



*Martin O'Malley, Governor*  
*Anthony G. Brown, Lt. Governor*  
*Joseph P. Gill, Secretary*  
*Frank W. Dawson III, Deputy Secretary*

Meeting of the Tidal Fisheries Advisory Commission  
July 24, 2014  
Tawes State Office building  
Annapolis, MD 21401

### *Summary of Motions, Actions and Discussion Items*

**Commissioners in attendance:** Chairman Billy Rice, Vice Chairman Moochie Gilmer, Robert T. Brown, Dale Dawson, Rachel Dean, Ken Jeffries (proxy for Greg Jetton), John Martin, Bill Sieling, Mike Anderson (proxy for Richard Young), Aubrey Vincent, Charles Richard Manley and Lee Wilson

**Commissioner absent:** Mike Benjamin, Gail Sindorf, Bill Goldsborough

**DNR staff attending:** Tom O'Connell, Noreen Eberly, Mike Luisi, Lynn Fegley, Jacob Holtz, Karen Knotts, Carrie Kennedy, Gina Hunt, Scott Knoche, Nancy Butowski, Keith Whiteford, Lt. Art Windemuth, Brenda Davis, Beth Versak, Rich Norling

**Members of the public attending:** None

#### **Motions:**

- Motion: The TFAC supports the agreement between the Department and the Yellow Perch Workgroup reached and is being pursued through the regulatory scoping process. Motion by Robert T. Brown, seconded by Richard Manley, vote: motion passed unanimously.

#### **Action Items:**

- Mallows Bay: TFAC will send a letter of support for designating Mallows Bay as a National Marine Sanctuary as long as any commercial activities in existence will continue.
- Tom O'Connell will send the summary of the ASMFC Summer meeting to TFAC when it is available.
- Gina Hunt will let Moochie Gilmer know the number of people who have designated an authorized representative to their vessel license.
- Lynn Fegley to follow up with Mike Naylor to see if it is possible to coordinate the numbers on the closure books with buy tickets and look into making the online closure book searchable. Also address the issues related to adding leases to the closure booklet and specific issue with leases that are within Yates bars.
- Tom O'Connell will bring the issue of allowing harvest of female Horseshoe Crabs to the ASMFC.

## **Summary of Discussion Items:**

- ❖ Tom O'Connell announced that Rachel Dean has been appointed as TFAC representative on SFAC.
- ❖ As a follow up to the last meeting's presentation on Malloys Bay being designated as a National Marine Sanctuary, there was discussion if TFAC should send a letter of support. (See Action Items)
- ❖ There was no public comment.
- ❖ Lt. Art Windemuth presented information on NRP activity. (See handouts)
- ❖ Nancy Butowski presented the Summer Flounder and Spanish/King Mackerel FMP Reviews.  
Summer Flounder Fisheries Service Plan Review Team (FS PRT) conclusions:  
SF FMP & Amendment #1 remain an appropriate framework  
Recommend next review when the MAFMC/ASMFC has completed their extensive review (tentatively scheduled for 2017)  
Spanish/King Mackerel Fisheries Service Plan Review Team (FS PRT)  
K/SM FMP remains an appropriate framework  
Recommends the plan be incorporated by reference into Maryland regulation
- ❖ Lynn Fegley discussed Blue Crab management for 2014-2015. DNR is working closely with Virginia and Maryland crabbing industry on establishing reduction for 2014-2015. It looks like there will be a vessel cap from September to the end of the season and they are considering reduced bushel allowance for 2015.
- ❖ Mike Luisi updated the Commission on the Yellow Perch workgroup that was formed from a request of TFAC. There was a meeting on July 8<sup>th</sup>. Two items that are being scoped include: 1) Change the season end date from March 10 to April 1 and 2) Either remove the tagging requirements or maintain the tag requirement, but not charge for the tags since the tags are immediately returned, unused to the Department. (See Motion)
- ❖ Mike Luisi updated the Commission about the Striped Bass workgroup meeting held on June 16, 2015. Permanent Share Transfers without licenses going along will be held off for now. The August meeting to focus on e-reporting system. We hope to have it up and running in October.
- ❖ Tom O'Connell discussed the ASMFC Summer meeting agenda. The meeting will be held August 5-7. Action items may be substantial for American Eel industry in Maryland. Keith Whiteford (DNR) noted that the Yellow Eel quota in Maryland is 55% of coastwide landings.
- ❖ Tom O'Connell stated that the ASMFC Striped Bass Board is reviewing the draft addendum which will go out for public comment in September. DNR is working closely with Virginia to coordinate strategies to ensure the Bay jurisdictions are treated fairly. (See document on website) Moochie Gilmer – Is the three year plan reviewed each year. Tom – The next assessment will be in 2016. We have requested that the Striped Bass review Board use Chesapeake Bay specific reference points. The 2014 YOY will be available in October.

- ❖ Jacob Holtz reviewed Regulatory and Scoping updates. Please look at the scoping document and give Jacob your feedback. All Regulations in process and Scoping are on the website: <http://www.dnr.maryland.gov/fisheries/regulations/regindex.asp>.
- ❖ Moochie Gilmer requested discussion of concerns with license assignment to a vessel and use by an authorized representative. Fees are assigned to the harvester registration. The authorized representative can fish on your vessel without having to pay the harvester fee. (See action items)
- ❖ Gina Hunt discussed legislation ideas for the 2015 Session. There are several “housekeeping” legislation items that would clean up or clarify some existing laws. Ideas for new legislation might include: Tax credit for dam removal, 365 Day Sport Fishing License, Public Notice Authority and a possible voluntary Fisheries Habitat Stamp.
- ❖ Tom O’Connell discussed the Fisheries Habitat Workgroup update. It includes members from all of Fisheries advisory bodies. The group is energized and excited. Next meeting is in late August. They will have a visioning exercise opportunity for diverse groups to get behind a common issue.
- ❖ Other Business:
  - Issue: Natural resource violation criteria used by Fisheries Service to determine candidate eligibility for advisory group membership. Tom O’Connell stated that several industry members have criticized the Department for not having more stringent criteria. Mike Luisi reviewed the current criteria. Discussion: Robert T. Brown - before removal from a Board, that person should be able to come before TFAC and plead their case. Ken Jeffries – A candidate without violations should have priority to be appointed over a person with violations. Tom O’Connell – advisory bodies are looked at for violations over the past two years. No recommended changes were made by the TFAC.
  - Issue: Oyster Closure Booklets should mark leased oyster areas. Currently the books list sanctuaries, harvest reserve areas, closed areas, and public oyster bars. The leases on public land should be designated in the book to prevent harvesting on leased areas. A questionnaire was sent to lease holders if they wanted the closure book to designate leased areas. Some lease holders did not want the area to be designated. (See action items)
  - Issue: Ban on catching female Horseshoe Crabs in Maryland, Virginia, Delaware and New Jersey but not in other states. The Northern market (New York and north) is able to harvest females and have taken over the market that Maryland had developed. Tom O’Connell mentioned that Horseshoe Crab harvest is not an issue on the August ASMFC agenda. (See action item)

**Agenda Items for Next Meeting on Thursday May 1 from 2:00-5:00:**

- Provide an update at the next meeting regarding designating lease areas in the closure book.

The next meeting will be held on Thursday, October 16, 2014 from 2:00 – 6:00 in room C-1.