-and-line. So we would look to  
18 align that with the commercial net fishery size limit.

19           And it would be for one to three miles out to try to  
20 buffer any issues with the recreational fishery there for  
21 enforcement purposes. So we would be moving forward with that  
22 for next year.

23           MR. JETTON: What is the timeline for that?

24           MS. HUNT: I am going to talk about that.

25           MR. JETTON: Because I get asked that all the time.

1           MR. MARTIN: How many hook-and-line commercial  
2 people are over on the ocean side? I don't know of any  
3 myself.

4           MR. O'CONNELL: John, there has been one individual  
5 who has expressed an interest in --- . I don't know the  
6 economics of it but it doesn't seem to be too economically  
7 feasible based upon the --- . That is why we have limited it  
8 to a two-year program and legislative request for the  
9 department so we are going to do it for two years --- .

10           While there are a large number of commercial  
11 people --- I don't anticipate a lot of people will want to  
12 take advantage of this opportunity.

13           MR. MARTIN: Okay. I have --- asked a bunch of  
14 questions about it.

15           MR. RICE: Thank you for your report, and I am sorry  
16 I cut you off at the pass. It wasn't Moochie's fault either.  
17 Actually see I am trying to keep up with my time schedule. So  
18 I get a little gung ho sometimes. Fisheries-related  
19 legislation. Gina, please?

20           ***Fisheries-Related Legislation, Wait-List Target, and Male LCC Issue***

21           ***by Gina Hunt, Deputy Director, MD DNR Fisheries Service***

22           MS. HUNT: I am going to talk about legislation, and  
23 then I am going to move into that wait list and LCC issue,  
24 like under one agenda item, I think.

25           So you have in your handouts a summary -- I think it

1 is right after the regulations stuff. A final legislative  
2 list, and I am just not going to go through all of it but I am  
3 just going to go through what was notable, what passed, and  
4 also just a little bit of what didn't pass but is still  
5 notable.

6           So House Bill 154 was the legislation that put a  
7 member of this commission on a Sport Fish Advisory Commission.  
8 And so I believe Rachel has been assigned that task, and she  
9 was at our meeting on just Tuesday with Sport Fish. So while  
10 this doesn't go into place until July 1, it is certainly in  
11 spirit already in place.

12           And Senate Bill 93, this was a recreational license  
13 incentive bill. This actually allows the department to  
14 provide some discounts to people who have not been buying  
15 recreational hunting or fishing licenses for at least three  
16 years and providing some kind of discount marketing to them,  
17 maybe cross marketing to hunters to come fishing or vice  
18 versa.

19           So that bill passed. It is effective in October but  
20 we will be discussing some opportunities and working with  
21 wildlife to figure out some discount programs and then coming  
22 back to sport fish with that in July with some of those ideas  
23 basically to make into place for a 2015 license year.

24           House Bill 1148 is recreational striped bass fishery  
25 study of harvest data. This is basically a request to have us

1 | look at ways to make the harvest information on striped bass  
2 | more accurate, and we have been working in that regard already  
3 | but be continuing down that road, and then providing a report  
4 | to the general assembly at the end of the year, by December 1.

5 |         House Bill 1174, this is one that you may or may not  
6 | have ever heard from constituents about but a few years ago  
7 | when our new license system came on, it implemented finally a  
8 | law that had been in place for many years, which was that we  
9 | had to collect Social Security numbers.

10 |         We were already collecting Social Security numbers  
11 | from watermen but we were not on the recreational side until  
12 | we got this new computer system. It caused concerns from  
13 | anglers on security, and the general assembly basically passed  
14 | this to say that the department may now just ask for four  
15 | numbers.

16 |         Before the law said we had to ask for all of the  
17 | Social Security number. It has not yet been implemented  
18 | because we are waiting for approval from the federal  
19 | government.

20 |         They basically have to provide us a waiver because  
21 | that information has been provided before to meet some  
22 | obligations for child welfare and basically the way people are  
23 | trying to track who is not paying taxes and who is not paying  
24 | child support, and all of those issues tied back into this  
25 | collection of Social Security numbers.

1           So we need a waiver that collecting the four digits  
2 is going to be sufficient, and we have been working on that  
3 for the past year, but when we get the waiver in place, now we  
4 already have the law there to allow us to change the system  
5 and only ask for four numbers.

6           So that is all the good news. And the bills that  
7 did not pass, Sarah did mention the oyster dredging bill,  
8 which there is regulations then coming out of that bill,  
9 Senate Bill 466 and House Bill 1155 that didn't pass. But  
10 they will be regulations instead of law.

11           And then Senate Bill 145, House Bill 145, this was  
12 the public notice bill. And we basically are looking now to  
13 have some representation from this commission and from sport  
14 fish to serve on a workgroup this summer and basically have a  
15 summer study.

16           The Secretary had requested the bill be withdrawn  
17 and move it to summer study to address some of the concerns.  
18 And so at this point I would be looking for -- if anyone is  
19 interested to participate in this workgroup, we would be  
20 talking about really what public notices are used for, what  
21 guard rails, boundaries, there should be for those and any  
22 possible legislation then for next year.

23           MR. RICE: Tom?

24           MR. O'CONNELL: Yes, so just some ideas for the  
25 commission to think about. We have also had the discussion



1 with the Sport Fish Advisory Commission. This is going to be  
2 a joint workgroup.

3 Sport fish had someone from tidal, somebody from  
4 nontidal waters and someone from the coast I think, at least  
5 those three. Thinking about where we use public notices  
6 within commercial fisheries, and trying to keep this to a  
7 manageable size.

8 You know, my idea was that we should have someone  
9 from the coast, we should have someone for striped bass, blue  
10 crabs, oysters, finfish and then dealer processor. That is  
11 about six people. That may give a good representation of this  
12 body to advise the department on how to use public notices  
13 going forward.

14 So we are looking for some volunteers today, and  
15 mine is just a suggestion, but I think those are the areas  
16 that would be good for us to get some representation of --

17 MR. RICE: I am always one for small groups. I  
18 would like to add one more: Moochie for the clammers because  
19 I know public notice means a lot to his industry sometimes.  
20 If you are going to volunteer for your --- .

21 MR. O'CONNELL: Oysters and clams?

22 MR. RICE: Well, I kind of think it is two separate  
23 animals somewhat, in some ways. So we are kind of looking for  
24 somebody from the coast.

25 (Laughter)

1 MR. MARTIN: What do you need?

2 MS. HUNT: We can, because I presume it is going to  
3 be me, I honestly don't know but I guess I am assigned  
4 that -- I mean we can move it. I can move it over to the  
5 Eastern Shore, looking at what kind of membership we have, I  
6 mean we can certainly move it to the Eastern Shore.

7 MR. RICE: Well, I can certainly start drafting  
8 people. The dealer processor, there are several here.

9 MS. VINCENT: I am more tempted if it is on the  
10 Eastern Shore.

11 MR. O'CONNELL: I live over there. It sounds good  
12 to me.

13 MR. GILMER: Me too.

14 MS. HUNT: Tom will be out running the workgroup.

15 MR. RICE: All right, finfish?

16 MS. DEAN: I am not going to volunteer, but I think  
17 as much attention as 145 got, it is something that we need to  
18 think about, and I know that you took the words right out of  
19 my mouth when -- you know, Moochie, for the clams.

20 But this is fairly important. It is what either  
21 opens or -- it can open a fishery. It can close a fishery.  
22 We talked about how it might set license fees. It might  
23 change things so I appreciate those of you who volunteered.

24 MR. RICE: I can start drafting people.

25 MR. O'CONNELL: Did we get someone from charter boat

1 on sport fish?

2 MS. HUNT: We have Jim, Dave Sikorski.

3 MR. GOLDSBOROUGH: We have conservation and coast.

4 MS. HUNT: I didn't think you got a coastal.

5 MR. GOLDSBOROUGH: Well, we didn't get them yet but  
6 we have it in our notes that it is going to be one of two  
7 people, neither of whom were there.

8 MR. JETTON: Put me on that one.

9 MR. O'CONNELL: Striped bass, blue crab, oysters?

10 MR. WILSON: I guess I better volunteer since my  
11 organization is represented with all those. If it is on the  
12 Eastern Shore, I can make it.

13 (Simultaneous conversation)

14 MR. O'CONNELL: We have Dave Martin, Lee Wilson and  
15 Robert T., Aubrey Vincent, Moochie Gilmer and Greg Jetton.  
16 The meeting is open to whoever wants to come but this would be  
17 a good starter group.

18 MR. RICE: Sounds good. Thank you all.

19 MS. HUNT: That was it for the legislation. If you  
20 want, we can move on to the wait list. So at the very back of  
21 Tab -- the very end of Tab 4, the very last sheet is a  
22 spreadsheet. This is kind of getting to your question, Greg.  
23 I am going to start with your question and then we will move  
24 into some of the other questions.

25 So where we are right now is that license renewal

1 ended March 31, late license renewal I should say, ended March  
2 31. And the process now will be run with that new computer  
3 system that we got last year, where the wait list and the  
4 people who applied to the wait list are in that system.

5           So what we did this year was -- to start with, folks  
6 need to renew by March 31. However, if they put their license  
7 renewal form in the mail, and that mail is postmarked by March  
8 31, we accept it. So where some watermen had hoped that on  
9 April 1 we would be releasing licenses, we can't do that  
10 because they are in the mail, literally in the mail.

11           And you would be surprised how many people wait  
12 until March 31 to walk in and renew or they mail them. So we  
13 have to wait at least a week -- if not, we wait two -- to make  
14 sure that we have received all of the license renewals that  
15 have been postmarked by March 31.

16           So after that period -- so that takes you halfway  
17 into April -- after that period we know how many  
18 authorizations have not been renewed and are coming back to  
19 the state. And I should say the numbers that are on the  
20 sheet, the number that says number of authorizations to  
21 release, that -- don't assume that is how many folks did not  
22 renew.

23           That includes all those folks who did not renew, but  
24 we may not have been at the target either. So there are  
25 probably -- like I know under FTRs I think we were under

1 target by 10.

2           So, you know, just know that this number doesn't  
3 mean this is the number that didn't renew. This means this is  
4 the number that we can now release based on the active number  
5 of authorizations we have from renewal, and the target that we  
6 now have. So take the target minus the active number of  
7 authorizations, and we will have the number we can pull off  
8 the wait list.

9           So the next column there is the current wait list.  
10 This is how many people are on this wait list for that  
11 particular license type. And after pooling, the final column  
12 is how many would be left.

13           So if the number is positive, that is how many we  
14 would have available, meaning there is no wait. You could  
15 walk in and get a hook-and-line license. There would be no  
16 wait list for that.

17           So if it positive, we have licenses available. If  
18 it is negative, we do not. The process for pooling off this  
19 current wait list is we are currently in there. We are doing  
20 it right now.

21           We have sent through this electronic system, when  
22 you applied to the wait list, if you provided us your  
23 e-mail address or a mobile cell number, we have sent you a  
24 text message or an e-mail and told you to come in and pick it  
25 up.

1           In the case of FGRs, I will just say we ran -- if  
2 you have heard from anybody with a charter boat that got  
3 called or notified earlier, it was because we ran a pilot  
4 program and pooled fishing guides. Knowing that the striped  
5 bass season was starting, they wanted to try to get out a  
6 little sooner.

7           We pooled folks a little sooner under fishing guides  
8 just to see how the system worked. We picked one  
9 authorization type and said, well, let's see what the computer  
10 system did.

11           And anybody who didn't provide us that phone number  
12 or that e-mail address, I actually called. So we had some  
13 people who have already come in and got them. This week, we  
14 sent those e-mails and that text message system. And there  
15 are a lot folks in there who did not give us an e-mail or a  
16 cell number. They are being mailed a letter this week.

17           That is snail mail, so, you know, it is going to  
18 take probably another week before they get that. The point is  
19 when they walk into licensing, they don't need to have a  
20 letter in their hand. All they need to do is say, hi, I am  
21 Gina Hunt. I got notified that I came off the wait list.

22           The computer system knows that they got pulled, and  
23 they will issue the authorization at that time. If they are  
24 already a waterman, then they don't owe anything because what  
25 they paid to apply covers them. If they are not already a

1 | waterman, then they are going to have to pay the harvester  
2 | registration fee and that marketing fee. But the  
3 | authorization is still covered.

4 |           Now the process for this year, and every year from  
5 | now on this is how we are going to do this, is that they are  
6 | going to have until July 14 to come in and pick up that  
7 | authorization. That is what -- letter, that is the date that  
8 | is in the letter. They come in by July 14, they can pick up  
9 | the authorization for this current license year.

10 |           That authorization would expire just like everybody  
11 | else's on August 31. And they are going to have to renew it.  
12 | If, say, you are getting pooled for oysters, and it really has  
13 | no value to you obviously for this license year, you can come  
14 | in and pick it up the last two weeks of July. So from July 15  
15 | to July 31.

16 |           Come in and pick it up at the end of July, and you  
17 | will be issued next license year's license. It is not valid  
18 | until September 1. So you have an opportunity to just hold  
19 | that and sit on it and come in and get it for next license  
20 | year.

21 |           If these authorizations are not picked up by August  
22 | 1, basically it is rescinded. We will issue it to the next  
23 | person on the wait list and we will issue you a refund for the  
24 | money you applied to the wait list.

25 |           So at this point we have sent the text message and

1 the e-mail. If you didn't get that, you are going to get a  
2 letter. If you don't respond to that and you don't come in  
3 and pick it up by, say, beginning of June, we are going to  
4 send a certified letter.

5 That is going to be the only real notification, one  
6 certified letter. They don't pick it up by, like I said, July  
7 31, it will come back and will be issued to somebody else. So  
8 that is the process we are going through. After August 1 we  
9 reissue -- start this whole system again, but you imagine it  
10 is going to be a lot less people.

11 And again we will probably do it, you know, after  
12 license renewal. So about twice a year, we are going to be  
13 circling around, and you will be hearing that letters are  
14 going out or text messages or e-mails.

15 So that is to answer your question about process.  
16 Do you still have --

17 MR. JETTON: I think so. Just so I am clear, and I  
18 am going to pick fishing guide nonresident because it has got  
19 the biggest disparity. If you issued a 3, there are 22 left.  
20 So somebody could just walk in at that point and get one of  
21 those 22 that is left over?

22 MS. HUNT: If they have a Coast Guard license.

23 MR. JETTON: What is that?

24 MS. HUNT: If they have a Coast Guard license.

25 MR. JETTON: Right, right. As long as they are



1 qualified for that.

2 MS. HUNT: Yes. Hook and line --

3 MR. JETTON: So on fishing guide, there is going to  
4 be one available, so whoever is first down there gets it.  
5 Okay, okay.

6 MS. HUNT: So you guys know first. Whoever gets to  
7 be No. 1 on the list. And like I said because obviously with  
8 striped bass season opening, it has been a pretty popular  
9 question from fishing guide right now. Right.

10 And we did that early pool of fishing guides. Not  
11 everybody got pooled. We just pooled the remaining ones this  
12 week. So you might have heard some got pooled, and now the  
13 rest are.

14 MR. JETTON: Okay. And that number and target of 57  
15 on the nonresident, that is written in stone, right? That  
16 number never changes, the target number?

17 MS. HUNT: The only time it changes is if -- so a  
18 person with an unlimited tidal fish license has the  
19 opportunity to choose the component authorizations, right?  
20 The component authorization of a unlimited TFL is an FTR, is a  
21 resident. However, there are few reasons why somebody would  
22 ever choose to break down their unlimited TFL, and one of  
23 those reasons is because they moved out of state.

24 You cannot hold an unlimited TFL out of state.  
25 So -- I say this because I know of one last year where the guy

1 moved out of state, broke down the license and he got an FGN  
2 instead of an FGR. So we raised that target. And because  
3 when you do that, when you break down to the component parts,  
4 the targets of all those components go up by one, and the  
5 unlimited TFL goes down by one.

6 But instead of raising the FGR up by one, we raised  
7 the FGN.

8 MR. JETTON: I think we are straight.

9 MS. HUNT: So that explains the wait list, the  
10 process. These targets over here on the left, by the way, are  
11 the ones that Sarah mentioned were going to be going into  
12 regulation. These are the scoped targets. Okay, so those are  
13 them.

14 And again, you know, just focusing on this is our  
15 remaining wait list over here. We have a wait list for some  
16 things, not for others. The last point on the agenda and how  
17 this all then also becomes relevant is that male only LCC that  
18 I have highlighted there.

19 So for the commissioners who were not here  
20 previously, I will just say this was a question that has been  
21 tabled for a little over a year now because of what to do with  
22 these authorization types that have been turned in to the  
23 department.

24 So male-only LCCs was a license category that was  
25 developed several years ago from latent LCC holders. They had

1 | an opportunity to either freeze their license or go male-only.  
2 | If they went male-only, meaning no female crabs, it was  
3 | forever and ever. The license would not revert back to a  
4 | female license, a full LCC.

5 |         So that is fine when they chose male only or frozen.  
6 | 460 represents the number that basically made that choice for  
7 | male-only. So between then and now we have had some of those  
8 | folks not renew their license. And the license comes back in  
9 | to the state. When the category was developed, when the  
10 | male-only LCC was developed, it actually was originally  
11 | written in regulation as non-transferable.

12 |         So the idea was at the time that it was going to go  
13 | away. And then we have had numerous issues and questions and  
14 | I can't remember how many years ago it was but basically  
15 | probably three or four years ago we changed that and allowed  
16 | the male-only LCC to be transferable.

17 |         So folks do have -- have had the option to sell this  
18 | as a business asset rather than turn it back in to the  
19 | department. These folks, 51, have chose not to. They didn't  
20 | sell it. They sent it back to the department. So the  
21 | question has been, as of last year -- I forget what this  
22 | number was, maybe 40 -- what to do with these?

23 |         Do we reissue them or do we make them go away? And  
24 | the question came to this commission, it went to the Blue Crab  
25 | Design Team. The Blue Crab Design Team made a recommendation

1 | to basically make them go away, lower the target by the number  
2 | that are turned in to the department. Came back to the  
3 | commission -- yes?

4 |               MR. GILMER: It didn't go the design team it went to  
5 | our state.

6 |               MR.               : Crab advisory.

7 |               MS. HUNT: Oh, crab advisory. Okay, you are right,  
8 | you are right. So they said, lower the target. Came back to  
9 | the tidal fish commission, there was a lot of discussion here.  
10 | They wanted the advisory commission to take some more things  
11 | into account.

12 |               Went back. The advisory commission came back with  
13 | the same answer. And at that point, when tidal fish met then,  
14 | we were in the throes of cost-recovery discussions. And so  
15 | the recommendation from the commission was don't make a  
16 | decision yet. Let's see where we are with money because  
17 | eventually if you make the decision that you are going to get  
18 | rid of these licenses as they come in, eventually you are  
19 | talking about 460 authorizations.

20 |               It will no longer exist, and you will not receive  
21 | the revenue from them. Right now, because of the cost  
22 | recovery, because of the fee increases of last session, if you  
23 | assume each of those 460 people are not otherwise licensed by  
24 | the department, so they don't otherwise pay the harvester  
25 | registration or marketing fee.

1           That is \$335 per person. That comes out to \$154,000  
2 eventually that would not be coming in. So the question, like  
3 I said, was well, wait. Let's see what this would mean for  
4 cost recovery. We are again at the end of license renewal, so  
5 we know how much money was brought in through the normal  
6 license renewal period.

7           At the time that the fees were set, the deficit to  
8 commercial sector was \$2.7 million. The goal of the  
9 legislation, the fee increase, was to raise \$1.6. We have  
10 raised \$1.8.

11           So take that into account, that is where we are.  
12 Where will we be in regard to the \$2.7 in the future, I don't  
13 know. But I will just say that one, we do have some other  
14 things to take into account. We do have some authorizations  
15 obviously that are currently not renewed because we are  
16 issuing off the wait list.

17           So you could assume a few thousand dollars coming in  
18 just now that we are pooling off the wait list. But we do  
19 also, if you look at the right-hand side, have a number of  
20 license authorization categories that are not at their target.

21           So you are talking about lost revenue right there  
22 too because we don't have -- we don't have anybody that wants  
23 them. If somebody wanted them, we would be bringing in that  
24 revenue. So all that being said, I think where we are at is  
25 we are looking for a recommendation from this commission what

1 to do with the male-only LCCs.

2           If we are going to use them and give them back out,  
3 we would at this point have to be offering them to the folks  
4 on that LCC wait list that we currently have. It is not a  
5 male-only wait list. So I don't know if they are going to  
6 want them.

7           But after we pool the full ones, we would have 65  
8 people left on there, and we have 51 male-only. So, you know,  
9 we do have people waiting for LCCs if that is the decision the  
10 commission makes. If the commission says, when they come in,  
11 just lower the target, then that is fine too. We just won't  
12 be issuing them to the people on the full LCC wait list.  
13 Questions? I know that was a lot.

14                           *Questions and Answers*

15           MS. SINDORF: Do you have a feel for how many people  
16 you think will not respond to your offering them new licenses  
17 on the -- as far as the LCC --

18           MS. HUNT: The full one?

19           MS. SINDORF: Yes.

20           MS. HUNT: Well, we are -- the really interesting  
21 thing is we are pooling 117 people off a wait list but these  
22 aren't people who have been on there for years. I mean, if  
23 you -- the CB6, CB9 wait list dates back down to the '90s.

24           These people have been on there a really, really,  
25 really long time. But the LCC wait list are people who have

1 applied within the last year. So I would say the chances are  
2 pretty good that they want it because they just got on it.

3 Now the only reason they may not want it, is you may  
4 apply to multiple wait lists, and so if you applied for an LCC  
5 and a CB3 or an unlimited TFL, and now are getting one of  
6 those, well then I don't want that LCC.

7 And it is important to note that your wait list spot  
8 is not transferable. So I can't give it to my buddy. He will  
9 get my LCC and I will get the CB3. You can't transfer you  
10 wait list spot. So I would say the chances though are pretty  
11 good that people are going to take what they just recently  
12 applied for.

13 MR. GILMER: I think if they have laid down their  
14 money they are pretty much, for the most part, unless there is  
15 a situation where you have acquired something else.

16 MS. HUNT: Exactly. And in some cases we have had  
17 that happen where -- you know, we had a guy come off for the  
18 fin, and he already had an HLI, but he just got it a year ago.  
19 And in order to sell a business you had to have it for 24  
20 months. He couldn't sell it. He didn't have a family member  
21 to give it to. He turned it back in to the department so he  
22 could get his fin.

23 But we already have 38 of them, so. Anyway I just  
24 say that is -- sometimes people will find another buyer, but  
25 if they are constrained by that 24-month rule, they are going

1 to turn one in and get the higher thing.

2 MS. SINDORF: So basically with these 117, all these  
3 people pretty much knew that license fee increases were  
4 happening, and they were going to pay a lot more money for  
5 this since they were only a year old.

6 MS. HUNT: Well, if they applied prior to the fee  
7 increase -- so at the time, the LCC was \$50. An LCC is now  
8 \$100. They are grandfathered in at the price they paid.  
9 However, come August, they owe that \$100, and they will also  
10 owe that \$215.

11 I mean, they are grandfathered in at the \$50, we are  
12 not asking for the other \$50. But they are going to have to  
13 pay the \$215 harvester registration and the seafood marketing  
14 surcharge. I don't think that is going to scare them away  
15 though if that is what you are worried about.

16 MR. JETTON: I don't know. You have got renewal  
17 coming again in August for everybody, and a couple of  
18 questions I have gotten from Rock Hall, especially some older  
19 people -- most people held on to their license through the  
20 price increase. A lot of people did. And they were kind of  
21 waiting to see where things fell out.

22 Well, now people are starting to look at that again,  
23 and I think you are going to have another round of people  
24 dropping, especially retired people. Older people seem to be  
25 the ones asking me the most about it. So I -- you know, you



1 | were talking about cost recovery there. I think you have  
2 | another round coming up of reductions in licenses again this  
3 | year.

4 | MS. HUNT: I think \$1.8 was great news. I really  
5 | don't want to skip past that that is great news. However --

6 | MR. JETTON: Don't get comfortable.

7 | MR. GILMER: I think the boom in the oyster  
8 | business, with the transfers, really helped us in that number.

9 | MS. HUNT: \$1 million of the \$1.8 is in that  
10 | harvester registration.

11 | MR. JETTON: Yes. And that is what you are going to  
12 | see. I just think you have got another whole round where  
13 | things are not going to settle out yet.

14 | MS. HUNT: So male only?

15 | MR. YOUNG: Well, the target is 460 now. If we take  
16 | these away it will be down to 409. And next year it will be  
17 | another 20 or 30 or 40 that get turned back in and then we are  
18 | down to the last of the 400. And pretty soon it will be down  
19 | to zero, which will bring the total number of commercial  
20 | license holders by that corresponding number.

21 | And one of the first things that I heard Larry say  
22 | when I got on this commission a few years ago is we don't want  
23 | to reduce the targets because that reduces our numbers. And  
24 | we already have got a small enough number of people that we  
25 | are trying -- a group of people to stand up for anything that

1 is commercial.

2           And if we get smaller and smaller and smaller,  
3 pretty soon nobody cares about us. And that has stuck with me  
4 all this time. We don't want to reduce the target, especially  
5 if there is a waiting list for LCCs. I have said it before:  
6 Why don't we offer it? Why don't we offer it to those people  
7 who are on the waiting list for LCC as a male-only and see  
8 what happens?

9           And if they all go out, they all go out. If they  
10 don't, then come back and say we offered them, this many  
11 didn't go out -- because I know some of them are going to go.  
12 And I think all of them will go as male only. But I could be  
13 wrong on that.

14           But then come back with a number like 10 or 15 or  
15 something like that and see what we want to do there.

16           MR. GILMER: And also, if you offer them this  
17 go-round, and then next year could you start a male-only wait  
18 list?

19           MS. HUNT: Oh, we would anyway. I say that because  
20 I mean it would be difficult -- it is difficult for us to  
21 manage this full LCC wait list. You may notify them but you  
22 don't know what you are going to get. It is like a lottery.

23           MR. GILMER: Right.

24           MS. HUNT: We have not created a male-only wait list  
25 because we didn't want to raise expectations that there would

1 | be one. But if that is the decision that we were going to  
2 | start reissuing these, then we would create that special wait  
3 | list just for that purpose.

4           We would issue -- offer these to those people who  
5 are on the full LCC wait list. But I will tell you that some  
6 of those folks who are on the full LCC wait list probably  
7 might already have a male only. Because one of the favorite  
8 things to do while we are getting some of these turned in is  
9 because people, you know, upgraded by basically putting  
10 themselves on the previous wait list and then going back to a  
11 full license and then turning in their male only.

12           So, you know, that is not all of them. I mean, we  
13   have a big wait list for LCC but it certainly is some of those  
14   folks, I know, wanted that full license back.

15 MR. GILMER: Well, you are going to have that in all  
16 categories, or some categories.

17 MS. HUNT: Right. So what is the motion?

18 MR. RICE: What is the pleasure of the commission?

19 MS. HUNT: I would love a motion.

20 *MOTION*

21 MR. YOUNG: I make a motion that they be offered to  
22 people on the waiting list.

23 MS. DEAN: I would like to second that motion.

24 MR. RICE: Okay, we have a motion and a second.

25 Anybody have any further comments?

1 (No response)

2 MR. RICE: Seeing a blank look on everybody's  
3 face --

4 (Laughter)

5 MR. RICE: All those in favor, raise whichever hand  
6 you choose.

7 (Show of hands)

8 MR. RICE: Opposed?

9 (Show of hands)

10 MR. RICE: One. Abstentions?

11 (Show of hands)

12 MR. RICE: One. Motion passes. Thank you all.

13 MS. HUNT: Thank you.

14 MR. RICE: Robert T., while you were out of the  
15 room -- no, you were not set up at all. We are trying to make  
16 sure this is a very well-rounded group, and since you are such  
17 a great participant and come to meetings and answer the phone  
18 calls, you are on the Public Notice Workgroup. Notice how I  
19 built you up before I lowered the boom.

20 MR. BROWN: I noticed.

21 MR. RICE: Well, don't feel bad. There are six or  
22 seven people on there with you so it is a good group.

23 MR. : Misery likes company.

24 MR. RICE: That is right. Thank you. Tom, would  
25 you like to introduce the lady who is here today to talk to us

1 about Mallows Bay?

2 MR. O'CONNELL: Sure do. Kelly Collins, come on up.  
3 Kelly Collins works for another unit within the department,  
4 Coastal and Chesapeake Watershed Services -- I may not have  
5 got that name exactly but close enough.

6 It came to my attention a few weeks ago that a  
7 process is going forward that Kelly will explain that  
8 potentially would create a national sanctuary in a tributary  
9 of the Potomac River. It is a lengthy process. We are very  
10 early in the process but I thought it was something to bring  
11 before tidal fish, and it was presented to sport fish on  
12 Tuesday. So Kelly, welcome.

13 ***Consideration of Mallows Bay Being Proposed as National Marine Sanctuary***  
14 ***by Kelly Collins, Coastal Planner, MD DNR***

15 MS. COLLINS: Thank you. Yes, we are working on  
16 this effort. DNR is working with Charles County and Maryland  
17 Historic Trust and a number of other partners to designate  
18 Mallow Bay as the first national Marine Sanctuary in the  
19 Chesapeake Bay region.

20 (Slide)

21 If you are not familiar with this area, Mallows Bay  
22 itself is located on the lower Potomac just south of Sandy  
23 Point and north of Liverpool Point. The immediately adjacent  
24 land is mostly owned by DNR and managed either as Nanjemoy  
25 NRMA or managed by Charles County as Mallows Bay Park.

1           As you can see, the Captain John Smith Historic  
2 Watershed goes right along the Potomac as well.

3           (Slide)

4           So Mallow's Bay Park is a well-used recreational area  
5 for fishing and boating. DNR, through the Waterway  
6 Improvement Fund, has put quite a bit of money into this area  
7 improving the boating facilities.

8           So let' just say this effort is not going to  
9 significantly impact the recreational opportunities. We are  
10 looking for ways to encourage compatible uses if this area is  
11 designated a National Marine Sanctuary.

12          (Slide)

13          So a little bit of the history of the area. It is  
14 actually really cool. There is probably the largest  
15 assemblage of ship wrecks in the western hemisphere at this  
16 site. They date back from the Revolutionary War. But the  
17 majority of them are actually from World War I back when the  
18 German submarines were sinking most of the allied ships there  
19 was an emergency effort under way to build transport ships.

20          And they decided that wooden ships would be  
21 preferable because they could build them cheaply and quickly.  
22 And so they engaged 40 wooden shipyards throughout the U.S. in  
23 this effort. The intent was to build 1,000 ships but the war  
24 then ended and a number of these ships never set sail.

25          They were purchased by a salvage company, and after

1 | being moved around to a number of locations, ended up in  
2 | Mallows Bay where they were burned for salvage over the  
3 | protests of a number of the local fishermen. This was about  
4 | 1925.

5 |           Since then the ghost fleet as it is known has  
6 | actually contributed to the ecology of the area. The decay of  
7 | the wood has increased the sediments in the area and it is now  
8 | a nursery and feeding ground for striped bass and other  
9 | aquatic organisms as well as habitat, over wintering habitat,  
10 | for migratory waterfowl.

11 |           (Slide)

12 |           So just a little bit about the National Marine  
13 | Sanctuaries system. There are 14 sanctuaries. Right now they  
14 | cover about 170,000 square miles. They are all located on the  
15 | coasts, and they serve different purposes. Some are focused  
16 | on coral reefs and other sensitive habitats. A couple are  
17 | focused on shipwrecks. There is Monitor off the coast of  
18 | North Carolina and Thunder Bay in Lake Huron.

19 |           And those are kind of what we would model the  
20 | Mallows Bay site after in that the focus is primarily the  
21 | preservation of the historic and cultural resources.

22 |           The process is such that -- oh, and just a note.  
23 | The fish up there next to each name of the site, those are all  
24 | the ones that do allow recreational fishing, and a number of  
25 | them also do allow commercial fishing. So I just wanted to

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1 || put that point across as well.
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2           The process is such that if -- so this is the first  
3 time in 20 years that NOAA has opened up this program for  
4 community live nominations. We are intending to put forward a  
5 nomination package, and if it is selected, there will be a  
6 formal scoping process that may take up to two to three years,  
7 and it would engage a number of stakeholders.

8           We would come back to you again for input. We would  
9 do a lot of work in the county and throughout the state, and a  
10 management plan would be developed for this site. And that  
11 management plan is what actually determines any regulations,  
12 the actual boundaries for the site. And any education  
13 interpretation activities.

14           Along with that, NOAA would provide funding on an  
15 annual basis for management of the site. So all told, it is a  
16 federal process. If this moves forward, it could take as many  
17 as seven years to actually be designated a National Marine  
18 Sanctuary. But we have got a lot of local support so far,  
19 and I would love to get any input or thoughts that you might  
20 have, or concerns.

21 *Questions and Answers*

22 MR. JETTON: It seems like a fantastic idea to me.  
23 It looks like a neat place.

24 MS. COLLINS: There are a number of outfitters who  
25 do kayaking trips.



1           MR. GILMER: I was going to ask the Potomac River  
2 people here for their thought on it.

3           MR. RICE: Actually I have worked above that area  
4 and below it a lot. I have never really worked in that area.  
5 I mean, if we have enough interest I can start taking tours.

6           MR. JETTON: Well, you know what? That is the first  
7 thing -- charter boats has been working in my head. That  
8 looks like a kayak place. The motorship goes in there, drop  
9 the kayakers off and they go off. We do that on --- already.  
10 I don't see anything but benefits for Potomac River charter  
11 captains.

12           MS. COLLINS: Yes, we have talked to a couple folks.  
13 REI and an outfitter called Up the Creek do kayak trips out  
14 there a couple times a month in the summers.

15           MR. JETTON: Have you made this presentation to the  
16 Potomac River Fisheries Commission too?

17           MS. COLLINS: Not yet.

18           MR. O'CONNELL: I have informed Marty Gary, our  
19 former colleague, to consider putting it on their agenda for  
20 their summer meeting.

21           MR. JETTON: Phil Langley -- have you done this for  
22 sport fish?

23           MR. O'CONNELL: Yes, he was here the other night.

24           MR. JETTON: He would be my other --

25           MR. RICE: Rachel?

1 MS. DEAN: Tom, you had mentioned to sport fish the  
2 other night that so long as one of the scoping processes went  
3 through, we have requested that there is commercial fishing  
4 activity in the area, that we allow that to continue.

5 So I just wanted to let the other commissioners know  
6 that is a possibility because even if we don't know if  
7 somebody is harvesting there now, or maybe it is catfish  
8 bait -- I don't know what it could be but I don't want to sit  
9 here and say, hey, you are shut down because we didn't know  
10 you were there.

11 MR. O'CONNELL: That was one of my first interests  
12 when I heard about it. I talked to Kelly and I looked at a  
13 couple of these sanctuaries. There is one in North Carolina.

14 In my quick review is that there are many that allow  
15 commercial fishing, but those sanctuaries that are designed to  
16 protect like coral reefs or shipwrecks, the commercial  
17 activity that is usually allowed is activity that would not  
18 impact that -- so spear fishing. They may hook and line. It  
19 ultimately depends on the specific projects.

20 But with shipwrecks here, I would think gears that  
21 would impact shipwrecks or some of the bottom features but  
22 that is the information that would be gained for the public  
23 process, and I just wanted to clear that.

24 Commercial fishing -- just because it is called a  
25 sanctuary doesn't mean fishing is not allowed. There are

1 opportunities and examples of recreational and commercial.

2 MS. VINCENT: What do you envision on this project?  
3 Do you envision commercial playing a role in this particular  
4 sanctuary or do you just plan on focusing entirely on  
5 recreational? I just wasn't sure of the scope of the project.

6 MS. COLLINS: Yes, and again some of this will be  
7 determined during the public scoping process but I think the  
8 majority of the regulations are really going to look at just  
9 protecting the cultural and historic resources.

10 So as long -- and I don't foresee that commercial or  
11 recreational fishing would actually be an incompatible use so  
12 I think that the regulations might be more along the lines of  
13 restricting salvage of the historic shipwrecks or  
14 potentially -- I know a number of sanctuaries have regulations  
15 against drilling or dredging or discharge in the area so it is  
16 more of those types of regulations.

17 MR. RICE: The jurisdiction in terms of fisheries  
18 is this is pretty much in Maryland 100 percent?

19 MR. O'CONNELL: The boundaries will be defined  
20 through the scoping process. It looks like the majority of  
21 it, if not all, will be in Maryland. That is why I reached  
22 out to Potomac River as well.

23 MS. COLLINS: There is actually an application right  
24 now to put this site in the National Register of Historic  
25 Places. So that is happening concurrently

1 MR. RICE: Thank you for your report. Tom, can you  
2 give the ASMFC spring agenda, please?

3 ***ASMFC Agenda Spring Meeting Review***

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

5 MR. O'CONNELL: So the Atlantic States Marine  
6 Fisheries Commission will be meeting the week of May 12. I  
7 just mentioned a few of the activities that are something that  
8 all of us should be cued into.

9 First there are going to be two workshops. One is  
10 the Magnuson-Stevens Act reauthorization workshop to educate  
11 the commissioners and the members of the public that would  
12 like to go to understand what has been drafted in some of the  
13 house/senate bills and how that process is going forward.

14 It should be a very informative workshop. --- is  
15 here . He represents us on the Mid-Atlantic Fisheries  
16 Management Council with Mike Luisi and Steve --- . The  
17 council has already begun, you know, engaging in this  
18 discussion.

19 There is also a workshop that is more focused on  
20 recreational but this group has been interested in  
21 recreational accountability. I believe the workshop relates  
22 to the federal program that estimates the recreational  
23 catching effort. It is called the Marine Recreational  
24 Information Program.

25 It used to be called MRFS. It is now the MRIP

1 program. NOAA, who handles this program, is looking to  
2 transfer one component of the project over to the states.  
3 That being the project where creel --- intercept anglers to  
4 catch quota then move in to transfer that responsibility to  
5 states.

6 Some states have already done it. Other states are  
7 still exploring it. But it is to be all implemented by 2016.  
8 Maryland is one of the states that has not begun the --- . So  
9 this workshop is to kind of share knowledge between states the  
10 move to make this transition, and other states that have not.

11 The costs of the program are supposed to be funded  
12 by the federal government so it would be no additional costs  
13 to the states. But the states would be handling the field  
14 component of the program.

15 Three major board meetings; One is American eel.  
16 For a number of years now the board has been looking at  
17 responding to a stock assessment that showed the American eel  
18 population depleted. Some actions have already been taken on  
19 silver eels, yellow eels in regard to mesh sizes, which  
20 Maryland already had in place, and glass eels, as an interim  
21 measure.

22 This meeting is going to be focusing on potentially  
23 establishing a quota for yellow eels and some actions on glass  
24 eels, which is largely a fishery up in Maine.

25 The initial addendum, the draft addendum that came

1 forward last fall, was using a very historical timeframe for  
2 establishing the baseline for the quotas. And because  
3 Maryland's fishery in particular has been growing in recent  
4 year, the option is going to put Maryland at a greater  
5 disadvantage. We are looking at 50 plus percent reductions.

6           Myself and John Clark from Delaware have been  
7 working with the Atlantic states stock and have come up with  
8 some options that we think are, you know, fair to all states,  
9 doesn't put any state at a disadvantage.

10           And I have been working closely with Russell Dize  
11 who is on the board who represents Senator Goldman. So, you  
12 know, it is unclear as to what will finally be decided but at  
13 this point the board is looking for something to take off with  
14 public comment. There is always a status quo option but there  
15 will also be options to establish a quota based upon different  
16 scenarios.

17           If the board moves that addendum forward, there will  
18 be public comment, public hearings this summer. And this is  
19 something that is of strong interest to Maryland. Maryland  
20 harvests about 55 percent of the coastwide yellow eels right  
21 now.

22           Menhaden: This is the meeting that is largely going  
23 to be focused on. A review of last year's performance by the  
24 states with implementing the regulatory changes that were  
25 required last year, we will expect that there will be a lot of

1 focus on the by-catch provision from last year and how that  
2 has played out.

3 We are hopeful that there will be an opportunity to  
4 raise the allocation issue that will potentially allow us to  
5 re-examine the allocation that goes to the reduction fishery  
6 versus the bait fishery in trying to make some arguments to  
7 mitigate the impacts that we are experiencing in Maryland with  
8 the bait fishery.

9 I think what we want to avoid is being in a  
10 situation where we are releasing dead fish, something that we  
11 talked about earlier with the striped bass. So Lynn Fegley is  
12 working closely with Bill Goldsborough and Russell Dize  
13 preparing for that meeting.

14 And then lastly striped bass. In response to a stock  
15 assessment, management action is being examined by the board.  
16 The board -- let me backtrack. The new stock assessment which  
17 the board adopted created a new reference point, the new  
18 reference point being the spawning stock biomass of females  
19 and the coastwide fishing mortality rate.

20 With that information, it is suggested that some  
21 actions were needed to reduce the fishing mortality to the  
22 target level. Because of the Chesapeake Bay situation, we  
23 have always had this conservation equivalency. The board  
24 tasked the Technical Committee to look at developing an O  
25 specific reference point for fishing mortality.

1           And the idea would be is that there is a fishing  
2 mortality target for the coastal population, the larger fish,  
3 and the fishing mortality for our bay fishery -- Maryland,  
4 Virginia and the Potomac River, which is the summer/fall  
5 resident population, mostly males.

6           The Technical Committee has been working on this.  
7 They have come across some challenges with having the proper  
8 analysis and data to make a strong recommendation for a  
9 bay-specific reference point.

10           That said, they are having a conference call again  
11 today and they are trying to put forth options for the board  
12 to consider understanding the pros and cons of their options  
13 and the impacts of not going forward with any data at this  
14 point.

15           There is a lot of momentum building, particularly in  
16 New England, to take some strong actions. You know, I am not  
17 sure if they are fully justified, something we have been  
18 talking closely with, with Virginia and the Potomac River  
19 Fisheries Commission.

20           Something that --- paid a lot of attention to, but  
21 we are hopeful that today's Technical Committee call is going  
22 to give us some very specific reference points that we can  
23 argue for at the board level. We have been managing the bay  
24 fishery pretty conservatively and we don't want to be put in  
25 the same grouping as the coastal fishery.



1           So a lot of it is in flux. There are some rumors  
2 going out there as Maryland states try to put forth options.  
3 A lot of recreational fishermen along the coast are willing to  
4 go to a one-fish creel, from two fish to one fish. This is  
5 the coastal, this is the Atlantic ocean fishery.

6           That would potentially lead to a 30 percent  
7 reduction, and some folks are obligating that level of  
8 reduction on the commercial side. Based upon the stock  
9 assessment, I don't think that level of action is warranted.

10           So it is going to be an important meeting for us.  
11 It will definitely not be an end point of the discussion, it  
12 is really just the beginning. So we want to make sure that  
13 there is a full slew of options that include those that are  
14 favorable to us in the bay jurisdictions, which will go out  
15 for public comment this summer if the board decides to advance  
16 something.

17           And we will be having those discussions this summer  
18 and final decisions would be planned for implementation in  
19 2015. There is still a possibility the board may not act on  
20 anything, but I think it is more likely they will be doing  
21 something. So we will keep you informed the best we can.

22           MR. RICE: Thank you, Tom. Does anybody have any  
23 questions for Tom?

24           (No response)

25           MR. RICE: Okay. Brenda, could you give us a blue

1 crab fishery report, please?

2 MR. O'CONNELL: While Brenda is getting ready,  
3 earlier today around 11:00 a.m., there was a press release  
4 that was sent out that was coordinated with Virginia  
5 announcing the result of the winter dredge survey. We did  
6 have an opportunity to brief some of the stakeholder  
7 representatives that typically get phone calls like Robert T.

8 So Brenda is going to provide more on the dredge  
9 survey results, and then we can talk about next steps.

10 ***Estuarine and Marine Division Update***

11 ***Blue Crab Fishery Update***

12 ***by Brenda Davis, MD DNR Fisheries Service***

13 MS. DAVIS: We don't have a lot of good news to  
14 share. The good news out of all the crab information we have  
15 is that harvest was below the target for the sixth consecutive  
16 year.

17 The bad news is that the spawning age females dipped  
18 below that 70 million low abundance threshold, which puts us  
19 into the --- .

20 So the target line, the green line is 215 million  
21 crabs, and the low threshold line is 70 million.

22 We did have a 78 percent increase in juvenile crabs,  
23 the smallest size group of crabs. Unfortunately that was an  
24 increase from the lowest level in the history of the survey so  
25 it didn't bring us -- although it is an increase, it is not as

1 big as it sounds for 78 percent.

2 (Slide)

3 Total abundance is pretty much where we were last  
4 year. The difference is that last year that abundance was  
5 made up mostly of spawning-age females where this year it is  
6 made up of mostly juvenile crabs.

7 (Slide)

8 So our total abundance again is right around 300  
9 million crabs. We also had a decline in age 1 plus males, and  
10 there has been some talk of reference points for males that we  
11 have not hit the mark for that would trigger any sort of  
12 management action on males in Maryland.

13 (Slide)

14 Not surprising, the low abundance that we had last  
15 year, harvest was down in all three of the bay jurisdictions.  
16 So in addition to the high variability in the number of crabs  
17 that we typically can get out of the recruitment of blue  
18 crabs, several other environmental factors weigh heavily or  
19 can weigh heavily on the population.

20 This year, everybody knows, it was a really long,  
21 really cold winter with lots of ice cover.

22 (Slide)

23 So it is not surprising that our --- mortality for  
24 mature crabs, which is the size group that gets hit hardest,  
25 was 28 percent in Maryland. That is the fourth highest of the

1 survey.

2 Do you have any questions about the results of the  
3 survey?

4 *Questions and Answers*

5 MR. YOUNG: So there are 300 million total crabs  
6 approximately?

7 MS. DAVIS: Right.

8 MR. YOUNG: And females were 69 --- how many --- .  
9 I mean, that is what we are fishing on, so we would like to  
10 know.

11 MS. DAVIS: 29 million.

12 MS. VINCENT: In other fisheries, everything is  
13 related and it all essentially depends on each other. Are  
14 other stock assessments done on different kinds of  
15 fish -- predators, things like that, and then correlated with  
16 this data to try and find some kind of association between  
17 increased predator levels and decreased catch?

18 Is any of that information taken and put together?  
19 Do you need to test causation, things like that? Do we take a  
20 chance to look at any of that stuff?

21 MS. DAVIS: There is some work being done on  
22 ecosystem-based management so if you want to take the --  
23 something like striped bass and crabs, I mean over the years  
24 there has been quite a bit of work to try to see if there is a  
25 connection between the two. And we have not been able to come

1 up with a significant relationships between the numbers of  
2 striped bass and the number of crabs.

3 I have stacks of studies on stomach contents, you  
4 know, for striped bass, and those studies continue to go on,  
5 and what it basically shows is that striped bass are  
6 opportunistic feeders, and if they happen to be where there is  
7 a bunch of little crabs, they will probably eat them.

8 But when you take the striped bass population as a  
9 whole, then the impact is relatively low. We think it is  
10 probably not the thing that changes --

11 MS. VINCENT: I know we have so many different kinds  
12 of information that the way they are studying it, if it showed  
13 any different kinds of causal effects based on different  
14 species or anything like that. I just wasn't sure how we are  
15 applying the numbers and the research.

16 MS. DAVIS: It is an incredibly complicated system.  
17 There are just thousands of potential variables that, you  
18 know, it could be. With blue crabs, the biggest --- the whole  
19 larvae life cycle. That takes in the ocean. It wouldn't take  
20 a huge change in wind or the water currents to change what we  
21 get back into the bay. And that is one of the reasons that  
22 recruitment is just incredibly variable.

23 So by keeping that harvest at that safe level,  
24 somewhere around that 25 1/2 percent, we can't guarantee there  
25 is going to always be a good, sustainable population of crabs

1 but what we do is we increase our probability that when we get  
2 down, we don't stay there for a bunch of years like we did for  
3 that 10-year period from, say, '98 to 2008. We just got down  
4 and we couldn't get it up.

5 So we are looking at improving our odds that we  
6 don't stay down for a long time.

7 MR. MARTIN: I just want to know what part of this  
8 study is coastal?

9 MS. DAVIS: --- are not included in the stock  
10 assessment for the survey.

11 MR. RICE: So it would be Maryland, PRFC and  
12 Virginia?

13 MS. DAVIS: Right. So it is cumulative stations  
14 baywide and all through the jurisdictions.

15 MR. BROWN: The last six years we stayed below our  
16 target. So that shows the plan we have, we have  
17 essentially stayed at -- we did what we intended to do by  
18 staying in that area, correct?

19 MS. DAVIS: Correct.

20 MR. BROWN: So I mean since we did that in 2012 and  
21 we haven't had --

22 MS. DAVIS: Predators habitat, weather conditions,  
23 you know, dams -- there are a multitude of factors.  
24 Cannibalism.

25 MR. YOUNG: This age zero abundance, is that just

1 the juveniles?

2 MS. DAVIS: Right.

3 MS. FEGLEY: This all seems so simple but it is a  
4 little more complicated than maybe we would like it to be.  
5 This graph shows the abundance of juvenile crabs. In order to  
6 calculate the exploitation function; that is, the number of  
7 crabs that are removed from the population, that is your  
8 figure one, then it is really simple math.

9 That graph is actually the number of crabs harvested  
10 in 2013 divided by the number of crabs we estimate to be in  
11 the bay.

12 In that calculation, we need to scale up the number  
13 of juvenile crabs by a factor of about 60 percent. And this  
14 is because we assume that the dredge survey is underestimating  
15 the number of juvenile crabs. And the reference points that  
16 are calculated out of the new stock assessment model include a  
17 calculation with that scale-up assumption.

18 So in order to line up the exploitation fraction  
19 with the reference points, we have to use the scale-up. So  
20 this graph shows the juvenile calculation with that scale-up.

21 Arguably we probably should have put the  
22 noncorrected juvenile abundance in here because the 300  
23 million, that is the straight estimate out of the dredge.

24 So it gets a little confusing because then when you  
25 talk about abundance, we like to just talk about what we get

1 out of the dredge survey. That is straight calculation. But  
2 then because we have the stock assessment that includes the  
3 scale-up, at some point we need to incorporate that in our  
4 juveniles.

5 MR. YOUNG: I am doing some quick math here, and I  
6 don't profess to be a mathematician, but if there are 69  
7 million --- females and there is 29 million males, that is 98  
8 million crabs that are adult total. Take that from your 300  
9 million, there are 202 million unaccounted for. So are they  
10 all juveniles, 202 million juveniles?

11 Plus scaling them up because you think that the  
12 dredge survey underestimates, so are there 300 million  
13 juveniles?

14 MS. FEGLEY: The uncorrected number of crabs is  
15 about 300 million and I would actually have to go back -- if  
16 you give me a minute I can give you the numbers corrected and  
17 uncorrected.

18 MR. YOUNG: I am just wondering if you have  
19 something we might be able to fish on toward the end of the  
20 year because 29 million males is nothing to fish on.

21 And I wonder why it takes until May to get this  
22 information when three weeks ago I could have saved myself  
23 almost \$2,000 by not buying pots and building pots and rushing  
24 around paying help because this is devastating. How are we  
25 going to fish with 29 million crabs?



1                   MR. WILSON: Years ago you would have put your whole  
2 life savings into all these little crabs because they are  
3 going to come to a million and they never showed up.

4                   (Simultaneous conversation)

5                   MR. YOUNG: You will never convince me that the  
6 disappearance of all those juvenile crabs in the summer of  
7 2012 didn't have something to do with some kind of crap moving  
8 down the bay. The razor clams, we had a drop-off in those  
9 that same year didn't we, Moochie?

10                  MR. GILMER: --- .

11                  MR. YOUNG: Yes. And there was something that was  
12 put in that bottom that was brought down from upstate New York  
13 or God knows where -- maybe, because I know for a fact you  
14 know that spray spider killer? If you spray that in the roof  
15 of your --- , it kills everything in that tank. So if there  
16 was a spider killer plant up there in New York that got  
17 flooded and all that washed into the Susquehanna and came down  
18 the bay and went in here, our crabs are done.

19                  And that is what I think -- something, I don't know  
20 what, but something was deposited and then the water  
21 temperature got to a certain level in mid-July, everything  
22 just disappeared, all the little crabs.

23                  MR. RICE: Bill, you had something?

24                  MR. GOLDSBOROUGH: On Richard's earlier point, one  
25 of the things you can do is look up the survey from a year

1 | ago, what the number of juveniles were, and have some idea of  
2 | what your fishing is going to look like even though you  
3 | haven't gotten this year's survey yet.

4 |           Because, you know, you can look at that and if it  
5 | was terrible a year ago -- we knew that --- year class was  
6 | coming through. If that is helpful.

7 |           MS. FEGLEY: And I would just like to say too that  
8 | 25 or so years of this survey, with the exception of 2012,  
9 | which was a really big anomaly, we had been able to predict  
10 | the upcoming harvest pretty accurately based on the number of  
11 | crabs that we estimate --- .

12 |           In other words, we had been able to get really  
13 | close. So I think, in terms of your concern, we have gotten  
14 | our juveniles out there. There is not a lot of them but, you  
15 | know, they are coming in. Remember, half those juveniles are  
16 | males, and depending on what the temperature does, how fast  
17 | they grow, they are going to recruit into the fishery, looking  
18 | at what the weather is doing now, maybe in September.

19 |           If it keeps up, you will get them in August.  
20 | Probably not in July. But, you know, this is annual  
21 | recruitment during the fishery so that little uptick there is  
22 | what is coming in. That low number of male, that is your  
23 | adult male crabs. So those are the ones you are starting on  
24 | now but recognize you have got this slug coming in later on.

25 |           MR. YOUNG: That is the only saving grace.

1 MS. FEGLEY: That is the only saving grace. And  
2 that is it.

3 MR. RICE: Sometimes you just got to ask yourself,  
4 do I feel lucky?

5 MR. YOUNG: Well, all this rain is going to keep the  
6 salinity hopefully down in the bay and those red drum won't  
7 come up here and suck up all those baby crabs. I know we are  
8 going to talk about predation in a little bit, Lynn? We may  
9 be talking about striped bass but I would like to stick my  
10 nose in there with red drum.

11 MR. RICE: Well, with that being said, Tom, can you  
12 kind of brief us on what possibly might be the reaction to  
13 these numbers that were released this morning?

14 MR. O'CONNELL: Sure. So over the past week we have  
15 been communicating with our bay partners, the Virginia Marine  
16 Resources Commission and the Potomac River Marine Commission.  
17 And I do believe it was Robert T. who said we are fishing at  
18 safe levels, and we have been doing that for six years.

19 Unfortunately there have been some environmental  
20 factors that seem to be, you know, causing us some problems,  
21 and we are hoping that, you know, over a long term these drops  
22 would be short in duration.

23 So what do we do? We have a depleted adult female  
24 population. And the Maryland, Virginia and Potomac River  
25 Fisheries Commission feel that we need to take some action so

1 that we get that spawning adult population above that  
2 threshold next year.

3 And we also have to take some actions to protect  
4 the, you know, the increase in juveniles so that next year's  
5 spawners get us better odds of getting a good spawn next year.  
6 So it is looking like a two-pronged approach that is targeting  
7 a minimum 10 percent reduction. And the fish stock would be  
8 to look at what protective measures can the three  
9 jurisdictions do on the current spawning females?

10 Unfortunately or fortunately, the majority of those  
11 adult females are in Virginia right now. And Virginia's  
12 rule-making process will not allow them to implement measures  
13 until late June at the earliest, more likely July.

14 And that is toward the tail end of spawning. We can  
15 take some actions but we don't have a lot of females in  
16 Maryland, just like the Potomac River Fisheries Commission.  
17 But the three jurisdictions have agreed to take some  
18 coordinated action to do what we can to protect the current  
19 spawning population to increase the odds of a better spawn,  
20 you know, this year.

21 We have no opportunity to look at protecting the  
22 juveniles. If we could get a bump up in juveniles but still  
23 at a low level. So the three jurisdictions are looking to  
24 take actions from this fall through next spring to add some  
25 further protection on those juveniles that will be next year's

1 adults and spawning next summer.

2           So one thing I can tell you based upon some earlier  
3 conversations is, you know, how serious is Virginia about  
4 doing something. We have got a strong partnership with them,  
5 and I can tell you that based upon communications last week  
6 and between the Secretaries, Virginia is very concerned about  
7 the depleted stock status and is looking to take aggressive  
8 action this year.

9           And they are getting some industry support to  
10 possibly even go above 10 percent. That is not something that  
11 we are looking at doing in Maryland but Virginia may be  
12 looking at taking further actions.

13           And where the three jurisdictions are, is we have  
14 agreed to look at taking -- achieving a 10 percent reduction.  
15 The next step is to meet with our blue crab advisory bodies to  
16 figure out what is the best means of doing that.

17           But just to share with you some of the preliminary  
18 ideas among the three jurisdictions, Virginia feels like in  
19 regard to putting some protection on the current spawning  
20 adults, they are considering lowering the bushel limits for  
21 what they call a mid-summer slowdown period.

22           So they would be looking at lowering the bushel  
23 limits this summer. Then what they would be looking at doing  
24 is changing their fall seasonal closure period -- their season  
25 closes November 30th. Ours closes November 10th.

1           They are looking at proposing to their commission  
2 bringing that all the way back to November 15th. And then  
3 looking at in the spring, their season opens March 17 right  
4 now, March 15 or March 17, 17th. Our season opens April 1.  
5 They are looking at delaying the start of that season from  
6 March 17 to some later date undetermined at this point in  
7 time.

8           The Potomac River Fisheries Commission hasn't had a  
9 chance to talk to their advisory body but they are looking at  
10 possibly changing their fall season closure date from November  
11 30 back to perhaps when Maryland is, November 10, or Virginia,  
12 if they change theirs, November 15.

13           They also do a rolling closure period in the fall,  
14 and there maybe opportunities to extend those closure periods  
15 to achieve some reduction.

16           So what do we do in Maryland? You know, our  
17 framework has been, you know, bushel limits. Bushel limits  
18 are already at a very low level. Lowering them further may  
19 jeopardize the economic viability of some. We had a couple  
20 years ago that summer closure period. And that caused a lot  
21 of market disruptions so I don't think that is something that  
22 the industry would support.

23           But again we haven't had these discussions. The one  
24 new idea that staff has come up with, and again is something  
25 to talk about with you and the crab advisory body, is possibly

1 looking at a vessel cap where two individuals are working  
2 together.

3 And the idea is that right now when two guys work  
4 together, the limit is additive of their individual limits.  
5 Because it follows that potentially the operating costs are  
6 lower -- they are sharing fuel, they are sharing crew -- they  
7 may be in a better position to absorb some decrease versus an  
8 individual crabber.

9 The one thing that I don't want to do is set a limit  
10 that drives everybody to get on separate boats. But that is,  
11 you know, one current thought but what we are looking at doing  
12 is getting the Blue Crab Advisory Committee together here in  
13 the coming month of May, develop some options and keep a close  
14 eye on what Virginia is going to be -- what is going to be  
15 coming out of the Virginia Marine Resources Commission meeting  
16 later this month.

17 Their process is they gave their commission -- they  
18 will identify actions and then they will go to a public  
19 hearing in June for their state to make the final decision.  
20 So after the May commission meeting in Virginia, we will have  
21 a good sense of what Virginia is considering at least.

22 We have talked with a few earlier -- well, why 10  
23 percent? You know, it is difficult. We are already at safe  
24 fishing levels. What we are looking at doing is trying to  
25 increase our odds that we are not going to be in this

1 | situation next year.

2 |           We are going to get a decent spawn this year and if  
3 | not build up the spawning population for next summer. So that  
4 | is what we are looking at doing right now. The Chesapeake Bay  
5 | Stock Assessment Committee, they have reviewed this  
6 | information, a subcommittee of them I should say, and their  
7 | preliminary advice is to not relax, be risk averse, to express  
8 | concern over the depleted stock status.

9 |           They didn't give a percentage but they will be  
10 | having some further discussions as they put together their  
11 | full report, which is due later this summer. And based upon  
12 | that full report, when they provide some more information for  
13 | the jurisdictions to examine as we try to put together our  
14 | plans for this year.

15 |           Not the greatest news but, you know, we are hopeful  
16 | that the Maryland framework is solid and that this two years  
17 | of low abundance is going to be short-lived. And if not we  
18 | may have to be looking at, you know, a different management  
19 | form but we are looking at how we are going to have to deal  
20 | with this because none of us want to stay at these low levels  
21 | of abundance.

22 |           MR. RICE: Thank you, Tom, for your insight. Does  
23 | anybody have a question for Tom? John?

24 |           MR. MARTIN: So you talked about the three. How  
25 | does it affect -- there are quite a few local blue crabbers



1 down there. So does coastal -- does the stock match what  
2 happens in the bay or is it all different?

3 MR. O'CONNELL: We have a got a lot less  
4 information. We don't have these formal stock assessments in  
5 the coastal bays. Right now we are not looking at any changes  
6 through the coastal bay's fishery. This is specifically  
7 Chesapeake Bay. I don't know if Lynn or Brenda have any  
8 insights on what the status is.

9 MS. FEGLEY: It is effective stock out there so, you  
10 know -- there has actually been some genetic work that shows  
11 it is a separate animal. Not a separate animal but just a  
12 different fishery completely. And it seems to vary basically  
13 with that trend over time. So it is a different FMP.

14 MR. MARTIN: Do you have anything, charts on it?

15 MS. FEGLEY: We can certainly provide that. We keep  
16 track on harvest out there.

17 MR. RICE: Can you give us your report?

18 MS. FEGLEY: On electronic reporting?

19 MR. RICE: Yes.

20 MS. FEGLEY: Yes, I can.

21 ***Electronic Reporting Updates***

22 ***by Lynn Fegley, MD DNR Fisheries Service***

23 MS. FEGLEY: We have what used to be requests for  
24 proposals for a new state-of-the-art electronic reporting  
25 system for our commercial fisheries. This will be basically

1 something that will look a lot like the blue crab pilot system  
2 for every single fishing fleet including aquaculture, and the  
3 coastal fleets will be included in that as well.

4           It will have the capability for hailing. Also we  
5 have put a lot of effort within the RFP to address the issue  
6 with striped bass, of quotas and quota transfers. It will  
7 actually provide a platform by which transfers can come  
8 virtually in real time for that fishery to help address some  
9 of these issues that we have.

10           I think that Noreen is going to send you all a link  
11 so that you can get -- the RFP is posted on e-Maryland  
12 marketplace. She will send you a link. You can get out  
13 there, you can look at it. The dates close on May 5. That is  
14 Monday. So essentially Monday we will get proposals from a  
15 number of companies who will essentially give us a cost  
16 estimate for this.

17           So it is a competitive bidding process that we are  
18 going through. It is our hope that goes smoothly. It has  
19 been a very complex and difficult procurement process so we  
20 really have our fingers crossed that we are going to get  
21 through the final week without any hitches.

22           So we will be reviewing the RFPs over the latter  
23 half of May, starting basically May 6 --- and then the  
24 selection. And if all goes smoothly, knock on wood, it is our  
25 hope that we will have a vendor chosen and selected and on

1 site working. Our projected start date is July 1.

2 So in the next couple weeks as we see how this  
3 vendor selection process is, we are going to be getting in  
4 touch with you, with people in the industry, to start giving  
5 them a heads up that this is coming. One of the things in the  
6 RFP are some -- we call them sessions to talk about specifics  
7 of the system.

8 So we want to definitely make sure we have the  
9 chance to get input from the industry on how the system is  
10 working, so just heads up. It is going to be a big  
11 adjustment. Eventually it will mean the end of paper, which  
12 is a great thing, I think. It will help us with a lot of our  
13 issues and bring us really into the modern age. I hope it  
14 will be a good thing for everybody.

15 I think it is not only a good tool for us but it  
16 should be a really good tool for you guys too in the industry.

17 MR. RICE: Okay, thank you, Lynn. Lead us into your  
18 striped bass predation report, please.

19 ***Striped Bass Predation***

20 ***by Lynn Fegley, MD DNR Fisheries Service***

21 MS. FEGLEY: Sure. I am going to preface -- this  
22 was a request from this group months go, maybe at the end of  
23 2013.

24 And I am just going to preface that we have staff  
25 who are doing quite a bit of work on this. It is involving

1 Jim Uphoff and his group. They have been working on not just  
2 striped bass and blue crabs but again like Brenda said trying  
3 to bring in -- understand relationships between the different  
4 species in the bay.

5 And, you know, it is an incredibly data intensive  
6 and complicated process. Everybody knows what a food web  
7 looks like, and it is not the just the things that eat blue  
8 crabs but it is the things that blue crabs eat too. And when  
9 you put it all --- , a bunch of things follow from somewhere  
10 else and not all the cause and effects are known or  
11 necessarily predictable.

12 So, you know, just to focus on striped bass and blue  
13 crabs is -- you know, it is an interesting question but it  
14 certainly doesn't lead us to any particular cause and effect.  
15 So what we did here, this was really based primarily on Jim's  
16 work.

17 And what we know is that A, striped bass do eat  
18 crabs, and sometimes they eat a lot of crabs. And they are  
19 opportunistic feeders so that when there is a lot -- years  
20 when there are a lot juvenile blue crabs in the bay, we will  
21 have more juvenile blue crabs in striped bass stomachs. It  
22 kinds of makes sense.

23 (Slide)

24 So these graphs on the left, those bar graphs, are  
25 essentially showing in different years for two different size

1 classes of striped bass what the number of -- I am sorry, it  
2 is Tab 8. This is a handout from the last meeting. Sorry  
3 about that.

4           So, you know, they are showing the items consumed  
5 per bass, and these are particularly in October and November  
6 for a bunch of years. I did get the question earlier, how  
7 many fish are sampled? The data that is --- striped bass that  
8 were sampled by Jim --- , and he does stomach analyses on  
9 anywhere between at the low end probably 600 and the high end  
10 over 1,000 fish.

11           And what that shows is, particularly the bottom  
12 graph, it shows that the larger striped bass in the  
13 fall -- well, you see it on both graphs but blue crabs are the  
14 light blue, the very light blue. And 2011 was the year we had  
15 a lot of young crabs in the bay and we have a high proportion  
16 of young crabs in the stomach.

17           And actually one of the things that he did, which  
18 was kind of interesting, is he said, well, look, we are  
19 sampling these striped bass in the fall, and before you guys  
20 have a winter dredge survey and it looks like we can actually  
21 predict how many juveniles will be in your winter dredge  
22 survey by looking at striped bass stomachs, which is kind of  
23 interesting, and we --- a few years to show that.

24           So the bottom line is what we see is they are  
25 opportunistic. In terms of relationship, this graph on the --

1 I am going to start, if you look at the graphs, there are two  
2 other graphs. There is the graph at the bottom that is a line  
3 graph. And then there is this little graph that is a bunch of  
4 dots with a line through it.

5 Those are exactly the same data plotted two  
6 different ways. So this line graph shows -- you have got your  
7 year along the X axis and then what we did is we just plugged  
8 in the, this red line is total crab abundance and that is  
9 coming out of the winter dredge survey.

10 And then what we did is we took the estimate of  
11 abundance of striped bass ages 3 to 8 that are presumed to be  
12 the resident fish in Chesapeake Bay as sort of a proxy for  
13 what might be in the bay. Now that doesn't mean you have got  
14 age 3, every single age 3 to age 8 fish in the bay at one  
15 time. There is also these fish that are certainly in the  
16 Hudson River and in other areas.

17 But it gives you an idea of the flux in the striped  
18 bass population compared to the flux in the blue crab  
19 population. It is plotted in two different ways because if  
20 you look at this graph you say, oh, yeah, you have striped  
21 bass going up. And look at that, you have blue crabs coming  
22 down. Here they are meeting up together, but what you really  
23 see is not much of a relationship.

24 And when you look here, here is striped bass going  
25 down. They seem to be going down together with blue crabs.

1 And then they kind of go up together, then they kind of go  
2 down together and now they are up. So one of the things we  
3 wanted to do when we look at these kind of data is take the  
4 time series out of it and just plot the two against each other  
5 so that you see a true relationship.

6           So now you have this axis, a number of striped bass  
7 going this way. So here are no striped bass. Here are lots  
8 and lots of striped bass. Here are no crabs and here are lots  
9 of crabs. So if there was a perfect relationship, when you  
10 would have very few striped bass, you would have lots of blue  
11 crabs and you would get this beautiful line going down.

12           MS. VINCENT: How do they go about collecting their  
13 samples in order to come up with these figures?

14           MS. FEGLEY: That is a really good question. And  
15 these numbers are actually produced by the coastwide stock  
16 assessment for striped bass. So these are actually model-  
17 driven estimates of abundance.

18           And they are not even specifically for the  
19 Chesapeake Bay. It is really for on the Atlantic Coast all  
20 the striped bass in that 3 to 8 age group. So like I said, it  
21 is really just to give a general idea about how that striped  
22 bass population is fluctuating through time.

23           And so what we see at the end of the day, when we  
24 plot these two against each other, is that there is  
25 really -- there is just no co-relationship. So what does that

1 give us? At the end of the day we still know that striped  
2 bass eat crabs. And sometimes they eat a lot of crabs.

3 But I don't think that at this point in time there  
4 is any evidence to point to striped bass influencing the blue  
5 crab population to the point where it is compromising the blue  
6 crab population or compromising the fishery itself.

7 Now when you combine the really big striped bass  
8 year class, the 2011 year class that was so big there were  
9 lots of young striped bass running around with things like red  
10 drum and things like blue catfish and things like loss of  
11 habitat for blue crab to shelter in and hide, like sea grass.

12 When you incorporate a lower abundance of things  
13 that blue crabs like to forage on, the benthic invertebrates,  
14 you know, the dead zones are getting bigger and larger and  
15 lasting longer and that kills the invertebrates that the crabs  
16 like to feed on.

17 So the crabs have to focus into smaller areas to  
18 find forage so, you know, it is this big web. I would never  
19 want to be one to say, oh yeah, you know, striped bass never  
20 eat crabs. That is not so. They do but what do we do with  
21 that information? I think that is sort of the question.

22 And there is also the question of if have any number  
23 of red drum and you have striped bass and you have blue  
24 catfish, the next question for management is, if you really  
25 think there is an impact, how many striped bass do we have to



1 get rid of to markedly change our blue crab abundance?

2           And if we do that, then what else are we influencing  
3 that might be a consequence of that? So, you know, these are  
4 also these bigger questions, and with that I guess I will give  
5 it up and let you guys ask questions.

6                                   *Questions and Answers*

7           MR. WILSON: In saying that, I think you might have  
8 answered a question because there is really only a small  
9 picture over time, even if you are only looking at --- . But  
10 you look at the biggest picture. When the striped bass got so  
11 low that we put a moratorium on it, we had the highest  
12 abundance of crabs at that time. A lot of fish were scarce at  
13 that time.

14           And they have done a lot more to bring all kinds of  
15 fish back, and we are having the most trouble with the crabs,  
16 when you look at it from the big picture.

17           MS. VINCENT: Are there any studies that been done  
18 with the information from the early '90s when -- have we done  
19 any cause and effect or any kind of graphing on those  
20 particular dates and not just recently?

21           MS. FEGLEY: I actually did dig up a study that was  
22 done -- we had the same interest from the same group actually,  
23 from industry in the early '90s and there was a study that the  
24 assistant secretary did to look at the relationship between  
25 striped bass and blue crabs.

1                   And they didn't find any. But I tell you that  
2 before -- this graph goes back, this gradation goes back to  
3 1990, which was the year we opened the striped bass fishery up  
4 again, and the reason we started there was because that was  
5 when we have blue crab data, that is when the dredge survey  
6 started.

7                   We don't have this really nice estimate of abundance  
8 for crabs going back further. We could do some analyses that  
9 would get us there. It wouldn't be -- you are stepping a  
10 little bit further away from reality each time you sort of  
11 do these gyrations.

12                  MS. VINCENT: But are you really producing anything  
13 anyhow? If your data is not good, I mean --

14                  MS. FEGLEY: I am not sure it would provide any  
15 clarity for us. I just don't know that it would.

16                  MR. YOUNG: I want to talk about red drum. You  
17 mentioned a couple of times in conjunction with blue crabs and  
18 striped bass. Has it been just recently that there has been a  
19 fair amount of red drum in Maryland, in the Chesapeake Bay?  
20 Or have they always been around the Potomac and the lower  
21 Eastern Shore?

22                         In my area, in 2012, when we got that large  
23 influx of crabs, the small crabs, I was catching red drum in  
24 my crab pots like I had never seen before. And so I am just  
25 wondering if this is something new to Maryland or is it a

1 result of maybe global warming or, you know --

2 MS. FEGLEY: Yes, again, I mean, I think it is a  
3 result of a lot of circumstances merging together. One is  
4 there was a really good spawn of red drum that produced those  
5 red drum that came up into the bay. We had really high  
6 salinities that year that allowed them to come up further than  
7 they usually do.

8 And probably some climate change influencing it as  
9 well. So what -- the red drum stock was pretty depressed for  
10 a while. So we are seeing them. We are now starting to get  
11 these big spawns, and that one year class just happened to  
12 travel through the bay because the conditions were right for  
13 them to be here.

14 MR. YOUNG: My point is, you know, we have the blue  
15 catfish, which is an invasive species. What are the chances  
16 that red drum in Maryland is an invasive species? I know they  
17 are protected down south, and I know there is a big push with  
18 the CCA not to protect the red drum but the red drum don't  
19 belong here.

20 They are an invasive species. If they haven't  
21 historically been here in large numbers -- and they are crab  
22 eaters. They are crab-eating machines.

23 MR. WILSON: I know down our way we have seen other  
24 years -- I do remember other years when we did have them.  
25 They didn't go maybe up in the bay as far as you are but we

1 did have them.

2           Certain summers, we had a big amount of red drum but  
3 it didn't seem like you ever had them -- next summer, all of  
4 sudden, the same drum come back and they were bigger and  
5 bigger and bigger. It seems like you just had one year when  
6 you had a lot of little red drum, and then the next year you  
7 don't -- you see a few , but they kind of just died back up.

8           MR. YOUNG: I think the red drum are a bigger  
9 predation problem to crabs, when they are here, they are a  
10 bigger predation problem to crabs than the striped bass.

11           MR. GOLDSBOROUGH: I would bring up catfish, so  
12 Richard and I are probably on the same wavelength. That  
13 really is invasive. I mean, it is nonnative. It is nonnative  
14 and it is invasive and they grow up to be over 100 pounds and  
15 they are here all year round. And it is not just the year  
16 that the conditions are just right that we get a bunch of  
17 them.

18           And so that is a problem everybody ought to focus  
19 on, and the department is focused on, and I love the stuff  
20 Steve is doing about, you know, finding a market for them and  
21 stuff, giving you all something else to fish on. They are an  
22 additional predator, additional predation, over what the  
23 system has naturally had.

24           The system has naturally had occasional red drum,  
25 you know, an occasional good rockfish year class. But it has

1 never had this vacuum cleaner from the Mississippi River basin  
2 like it has got now. We ought to do what we can to keep their  
3 number down for the sake of red drum, shad, herring. They are  
4 eating them up. They are eating menhaden. You know, they are  
5 bad news.

6 MR. O'CONNELL: We do have a red drum fishery  
7 management plan, and in that fishery management plan, it does  
8 have historical perspective of recreational landing of red  
9 drum for Maryland and Virginia. And just looking at it rather  
10 quickly, it seems like every 10 years we get that little  
11 influx.

12 From '98 to 2001 we had a spike. We had one in 1991  
13 and 1983. It seems like every now and then we just -- I can  
14 forward that to you, Richard, if you want to just look at it.

15 MR. YOUNG: Along these some lines, if we can't get  
16 them designated maybe as an invasive species, maybe we can  
17 think about the possibility of pushing the Atlantic states to  
18 allow us a small commercial fishery.

19 MS. DEAN: Tom, what were those dates again?

20 MR. O'CONNELL: '98, '99, 2000, and then 1991.

21 MS. FEGLEY: Ah ha, look at that.

22 MR. O'CONNELL: That is commercial. Let's look at  
23 the recreational. We see like 2002 and 1991/2000, so overall  
24 late '90s early 2000 period they must have been somewhere  
25 around.

1 MS. FEGLEY: It might correlate with salinity too.

2 MR. RICE: Anybody have anything else?

3 MR. SIELING: On the electronic reporting that you  
4 were talking about, that is going to include all finfish  
5 species, correct? I mean, menhaden, striped bass -- on the  
6 menhaden, that is going to go into effect this year?

7 MS. FEGLEY: Yes, I don't think menhaden will go  
8 into effect this first year, so I will say that the other way  
9 the RFP is structured is that striped bass fleet is the first  
10 priority to get up and running.

11 And we are hoping to put the striped bass fleet on a  
12 pilot of the program in the fall, mid-fall, and let it run  
13 through the end of the pound net/hook-and-line season, and  
14 then let the gill netters try using it in their season to see  
15 how it works.

16 So striped bass is going to come on line first, and  
17 then everybody else, but we did offer flexibility in the RFP  
18 that if the vendor feels like there is another order that they  
19 can do or, you know, and still meet our goal, that it doesn't  
20 have to happen sequentially like that.

21 Hopefully the whole system should be built by the  
22 end of 2015, and then everybody -- it is not our intention to  
23 throw a switch and suddenly everybody has to automatically  
24 start using it. But it is our hope that the system will be  
25 fully available to anybody, and that includes all finfish,

1 shellfish, oysters, crabs, charter boat fleet, coastal  
2 fisheries, can start using it in that 2015 year.

3 And we will be working really hard at that point  
4 with people trying to roll it out and get people comfortable  
5 with it. And just do a road show and start to build it up so  
6 people are comfortable using it.

7 So what it will do is it should be a really nice  
8 platform where a fisherman out there no longer has to fill out  
9 one form for crabs and one form for oysters and one form  
10 for -- they will all be one thing.

11 MR. SIELING: There will still be a weekly report?

12 MS. FEGLEY: So for this year, pound netters,  
13 and --- catch over 90 percent of the harvest, we are asking  
14 them to report daily. It is not a hail. We just ask them  
15 that when they harvest menhaden, they get online and e-mail  
16 their harvest or they text it to us.

17 So they are still on that sort of primitive system.  
18 And they still have to file paper reports.

19 MR. SIELING: So the quota that they have for this  
20 year, is -- will you be able to more finely manage that as far  
21 as when the quota period will end?

22 MS. FEGLEY: If we get the compliance -- we have got  
23 to get that compliance for that to work.

24 MR. SIELING: Are there some other things that are  
25 just going to be just a one by-catch allowance per boat, not a

1 two by-catch allowance per boat even though it may be licensed  
2 captains on the boat?

3 MS. FEGLEY: It is 6,000 pounds per vessel per day.  
4 There is no more double allowance. The commission would not  
5 allow it. It is 6,000 pounds.

6 MR. RICE: Okay, Tom, do you have something to tell  
7 us about the habitat workgroup and we will kind of wrap it up  
8 for today?

9 MR. O'CONNELL: Sure. This is pretty exciting. A  
10 couple of meetings ago we talked about the formation of a  
11 Fisheries Habitat Workgroup. This is a common ground area for  
12 all of our advisories. And so we worked to get representation  
13 from sport fish, tidal fish, our aquaculture group, our oyster  
14 commission as well as our coastal fishery advisory committee.

15 And we had a first meeting a couple weeks ago. It  
16 was kind of a get to know each other, kind of discuss what the  
17 roles are going to be, and we went around the table, very  
18 diverse group of people, and it was very exciting to hear the  
19 level of passion and the level of common ground on trying to  
20 find a way to address habitat issues that address fisheries.

21 And you know, our role, we feel, is providing the  
22 science on the matter. But a lot of these decisions are being  
23 made at the local level, and local government is going to be  
24 listening to people like you more than the state and federal  
25 government.



1           So it is a great partnership opportunity to --- and  
2 hopefully be more successful with dealing with some of these  
3 big issues like land use. And there was an issue that was  
4 sent to you about the Charles County septic tier plant that  
5 would have had some substantial impacts, in which many  
6 constituents have been voicing their concerns in the Charles  
7 County --- .

8           And they decided to change their plans, and now that  
9 area is going to be protected. It is just a good example when  
10 people come together and voice their concerns at the local  
11 level. And we are really excited about this Fisheries Habitat  
12 Workgroup. We have seven members from this body and we will  
13 keep you informed as it goes forward.

14           They are probably going to be meeting monthly for a  
15 while just to kind of get their legs underneath them and  
16 hopefully you will be hearing more about them.

17           It is something that if they are successful, will  
18 improve the capacity of the bay to hold fish and that is going  
19 to benefit all users, whether you are commercial,  
20 recreational, charter or just conservation interests. So I  
21 appreciate those who have signed up for that group.

22           MR. RICE: Thank you, Tom. Who from this group is  
23 serving on that?

24           MR. O'CONNELL: Robert T. is, I think you are  
25 supposed to be --

1 MR. RICE: I am?

2 MR. O'CONNELL: I think we have like three or four  
3 people. I don't have the names in front of me. So we can  
4 circulate that in the summary so everybody knows who is on it.  
5 And it is open.

6 MR. RICE: All right. Well, it sounds like I missed  
7 the first meeting but I will be at the next one. Can't use  
8 that excuse anymore. Does anybody else have anything to bring  
9 before the board?

10 MR. JETTON: It is kind of a procedural thing that  
11 maybe Tom and Gina can look into. And it is the commission  
12 attendance policy is 50 percent, right?

13 MR. O'CONNELL: 75 percent.

14 MR. JETTON: 75 percent. That goes back to when we  
15 were having 8 meetings a year if I remember, right? And the  
16 problem is now with 4 meetings a year -- it is just like  
17 Richard had to work tonight. If he misses one day, he's  
18 getting close already. He is getting close to having the  
19 commission come up for review.

20 And I was just wondering if maybe we can look at  
21 down the road, maybe extending that or easing that up a little  
22 bit because every one of us here has a proxy that is as  
23 capable if not more capable than some of us. You know, when  
24 someone like Richard has a chance to make a dime, he needs to  
25 go make it. And most of us are self-employed, so that is

1 | tough.

2 |           I am not looking for any long discussion or a  
3 | motion, I am just thinking we changed our number of meetings  
4 | and didn't change some of the ratios that went along with it,  
5 | and that is all.

6 |           MR. RICE: Tom?

7 |           MR. O'CONNELL: Yes, the appointments office does  
8 | have a 75 percent policy and it is standard for all bodies  
9 | whether you meet a couple times a year or 8 times a year.  
10 | That 75 percent is basically missing two meetings.

11 |           But the department does have the ability to request  
12 | a waiver and, you know, we have a good sense of those members  
13 | who are committed and not committed, and we have dealt with  
14 | this before so as long as you stay in touch with us -- and it  
15 | is great if you can send a proxy. That means that we are  
16 | really trying to have someone there.

17 |           But people who are just not showing up, the proxies  
18 | are not showing up, we call them to try to understand what the  
19 | problem is and, you know, a lot of times we hear that they  
20 | just don't have the time, and they will just move forward.

21 |           MR. JETTON: We have new members here too, and four  
22 | meetings, it doesn't take much. And I have got young kids.

23 |           MR. DAWSON: Last summer when we reapplied for a  
24 | license and I got the TFL discount from a retail store, anyway  
25 | for the business license and if you have a TFL, they reduce

1 the fee.

2 And ever since they applied that, I have only gotten  
3 like two of the monthly reports that we used to get every  
4 month that we had to fill out our purchases on. I just don't  
5 get them anymore.

6 MR. O'CONNELL: The dealer report?

7 MR. DAWSON: Yes, the dealer report.

8 MR. O'CONNELL: Can you look into that?

9 MS. HUNT: Yes. I just want to clarify, you aren't  
10 one of the ones who said you were only going to sell your  
11 catch, were you?

12 MR. : --- .

13 MS. HUNT: No, I meant after that. So if you went  
14 in and bought a dealer's license as a harvester, you bought  
15 that for the purposes of being able to sell to someone who is  
16 not a dealer. So that is the reason you would buy it.

17 So if you are a harvester and you are always going  
18 to sell to a dealer, you don't need it. But if you are going  
19 to sell to restaurants or people who are not dealers, then you  
20 need to be a dealer, even if you are only selling your own  
21 catch.

22 What we did was after we had all the folks do  
23 license renewals and --- , end of the year before we send out  
24 reports, we send a letter out to all those discounted folks  
25 who got that letter that said, did you only get this to sell

1 | your own catch?

2 |           Because if all you are ever going to sell to someone  
3 | outside of a dealer is your own catch, then sign this here,  
4 | send it back to us and we will get you your harvester  
5 | reference. We will not look for a dealer report from you. We  
6 | won't send you a dealer report. We are only going to ask  
7 | for -- we are going to go by what we set as harvest.

8 |           However, if you want to sell your buddy's, your  
9 | friend's and your next door neighbor's catch too, now you are  
10 | a dealer and you have to fill out a dealer report. So I just  
11 | wanted to make sure you didn't waive yourself out.

12 |           MR.           : I don't know.

13 |           MS. HUNT: Well, then we will look into this.

14 |           MR. DAWSON: --- . Check into it. Another waterman  
15 | got the same discount and he had the same thing. He buys  
16 | crabs, and he had the same thing happen that I did.

17 |           MS. HUNT: I just want -- we just don't send  
18 | reports other than one piece of paper.

19 |           MR. DAWSON: --- .

20 |           MS. HUNT: Right, and then you make copies.

21 |           MR. O'CONNELL: So Dale, we will look into it and  
22 | follow back up with you. And then if you can either relay  
23 | that to the other guy, he can follow up to make sure he is  
24 | getting what he needs too.

25 |           MR. RICE: Thank you. Looks like we are right on

1 time. Seeing that we don't have any further business, we  
2 stand adjourned.

3 (Whereupon, the meeting adjourned at 5:00 p.m.)  
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