

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

***Tuesday,***  
***April 28, 2015***

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

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

April 28, 2015

**SFAC Members Present:**

Bill Goldsborough, Chair

Rachel Dean

Micah Dammeyer

Mark DeHoff

Jim Gracie

Leonard Grier (*proxy for James Wommack*)

Phil Langley

Val Lynch

Dr. Ray P. Morgan II

Ed O'Brien

David Sikorski

Roger Trageser

Frank Tuma (*proxy for Tim Smith*)

**SFAC Members Absent:**

Kate Chaney

Beverly Fleming

Vince Ringgold

Tim Smith

James Wommack

**Maryland DNR Fisheries Service**

Tom O'Connell

Paul Genovese

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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

(2:01 p.m.)

*Welcome and Announcements*

*by Bill Goldsborough, Chair, SFAC*

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

MR. GOLDSBOROUGH: All right, folks, let's get going. Welcome to the spring meeting of the Sports Fish Advisory Commission. Bill Goldsborough, chairman, as most of you know.

We have got a couple of commissioners not able to be here. James Wommack couldn't make it but he sent Leonard Grier -- welcome, Leonard -- as his proxy. And then Frank Tuma is here for Tim Smith. And we have seen Frank before. Thank you guys for coming. Beverly Fleming and Kate Chaney couldn't make it either so we are without them. Tom, you have a few announcements?

MR. O'CONNELL: Welcome, everybody. Hope you are enjoying spring. It seems like it may have finally arrived.

We are fortunate today to have both the Secretary Mark Belton, who was appointed since our last meeting -- and Mark is going to say a few words. And we have also have Assistant Secretary Dave Goshorn. Some of you may not have met Dave. Dave is my boss, and he oversees fisheries service, boating service, Chesapeake and coastal services and resource assessment services. So I appreciate Dave attending as well.



1 | coast and Kate Chaney is a bay fisherman. And I don't think  
2 | Rachel got to mention that she is actually the liaison here  
3 | from the Tidal Fish Advisory Commission.

4 |           MR. BELTON: Okay. She is the member who is the  
5 | cross --

6 |           MR. GOLDSBOROUGH: Yes, and I represent going the  
7 | other way. I sit on those as well.

8 |           MR. BELTON: Tom explained that to me earlier today.  
9 |           (Audience introductions)

10 |           MR. BELTON: Great. Well, thanks for allowing me to  
11 | come in and talk with you all today. So we have microphones.  
12 | Does that mean we are being recorded?

13 |           MR. O'CONNELL: Yes.

14 |           MR. BELTON: All right. So I have got to be very  
15 | careful. Be judicious with what I say. It might come back  
16 | and haunt me. So yesterday evening and today, my time has  
17 | been dominated by events in Baltimore. As has most of the  
18 | state cabinet agencies. And you would be surprised when there  
19 | is an emergency like this, first of all, pleasantly surprised  
20 | to see how everybody rallies around the city and the governor  
21 | to provide the support that is necessary to deal with the  
22 | issue.

23 |           But you would be surprised with the different things  
24 | that have to be dealt with. The Department of Transportation  
25 | not only providing help with, you know, their law enforcement

1 agencies but also with busses for, you know, people who might  
2 need shelters in certain areas.

3 Our insurance commissioner, for goodness sake, is  
4 very heavily involved because of all the insurance claims that  
5 are being filed and need to be filed based on the damage. And  
6 from our own perspective, the Natural Resources Police are  
7 very heavily involved.

8 We are providing 32 field officers on a sustained  
9 basis, 24 hours a day, in 12-hour shifts. And we reported to  
10 the emergency management agency and the command post there in  
11 Baltimore, and they have got our NRP officers actually  
12 providing security around the command post area, which is the  
13 parking lots around the Ravens Stadium as well as doing the  
14 maritime patrols in the harbor that the Baltimore City would  
15 normally be doing so their officers are freed up to do other  
16 things.

17 And of course we are coordinating with the Coast  
18 Guard on that as well. So you never know what a day at DNR is  
19 going to bring. Providing security to civil unrest in the  
20 city of Baltimore wasn't one of those things that I thought we  
21 would be involved with but delighted to, you know, lend our  
22 support to the statewide effort under the governor's  
23 leadership.

24 It is exciting to see the resources the state can  
25 bring to help an area of our state when it is needed. I just



1 | wanted to chat for a second and let you kind of know what I am  
2 | focused on as my priorities as the Secretary here, answer any  
3 | questions you might have and then you let you get on with your  
4 | work.

5 |           But coming in I had the great pleasure of being part  
6 | of the transition team, leading actually the transition team  
7 | for Governor Hogan at DNR. And I had worked at DNR previously  
8 | under the Ehrlich Administration as the assistant secretary  
9 | for management services, so I knew a little bit about the back  
10 | of the house operations here -- the human resources, the  
11 | budgeting, and Natural Resources Police fell under me at that  
12 | time as well. So I had a clue.

13 |           But getting to know the folks and getting around the  
14 | state a little bit and hearing about the issues, I have come  
15 | up with a what I call -- I am not Dave Letterman but I have a  
16 | Top 10, okay? My Top 10 priorities here at DNR. And a couple  
17 | of you have heard some of these but it takes, you know, more  
18 | focus and better shape every day.

19 |           The things I am working on and focused on here as  
20 | Secretary, the first one is citizen service and process  
21 | improvement. And a lot of that has to do with customer  
22 | service. The governor in particular during the campaign felt  
23 | that he got a lot of comments from folks around the state that  
24 | customer service in the state agencies was not what it should  
25 | be.

1           So we are going to focus on customer service. We  
2 are going to have customer-service training. I have got a  
3 group of three people whom I have identified who I am going to  
4 set up as a team to report to the deputy secretary. We are  
5 going to go through each of the directorships -- all the  
6 directors, all the units in DNR -- and find those touch points  
7 where we interact with the public most frequently.

8           And we are going to look at all the permitting  
9 processes we have got, and we are going to pretend like we are  
10 engineers and put a flowchart out on them to map them out, to  
11 see where the opportunities are to shorten them and make them  
12 more customer friendly and able to deal with.

13           So I am really excited -- having an MBA, I am really  
14 excited about doing that type of thing. Imagine that. A  
15 second one is stakeholder engagement and participation. That  
16 is one of the reasons I am here today because I want to  
17 personally be involved in knowing you guys and hearing from  
18 you. And not just your group but all the stakeholder groups  
19 that DNR impacts so strongly.

20           I think that is another message the governor gave to  
21 me when he hired me as Secretary was, you know, not everybody  
22 feels like they have a seat at the table to participate in the  
23 decision making. And that is really important.

24           It is not important that everybody get their way all  
25 the time because that is impossible. There are going to be

1 competing interests. But if everybody has a seat at the table  
2 and at least understands the different perspectives that are  
3 there, I think they will be more accepting when decisions  
4 don't go their way.

5           And will at least be understanding that will be the  
6 case because you can't make everybody happy all the time. I  
7 remember one of the discussions we had, it was the fisheries  
8 discussion during the transition team process where we had a  
9 few commercial watermen in there in the mix. And I think we  
10 had a 2 1/2 hour, maybe a little longer, discussion on various  
11 fisheries issues.

12           And at the end of the session, a couple of the  
13 commercial watermen came up to me and they were just, you  
14 know, delighted to have been invited, and they told me they  
15 learned a lot during the conversation, which I was a little  
16 surprised to hear because these were folks who had worked on  
17 the water for, you know, 30 years or more in some cases, and  
18 we weren't talking any insider knowledge.

19           Bill, you were there. I think Dave was part of the  
20 discussion as well. We weren't talking anything that really  
21 wasn't public knowledge but just hearing the different  
22 perspectives was eye-opening to a lot of folks. So  
23 stakeholder engagement is the second thing I want to focus on.

24           Third and fourth kind of go together. And that is  
25 the Chesapeake Bay Program. We are at a very key point in

1 that whole bay program process. Last year, I think it was,  
2 the six states in the Chesapeake Bay watershed signed a bay  
3 agreement where they all agreed to certain things, and there  
4 was a set of goals that they wanted to accomplish.

5 And over the past year, each state as a group  
6 actually has developed a list of 29 -- yes, 29 -- different  
7 management strategies to help accomplish the bay program  
8 goals, the bay agreement goals.

9 They have been holding some open house sessions to  
10 gain feedback on those management strategies but as I figure  
11 it, Governor Hogan, at least one year during his four-year  
12 term, his first four-year term, is going to be the chairman of  
13 the executive council of the bay program. I would imagine  
14 that would be the case, one year in those four.

15 And since Maryland is the state that has the most to  
16 gain and the most to lose, you know, from a Chesapeake Bay  
17 that is healthy or not healthy, it is important that we show  
18 leadership on those strategies.

19 So I want to make sure I have got an organization  
20 that is organized correctly and has the right people in the  
21 right places to get us where we need to be to accomplish those  
22 29 management strategies in a leadership role, to where we are  
23 doing it better than the other states. And we are doing it in  
24 a way where not just DNR is doing it but all of Maryland  
25 government is doing it.

1           And not just all of Maryland government is doing it  
2 but all six of those bay states, you know, are doing it. So I  
3 want to make sure we are helping them achieve their goals as  
4 well, and leading by example is the way I want to do it. So  
5 that is three and four.

6           The fifth one, you know, I have already got a lot of  
7 feedback on it and we are going to get a lot more feedback on  
8 it, but that is the oyster restoration and management planning  
9 goal.

10           You know when these -- and you know it much better  
11 than I do -- you know, I guess in 2009 and 2010, the oyster  
12 management plan involved setting aside sanctuaries in  
13 Maryland, and the bay agreement calls for 10 tributaries to be  
14 restored. We are kind of looking at that as 5 in Maryland and  
15 5 in Virginia.

16           And the three in Maryland were identified -- Harris  
17 Creek, the Little Choptank and the Tred Avon. And two are yet  
18 to be identified as we move down that process. But I think it  
19 was determined that there would be data collected over the  
20 first five or six years of this program, and when that is  
21 gathered, evaluate it to help inform the group to make  
22 decisions about how to proceed from that point forward.

23           And we are getting close to that point where that  
24 data is going to be available for us to look at and make  
25 decisions on it. I think next year, I want to say. Next

1 July? Is that right?

2           And we are at a critical point right now where we  
3 are just starting -- I think the end of this week I expect the  
4 contractor for the Army Corps of Engineers to start doing  
5 restoration work in the Tred Avon River.

6           And over the past couple weeks, I know NOAA and the  
7 Corps of Engineers and our folks here at DNR and other  
8 stakeholders as well, especially the commercial watermen who  
9 fish in that area, have gotten together to review very  
10 carefully the NOAA maps and seek some ground truth or water  
11 truth, if you will, to determine if they were accurate or not,  
12 to make sure we are placing the substrate material for the  
13 oysters in the right places.

14           And I was very happy to see that the commercial  
15 watermen at the end of the day agreed with the NOAA maps, and  
16 together we came up with some places that weren't the  
17 originally mapped out places but places all the groups could  
18 agree with to put the substrate in the Tred Avon. So that  
19 should start moving forward the end of this week, and I am  
20 very excited about that.

21           And then engaging all stakeholders moving forward  
22 to, you know, do similar work for the rest of the Tred Avon  
23 and the other two as yet unidentified tributaries that are  
24 going to be restored. So that is a big undertaking but one  
25 that the Hogan Administration is going to tackle as the

1 calendar dictates that will come up this four years.

2           And then I have got some that aren't related so much  
3 to fisheries because DNR does a lot more than just Chesapeake  
4 Bay and fisheries. Economic expansion on our public lands,  
5 and I say that without meaning things that are so intrusive,  
6 like fracking, which is such a hot topic.

7           When I say economic expansion on public lands, I am  
8 talking about things like increased camping opportunities.  
9 Some things are really easy. Some things are hard; some  
10 things are easy. The easy part of this one is that, you know,  
11 you look at our camping registration software on the Web, and  
12 it takes a long time. You have got to in advance, you know,  
13 months in advance to reserve a camping spot.

14           But it turns out we don't have all of our camping  
15 spots registered on the site. All of the camping spots in our  
16 state parks are available there but not the camping  
17 opportunities in our state parks or our wildlife management  
18 areas that do exist but they are not known so much to the  
19 public. If we could just add those to the list online, my bet  
20 is they would be just as desirable and full on a regular basis  
21 as the others.

22           We have not been harvesting timber to the level we  
23 could or should be in accordance with our dual certification  
24 best management practices, particularly in the Savage River  
25 State Park. And so we are taking a hard look at that to make

1 | sure we do what we are supposed to do along those lines.

2 |           And then just trail expansion. We have got some  
3 | wonderful wilderness trail opportunities in western Maryland  
4 | in particular that we could take advantage of from a tourism  
5 | and naturalist point of view. And I don't mean paving paths  
6 | through a wildlife area or a very sensitive ecological area.  
7 | But I mean walking paths, hiker paths, not necessarily motor  
8 | vehicle paths.

9 |           I get a lot of pressure from motorcycle enthusiasts.  
10 | In fact, if you look at my in box right now, there are 167,  
11 | so I know exactly how many there are, e-mails from motorcycle  
12 | enthusiasts who want more opportunities on our public lands.  
13 | So there is a balance to strike but I think we can do this in  
14 | a way that is not intrusive.

15 |           Law enforcement is of interest to you all. It is  
16 | also interesting to me. When the rangers and the NRP were  
17 | merged back in the early 2000s, I think at the time there were  
18 | 420 some law enforcement officer positions in the combined  
19 | force. I think we have 245 now plus the 17 that were just  
20 | approved in the governor's new budget.

21 |           So something happened between then and now to reduce  
22 | the budget, and it resulted in a lot less law enforcement  
23 | officers for NRP. Consequently our parks seem to be the  
24 | redheaded stepchild in that endeavor. They are the ones who  
25 | feel like they don't get as much attention law enforcement-



1 wise.

2 I know at some peak park days at Point Lookout,  
3 southern Maryland, Sandy Point State Park here in Anne Arundel  
4 County, you know, some of those days we actually have to close  
5 the park because they are so full, we can't take any new  
6 folks, and we won't have a single law enforcement officer in  
7 the place.

8 That is not a good recreational experience for our  
9 citizens, and it is not good for safety in particular. So we  
10 are going to try to come up with an operational plan that will  
11 help deal with that. So safety in our public parks from a law  
12 enforcement perspective is one of the things I want to tackle.

13 Curatorships and leases: You know, you have half a  
14 million -- and it is just about 500,000 acres of public land  
15 throughout the state, that are owned by the state of Maryland.  
16 It comes with a lot of baggage.

17 We have an awful lot of homes that were on these  
18 properties that the state has bought through rural legacy or  
19 Program Open Space or other things a long time, and they are  
20 all a little bit different. Consequently, we don't do a good  
21 job of either fulfilling our obligations per these  
22 curatorships and contracts as well as making sure the people  
23 we contract with are fulfilling their end of the bargain.

24 So we need to standardize those, make sure we know  
25 what is there and just do a better job of getting the

1 appropriate market return for the citizens. In a lot of  
2 cases, we don't issue RFPs for the use of these public lands,  
3 and that is not right. Everybody ought to have an opportunity  
4 to do business with the state on an equal basis.

5           So that is going to take a lot of work. I have got  
6 two more. One is a budget initiative. There are three budget  
7 initiatives I want to focus on from a capital perspective.  
8 One is our M-LINE system, Maritime Law Enforcement Information  
9 Network.

10           I am really impressed with that force multiplier, if  
11 you will for law enforcement purposes. And we rely on  
12 technology that is out in the commercial sector to run that,  
13 particularly the Verizon network. So where Verizon coverage  
14 isn't so great, consequently our M-LINE coverage isn't so  
15 great. And particularly down in the Smith Island/Crisfield  
16 area.

17           Our coverage is a little spotty, and I would like to  
18 work with DBM on a way to perhaps, you know, improve that  
19 coverage for us so we can have the law enforcement we need.

20           Also our NRP vessels, from a safety perspective,  
21 have taken a back seat. It is really easy to say, we will  
22 wait another year to replace a vessel or two. And a lot of  
23 them are beyond their useful service life and have become  
24 safety issues.

25           And then lastly is a demonstrable diversity focus.

1 It is really hard to engage all the citizens of Maryland in  
2 the great natural resources that we have. I know when I look  
3 at our agency, DNR, we have got about a 16 or 17 percent  
4 diversity percentage -- you know, minority employees as  
5 opposed to majority employees.

6 Yet our state is in the 50 percent range as far as  
7 minorities are concerned. I want to do something about that.  
8 And so I am going to work with our HR folks and the folks in  
9 the other agencies around the state to try to improve that as  
10 best we can in a very demonstrable way.

11 Again, we need to set an example and try to get  
12 those folks who wouldn't normally be exposed to our natural  
13 resources so much the opportunity to get out and enjoy them.  
14 One of my previous civilian jobs was as executive director of  
15 the Pride of Baltimore tall sailing ship.

16 And I was surprised sometimes when we would have  
17 schoolkids come to visit the ship when it was berthed at the  
18 Inner Harbor, we would get schoolkids from just a mile or two  
19 up the road in Baltimore from downtown Baltimore who had never  
20 been out on the bay or even on a boat on the bay at the pier.

21 And that is a crime really in state like Maryland  
22 that has such a wealth of natural resources. All of our  
23 citizens should be exposed to that. So I want to make some  
24 strides in that regard as well.

25 So those are my priorities, 10 of them. Lord knows



1 I want to prepare him and his staff on the second floor for  
2 that as well put the state in a position of leadership on  
3 those 29 management strategies vis a vis the other five bay  
4 watershed states.

5 MR. GRACIE: Okay, thank you.

6 MR. BELTON: What else?

7 MR. GOLDSBOROUGH: This is a rare opportunity now.  
8 Questions for the Secretary?

9 MR. BELTON: I hope not to make it rare. You know,  
10 my No. 2 bullet was stakeholder engagement, and I want to be  
11 available to you all and, you know, if I can't stay for the  
12 whole meeting like I came today, at least come down to say  
13 hello, say a few things, let you know what I am thinking and  
14 see if I can get any feedback from you on various issues.

15 MR. DAMMEYER: You know, obviously I heard one  
16 word -- if I were to zone out during any of that, logging  
17 would be the one that rang in my ears. So I look forward to  
18 hopefully all of us being able to be engaged in that  
19 conversation too.

20 MR. BELTON: Which one?

21 MR. DAMMEYER: When you talked about --

22 MR. GOLDSBOROUGH: Timber harvesting.

23 MR. BELTON: Oh, okay. Oh, good. That is not one I  
24 would think this committee would have a whole lot to say  
25 about.

1           MR. GRACIE: Some of us have very strong feeling  
2 about it or are ambivalent. I am a grass hunter, so I know we  
3 need to cut more timber if we are going to have second growth.  
4 On the other hand I am a trout fisherman, so if we don't do it  
5 carefully, we can damage some pretty sensitive streams.

6           MR. BELTON: Absolutely, which is why I said it the  
7 way I said it.

8           MR. GRACIE: I heard you.

9           MR. BELTON: We have that dual-certification  
10 requirement where you have to have two independent groups look  
11 at your management plan and certify that it meets best  
12 management practices. I don't want to give that up at all.  
13 But after looking at our current situation, I think just based  
14 on our level of effort in other areas we have not been able to  
15 get to a sustainable harvest rotation in certain areas. And  
16 Savage River State Park is a perfect example.

17           MR. GRACIE: Well, there has been a lot of  
18 opposition to that, too so it is not just neglect.

19           MR. BELTON: And while there has been opposition, I  
20 get a lot of e-mails from folks, particularly legislators out  
21 in western Maryland who say, hey, you are not doing what you  
22 are supposed to be doing. You have got to live up to that  
23 commitment and be a little more aggressive there. Yes?

24           MR. LANGLEY: Yes, sir. I was just wondering about  
25 the possibilities of opening up communications with our

1 neighboring states -- say, Virginia in the Chesapeake  
2 Bay -- to come up with a more united management plan for  
3 actually the Chesapeake Bay as far as regulations go perhaps.

4 MR. BELTON: I think that is wonderful. Does this  
5 body have a counterpart body in Virginia?

6 MR. LANGLEY: I am not sure.

7 MR. O'CONNELL: They have -- their structure is they  
8 have a commission that is decision making and then they have a  
9 series of finfish, crab, shellfish advisory bodies. So it is  
10 very similar. They call them I guess committees and they  
11 provide advice to the commission, which is the decision  
12 authority.

13 But it is a good point. You know, I don't know if  
14 we have ever gotten with the two -- like the finfish committee  
15 and our commission together to, you know, discuss issues like  
16 that.

17 MR. BELTON: I would very much be in favor of such a  
18 thing. I know I am already a little bit behind the power  
19 curve from a couple of my fellow cabinet secretaries --  
20 Secretary Grumbles over in environment and Secretary  
21 Bartenfelder at ag. They have already reached out to their  
22 counterparts in Pennsylvania and Virginia to have one-on-one  
23 meetings with those.

24 And so I am trying to do the same thing with Molly  
25 Ward down in Virginia. She is the first one I want to talk to

1 | because we have so much, so many issues in common that we  
2 | could work together on. And then I will work on the other  
3 | states as well. But, yes, I certainly intend to engage my  
4 | counterparts in the other states, and I would encourage this  
5 | group to take some initiative to do the same thing, especially  
6 | with Virginia.

7 |           MR. O'CONNELL: One established network is through  
8 | the bay program, Sustainable Fisheries Goal Implementation  
9 | Team. There are definitely opportunities to expand upon that  
10 | but twice a year fisheries managers and fisheries stakeholders  
11 | get together to discuss related bay issues. I know Jim  
12 | attends a lot of those. Bill does, but there may be, you  
13 | know, an opportunity to expand upon and try to get more of the  
14 | discussion you are talking about, Phil.

15 |           MR. LANGLEY: Thank you.

16 |           MR. BELTON: Rachel almost wants to say something.

17 |           MS. DEAN: My palms are sweating.

18 |           MR. BELTON: I don't know what that means.

19 |           MS. DEAN: Well, first you can decline because I  
20 | don't know if this is even politically correct to ask.

21 |           MR. BELTON: Okay.

22 |           MS. DEAN: Can we look forward to working with the  
23 | current employees in the department as they are or will we see  
24 | an upheaval and have to start all over?

25 |           MR. BELTON: I am glad you asked that because I get



1 a lot of e-mails about that too. But I really can't say much  
2 about it. It was a fair question to ask but in that it is a  
3 personnel issue and something that not just I am involved in  
4 the discussion. You know, the governor, being the former  
5 appointment secretary under Governor Ehrlich, he is very  
6 interested in personnel issues.

7           And so I have a plan and I will be discussing that  
8 with the governor and move forward and try to be as open and  
9 honest as I can with my employees along the way as we move  
10 forward but I really can't discuss that in a forum like this.

11           MR. SIKORSKI: It is good to hear that the governor  
12 is interested in solving some of the problems with customer  
13 service. And I know that does exist with a lot of folks who  
14 deal with this agency and their business practices. I  
15 understand it. I am a small-business person. Not in  
16 fisheries or anything related to this agency.

17           So I understand the frustration with customer  
18 service and dealing with bureaucracies permeating those types  
19 of things, so it is good to hear that there are some changes  
20 coming.

21           And I think -- I am always reminded of our role in  
22 this room as commissioners, and how hard it is sometimes for  
23 us to even convey what we understand about management, and the  
24 complexities of it, and even the pieces of it, and to convey  
25 it back to our constituents because we are not only here to

1 | advise the department, we are here to advise, to be a conduit  
2 | back to our community. And they are extremely complex issues  
3 | that I am sure you are finding out with every passing day how  
4 | complex they are.

5 |           MR. BELTON: Just when I think I got it, I don't  
6 | have it.

7 |           MR. SIKORSKI: We are always reminded about that,  
8 | and we just left a meeting where we talked about it for quite  
9 | a bit, about just one fishery and the complexity of it, the  
10 | communication.

11 |           So it is important that we have folks here who are  
12 | dedicated to it around this table, both from commissioners and  
13 | from staff, who understand -- and I understand customer  
14 | service has been a concern in the past and, you know, we all  
15 | kind of admit that maybe all of us are part of that. We can  
16 | all move forward and make it a little better.

17 |           It is good to hear the administration is concerned  
18 | about that and I hope they look forward to using us and they  
19 | come after us to take care of that.

20 |           MR. BELTON: Thanks. What else? Okay, well, I am  
21 | anxious to hear the results of your meeting today. And one  
22 | question I think Tom is going to talk about is the current  
23 | season --

24 |           MR. O'CONNELL: Striped bass?

25 |           MR. BELTON: And how things are going on? How

1 | things are going with it. I am getting some feedback from  
2 | some folks on how it is going or isn't going, and Tom and I  
3 | talked for a bit last night.

4 |           Unfortunately I was talking to Tom at 9:30 p.m. last  
5 | night about the striped bass fishery. How about that? I  
6 | should have been enjoying a glass of wine with my wife but,  
7 | no, I was talking to Tom about striped bass.

8 |           MR. GRACIE: We were all watching the TV news.

9 |           MR. BELTON: I was getting enough e-mails telling me  
10 | what was going on. But anyway I am anxious to hear your  
11 | thoughts on that moving forward, how the season is going and  
12 | future directions in that regard. But thank you for your  
13 | time. Sorry to take up so much time of your meeting at the  
14 | beginning but I hope to see you, you know, more often.

15 |           MR. GOSHORN: Everything Mark said I agree with.

16 |           MR. O'CONNELL: For those of you who don't know  
17 | Dave, Dave started off in the striped bass program approaching  
18 | 25 years ago and moved through the ranks in fisheries, and we  
19 | are fortunate to have him overseeing the Aquatic Resource Unit  
20 | so he has been a tremendous asset, and almost two years I  
21 | think you have been in that position. If you get a chance, I  
22 | am sure Dave would look forward to talking to you.

23 |           MR. GOLDSBOROUGH: All right, very good. So now we  
24 | have got public comment that we have allowed for. Is there  
25 | anybody here from the public who would like to address the

1 | commission?

2 |                   (No response)

3 |                   MR. GOLDSBOROUGH: All right. Check that one off.  
4 | As I think we heard, we will not have an NRP Report today  
5 | because they are busy with urgent matters in Baltimore. So  
6 | let's move on to the Maryland Fishing Challenge. Karen, you  
7 | are going to update us?

8 |   ***Maryland Fishing Challenge***

9 |   ***by Karen Knotts, MD DNR Fisheries Service***

10 |                   MS. KNOTTS: So you folks -- in the e-mail that Paul  
11 | sent to you, and probably in your packet, were given some  
12 | information, so I am going to keep it short and try to help  
13 | get back on track.

14 |                   The basic thing I wanted to provide for you is a  
15 | quick update on the Maryland Fishing Challenge. Again, just a  
16 | reminder that this is the contest, the annual contest that  
17 | from Labor Day to Labor Day of each year, and to basically  
18 | showcasing fishing in Maryland and promote recreational  
19 | fishing.

20 |                   So in September of 2013, I came to you folks and we  
21 | discussed the Diamond Jim Contest and the fact that we had  
22 | found that -- we had done an evaluation and discovered that  
23 | one piece of the Maryland Fishing Challenge, which again is to  
24 | promote fishing throughout the state, and recreational fishing  
25 | in general, was using 70 percent of the staff resources and 80

1 percent of the expenditures for this particular contest.

2           Despite the fact that it was focused on one species,  
3 which granted is striped bass, a big part of fishing in  
4 Maryland, but one species and only in Chesapeake Bay and only  
5 for tidal license holders. So we talked about the fact that  
6 it made more sense to move away from a focus on Diamond Jim,  
7 to have him retire, which he did last year.

8           And so now we have the \$25,000 prize, which used to  
9 be awarded for the Diamond Jim component, and we wanted to  
10 figure out how we should go about allocating that prize money  
11 because we did still feel like it was important to dedicate it  
12 to the contest.

13           But what should it look like? So we had a meeting  
14 with our sponsors, the major sponsors of the fishing  
15 challenge, and I guess end of last week we had a meeting with  
16 our stakeholders group, those that support the contest, and  
17 had been involved in it throughout the years.

18           And what we presented to them was this idea of, for  
19 the \$25,000 --

20           (Slide)

21           -- you will see this slide basically sums up, the  
22 grand total there is \$25,000. Again this is the money that  
23 previously had been allocated to the Diamond Jim prize. So  
24 the first \$18,000 of it, our plan is to award it as regional  
25 prizes. So this is a way that we can promote fishing

1 opportunities throughout the state.

2           We would do three winners from each of the three  
3 different existing divisions. So this would require no change  
4 to the program, which is important because again it runs Labor  
5 Day to Labor Day. There is no break in the contest. So these  
6 changes we can make immediately this year.

7           So the current contest that we are in, we would have  
8 three prizes at \$2,000 each in the nontidal division. Three  
9 at \$2,000 in the tidal and three at \$2,000 in the Atlantic.  
10 And this would be a way of encouraging folks to participate in  
11 the challenge throughout the state.

12           Basically we have roughly, we sell roughly an equal  
13 number of tidal and nontidal licenses but what we found was  
14 the 1,400 or so registrations in the fishing challenge that we  
15 get annually are not in any way broken out evenly. We have  
16 got about 14 percent that are nontidal, 64 percent of those  
17 are tidal registrations. And then about 5 percent out on the  
18 coast.

19           So this regional structure is a way of us promoting  
20 the fishing challenge, fishing recreationally throughout the  
21 state, and by awarding prizes regardless of where you go  
22 fishing. And encouraging people to fish across the state.

23           So that structure was supported by both the sponsors  
24 and the stakeholder group. And that would use up \$18,000 of  
25 the \$25,000 we had been doing for Diamond Jim. The next

1 suggestion was for a master angler prize. That is something  
2 we have been hearing about for a number of years. And this  
3 provided us with the opportunity to encourage our folks who  
4 are avid anglers to try fishing in a different place.

5           So the way the master angler prize would work is  
6 that if you can catch an award-size fish, and we have a  
7 minimum-eligibility size, in each of the three different  
8 areas, so in the nontidal, in the tidal and in the Atlantic.  
9 If you catch an award-size fish in each of those, which we  
10 generally average maybe two a year.

11           So it is a pretty unique person who can do that.  
12 But this prize would allow us to recognize those avid anglers  
13 who do achieve it as well as encouraging people to go fish in  
14 a different area.

15           If somebody is an avid angler in nontidal, this is  
16 going to get them to say, hey, I think I am going to give it a  
17 try in the bay or out on the coast because there is something  
18 here that would allow me to -- something a little bit  
19 different for them.

20           So the way we would allocate this prize is to --  
21 again we have been running maybe two. Some years, none. I  
22 think the maximum we have had is maybe two. They would split  
23 this prize evenly so depending on how many folks achieve it  
24 this year, that would be an even split. So sort of like we  
25 used to do with Diamond Jim, we would split the prize evenly.

1                   So that was the master angler. Again that  
2 encourages people to try new areas and recognizes them for  
3 achievement. And then the final piece, we have got \$5,000  
4 remaining that we hadn't allocated, and our idea for this was  
5 we wanted something to maintain that excitement and get people  
6 looking forward to the finale event.

7                   And so we went to the sponsors and the stakeholders  
8 with this idea of how should we allocate that remaining  
9 \$5,000? What would a good way to do that at the finale event  
10 look like? And we got an interesting suggestion at the  
11 stakeholders' meeting last week. Jim was there. The  
12 suggestion was that we think about doing this in a progressive  
13 fashion.

14                   Rather than award one huge prize of \$5,000 or a  
15 couple of maybe 10 prizes was this idea of doing it in a  
16 progressive fashion. So award a couple prizes at \$250 each,  
17 of those who are at the finale. We just do a drawing, \$250.  
18 Then a couple more at a \$500 level. Then one at the \$1,000  
19 level and then sort of a big prize at the \$2,500 level.

20                   So this is a way to again get some excitement going  
21 at the finale, making sure folks feel like they are happy to  
22 be there. The excitement of Diamond Jim is something that  
23 won't be there so this is a way to really foster the  
24 excitement at the event.

25                   So that idea of a progressive prize was one that I



1 think was well-received. That came out of the stakeholders'  
2 group. And so I wanted to today just let you folks know that  
3 we did get the support for this allocation. We are ready to  
4 move forward with it this year.

5           We have some advertising that is -- after the  
6 meeting today, we wanted to move forward with once you guys  
7 are aware of it, get your feedback, make sure that you guys  
8 concur that this is the way to go. And then we are ready to  
9 hit the ground running and really get the word out on the  
10 fishing challenge and the fact that it is statewide and now we  
11 have got statewide prizes and some new components to it that  
12 we think folks will really be excited about.

13           (Slide)

14           We got some good suggestions. At the stakeholder  
15 meeting we asked for suggestions about -- in addition to the  
16 prize structure, the second one there is how we can better  
17 work with charter boat and guides to promote the contest, to  
18 support that fishery. And we asked for some suggestions  
19 there.

20           We didn't get a lot. We got a few good ideas but  
21 certainly we are interested in ideas. I know we have got -- a  
22 few of you folks are throughout the bay, charter, representing  
23 constituencies, charter boat captains throughout the bay, so  
24 we would certainly love to hear any ideas you might have.  
25 That is not something we are set up to do this year because

1 | when people register for the contest, they don't register as,  
2 | I caught my fish on a charter boat.

3 |           So the idea is we could roll something out in the  
4 | next contest, which would start after Labor Day this year.  
5 | But one thing that we do want to do -- and Paul, maybe can you  
6 | hop out to that flier?

7 |           (Slide)

8 |           -- is to better advertise with charter boat, charter  
9 | boat clients. So we have put together a flier, which we are  
10 | ready to get out this week but wanted to show you. The idea  
11 | here is that this is something that we could make available as  
12 | a PDF so that captains could print it and hand it out. Have  
13 | it on hand.

14 |           It basically focuses on the fact that we have a new  
15 | Governor's Conservation Award, which somebody, if they catch a  
16 | 40-inch striped bass, and choose to release it, they could  
17 | apply. This goes over that. Make folks who fish on charter  
18 | boats aware of the contest, the fishing challenge itself, what  
19 | the rules are.

20 |           And just kind of make it an opportunity for charter  
21 | boat captains to let their clients know that this is something  
22 | that is out there for them and get them excited about maybe  
23 | coming back for another trip or participating in fishing again  
24 | in the bay and maybe in some of the other areas as well.

25 |           So this we have ready to go this week. Our thinking

1 | is we can send it out to the group of folks who have  
2 | registered on our charter boat map. Those folks, charter boat  
3 | and guides can register to be on our map. So that is  
4 | something we have, those e-mails. We can send them out this  
5 | week and have it available to them.

6 |           So we will do that. We can make it available to you  
7 | folks as well, and this will be something that we can do right  
8 | now on the ground to get the word out. And then the last  
9 | piece of information that we talked with folks at the  
10 | stakeholders' meeting about was just general ideas for better  
11 | promoting the Maryland Fishing Challenge, better advertising,  
12 | and we got some excellent ideas on that, that we are going to  
13 | be looking at and moving forward with.

14 |           So that is the quick update. And I guess the bottom  
15 | line to the commission is again ideas for charter boat prizes  
16 | and working better with them for next year that we can roll  
17 | out after Labor Day would be good. And otherwise, it is just  
18 | an update. So are there any questions?

19 |           MR. GOLDSBOROUGH: So, Karen, if I could, just to  
20 | put bounds around it. Will input at our -- we have an August  
21 | meeting? July? Okay, that is even better. Will input at our  
22 | July meeting be of use or is that too late?

23 |           MS. KNOTTS: No, that would be of use, and depending  
24 | on the scope of what the suggestions are, we need to get  
25 | moving. Obviously at that point we are really ramped up for

1 getting the current contest and everything processed.

2 But we -- yes. The new contest begins right after  
3 Labor Day so we need to be prepared. Depending on what the  
4 suggestion is, we would need to lay the groundwork, so that  
5 would be good timing.

6 MR. GOLDSBOROUGH: Okay. So if folks do have  
7 between now and then --

8 MS. KNOTTS: Yes.

9 MR. GOLDSBOROUGH: Come up with some ideas, talk to  
10 all their people and so forth.

11 MS. KNOTTS: So for right now just know that the --  
12 we will be working hard to the get word out on this new prize  
13 structure.

14 And really promote the fact that it is a statewide  
15 contest, that there are prizes statewide, and that we are  
16 going to try to move that number from 64 percent tidal, 14  
17 percent nontidal and 5 percent Atlantic to something that is a  
18 little bit more reflective of what our license structure looks  
19 like. A little bit more balanced, and get folks fishing  
20 throughout the state.

21 *Questions and Answers*

22 MR. GRACIE: Yes, I am having some thoughts about  
23 this master angler category. That seems to me, that is the  
24 hardest one to qualify for. Should we maybe reconsider the  
25 value of the prize for that being higher since it is the most

1 difficult one to achieve?

2 MS. KNOTTS: We could do that. It is really up to  
3 us. We could do it. Right now, we are looking at it would be  
4 about \$1,000 of prize, Jim, if it goes like it has been.

5 MR. GRACIE: If you had two, like you had in the  
6 past.

7 MS. KNOTTS: And Paul, that goes back three years  
8 that we have never had more than two people?

9 MR. GENOVESE: Yes, I checked the last three years  
10 of the contest and we actually have two folks meet those  
11 requirements.

12 MR. GRACIE: But we haven't had a contest with an  
13 award.

14 MS. KNOTTS: That is true.

15 MR. GRACIE: So if people now have an incentive to  
16 try for that, you could find out you have six or eight and the  
17 prize would be pretty insignificant then compared to the  
18 effort required. That was the thought I had since our meeting  
19 last week.

20 MS. KNOTTS: Okay.

21 MR. GRACIE: And maybe you would want to consider  
22 that for the following year after you see what happens this  
23 year rather than disrupt your price structure now.

24 MS. KNOTTS: That is what I was going to suggest.  
25 Thank you, Jim.

1 DR. MORGAN: One question on the invasive species  
2 component. Are the anglers encouraged to terminate that  
3 species?

4 MS. KNOTTS: That is required. In order to be  
5 eligible for awards they must, in that component, they must  
6 kill the fish. Anything else?

7 MR. SIKORSKI: Regarding what Jim said, anticipating  
8 potential increase in master anglers who qualify, the intent  
9 is to reward all the master anglers or just --

10 MS. KNOTTS: Yes.

11 MR. SIKORSKI: Okay. So is there an opportunity to  
12 kind of mesh the \$5,000 and \$2,000? And then award the master  
13 anglers at a certain level?

14 MR. GENOVESE: Well, we were going to be giving them  
15 a plaque as well. Isn't that correct?

16 MS. KNOTTS: Right, yes. They will get a plaque.  
17 So I am not sure I understand the question, Dave. Can  
18 you -- sorry.

19 MR. SIKORSKI: So right now we are basically  
20 assuming that we are going to give two \$1,000 prizes, right.  
21 And if we end up with 10, we obviously decrease that amount.  
22 Is there a way to mesh the \$5,000 and the \$2,000 and basically  
23 what we are doing -- when we are giving the random prizes, we  
24 are giving an obviously lesser prize but it is good. And we  
25 rewarding the master anglers at a higher level because we are

1 pulling from that \$7,000.

2 MR. GRACIE: In the stakeholders' group, Dave, we  
3 thought that one of the advantages of having that random prize  
4 is to attract more people to the festival. And if you are  
5 really going to attract people to come from all over the  
6 state, you have got to have a substantial top prize for it.

7 So originally they were talking about 10 \$500 prizes  
8 and most of us felt like you need something big to draw people  
9 and make it exciting. So I am not sure I would be happy about  
10 cutting the value of that random prize. If you were going to  
11 do it, I would rather parse out the other prizes for the  
12 drawings but again maybe that is something to discuss for next  
13 year because this thing is ready to go so I am not sure --

14 MR. SIKORSKI: No -- I am just thinking out loud.

15 MS. KNOTTS: I appreciate that feedback, yes. So we  
16 will see how things go this year and we will certainly keep  
17 you posted in terms of how it turns out.

18 So the finale event is the Sunday after Labor Day.  
19 So certainly we would encourage you folks, if you haven't had  
20 chance to be at the finale, it is always a good time to be  
21 able to come and just see the spectacle that is all of these  
22 fishermen who are coming for the finale event. So it is an  
23 exciting day so I hope that some of you can make it.

24 MR. GOLDSBOROUGH: Couple more questions, Frank then  
25 Leonard and then --

1           MR. TUMA: Is the master angler restricted to  
2 professional or nonprofessional or just anybody?

3           MS. KNOTTS: No, it is anyone who catches the -- now  
4 the regular rules of the fishing challenge apply, which is  
5 that it is recreational. It is only -- the contest itself is  
6 only open to recreational fishermen.

7           MR. TUNA: I was referring to, you know, charter  
8 boat operators, captains, guides -- that type of thing,  
9 versus, you know, an average sportsman that is out there.

10          MS. KNOTTS: So the contest -- if an angler, if you  
11 are a client out on your boat, who catches, on your charter  
12 boat, who catches a fish, that is -- they registered, it is an  
13 angler-award size and then that same person would need to  
14 catch an angler-award size in the nontidal area and out on the  
15 coast as well.

16          MR. TUMA: Okay. And then me as an individual go  
17 out and catch a fish and register it, does that disqualify me  
18 as a charter boat operator or guide?

19          MS. KNOTTS: No, no. Paul, that is not part of the  
20 rule structure --

21          MR. GENOVESE: I don't believe that is the rule, no.

22          MS. KNOTTS: You just have to catch it yourself. It  
23 has to be your catch.

24          MR. GOLDSBOROUGH: Leonard?

25          MR. GRIER: I am an avid fisherman and I do



1 freshwater trout fishing, tidal, whatever. Okay, with the  
2 Diamond Jim, I have always seen the parameters at the launch  
3 ramp. But if you go to your freshwater streams and different  
4 ramps, there is nothing about that. Are you going to put the  
5 new parameters at these different locations throughout the  
6 state so the fishermen will know that, hey, I can qualify for  
7 this?

8 MS. KNOTTS: Right. So the communications is always  
9 the interesting part. Signage is problematic because it is  
10 very expensive and it gets torn down and it is -- things  
11 change. So what we tend to do is we do a lot of social media,  
12 we do PDFs that we can post at kiosks, parks.

13 So we are going to -- now that we have a little bit  
14 more resources to focus broadly throughout the state, we are  
15 going to do our best to make sure folks are aware. So some of  
16 the ideas that came up at the stakeholder meeting were, for  
17 example, can you do a poster that would be specific?

18 So if you are out at Deep Creek Lake, you know what  
19 species you are fishing for. These are the species in the  
20 lake that you might catch. They are eligible for the Maryland  
21 Fishing Challenge. This is the size that you would need to  
22 catch.

23 So trying to do a little bit more targeted,  
24 understanding -- probably not with signage but we would do it  
25 using other resources in the area. So kiosks, working with

1 parks, using social media and various other digital media that  
2 are a little bit less expensive and targeted.

3 So, yes, signage is probably not the way we would do  
4 it just because it is so resource intensive. But, yes, your  
5 point being that we need to reach out to everybody is well  
6 taken, and we will definitely be doing that.

7 MR. DEHOFF: Karen, you mentioned that the flier was  
8 going to go out to the captains and everything on that map.  
9 Can we also get a copy of that once it is approved? That way  
10 we can also hand it out.

11 MS. KNOTTS: And we will also have a general one,  
12 Mark, for just the fishing challenge in general that covers  
13 this prize structure and gets people understanding that now  
14 there are some other components that they didn't know about.

15 So we will be moving out hot and heavy after this  
16 meeting. We just wanted to wait until after this meeting to  
17 get lots of promotional stuff printed, circulated. And we  
18 will be asking you guys for your help to do it because there  
19 is -- it is starting to heat up and if you can work with your  
20 constituencies to raise awareness, that would be terrific.

21 MR. GOLDSBOROUGH: Ed and then Rachel.

22 MR. O'BRIEN: It is clear this is an opportunity for  
23 passengers on a guide boat or charter boat. It would be nice  
24 from a charter boat standpoint if you could mention the  
25 captain of the boat that they were on when they caught it.

1 MS. KNOTTS: Mention it in our -- in the  
2 announcements? On the award itself?

3 MR. O'BRIEN: The award itself.

4 MS. KNOTTS: Okay.

5 MR. O'CONNELL: So one idea was if somebody caught a  
6 Governor's -- a 40-inch plus striped bass, and they get the  
7 Governor's Conservation Award, in the certificate that they  
8 are going to get, we could include the charter boat captain.  
9 So when it is hanging up in someone's house, and their friend  
10 comes over and they say, what is this? Maybe it will help  
11 refer some business back to the charter captain. Some  
12 opportunities there.

13 MR. O'BRIEN: Are you talking about the biggest fish  
14 for the year also as well as fish over such-and-such?

15 MS. KNOTTS: Um hmm. So the award size, the minimum  
16 size, there is a certain size. So we don't do a biggest fish  
17 of the year in the ceremony. We haven't done that before.  
18 We do our state records and we -- I think in those we mention  
19 if they were caught on a charter boat.

20 MR. GOLDSBOROUGH: Rachel?

21 MS. DEAN: It was just a clarification. Is it my  
22 understanding then that someone who holds a guide license can  
23 participate if they are on their own but somebody who holds a  
24 TFL cannot participate if they are out on their own fishing?

25 MR. GENOVESE: No, we didn't say that.

1 MS. DEAN: The question was, if I am on my own --

2 MR. GENOVESE: Well, Diamond Jim you could not  
3 participate if you held a commercial -- for this one we don't  
4 have that requirement.

5 MS. DEAN: A charter captain could go out on his own  
6 and --

7 MR. GENOVESE: Yes.

8 MS. KNOTTS: If you are on your own.

9 MR. GOLDSBOROUGH: Any other questions for Karen?

10 MR. DAMMEYER: I see a group outing. Let's go.

11 (Laughter)

12 MR. GOLDSBOROUGH: Thanks, Karen. Let's move on  
13 then to the Vibrio campaign. Kathy?

14 ***Vibrio Public Information Campaign***

15 ***by Kathy Brohawn, Maryland Department of the Environment***

16 MS. BROHAWN: Good afternoon. Kathy Brohawn from  
17 MDE. And I guess I have a presentation. And today my goals  
18 are to hopefully educate you guys a little bit about Vibrio  
19 and what we are going to be doing in the future.

20 MR. O'CONNELL: Are you going to mention the  
21 legislation?

22 MS. BROHAWN: Yes. We haven't really delved into  
23 the legislation much yet but that is part of it as well.

24 MR. O'CONNELL: So we asked Kathy to come because  
25 there was a bill that was in the general assembly that was

1 going to require us to print specific language on our fishing  
2 licenses, and that bill ended up passing but it directed MDE  
3 to coordinate with us and our advisory bodies to come up with  
4 some appropriate language, right?

5 MS. BROHAWN: Yes.

6 MR. O'CONNELL: And there is a deadline that is  
7 approaching in June to come up with that. So given our  
8 meeting was today, it was a good opportunity to have Kathy  
9 explain a little bit about Vibrio and see if we can work  
10 toward some acceptable language that fulfills the  
11 responsibility of informing the public of this health concern  
12 but at the appropriate level, that we don't scare people away.

13 MS. BROHAWN: So hopefully by the time I am finished  
14 you won't be frightened or be frightened that we will frighten  
15 the public from fishing.

16 (Slide)

17 So I am going to talk about the general information  
18 about Vibrio and the illness and our outreach efforts.

19 (Slide)

20 So Vibrio, a bacteria, occur naturally in estuarine  
21 and saltwater across the world, including the Chesapeake Bay  
22 and its tributaries. It is a salt-loving organism. There are  
23 over 80 species of Vibrio. 12 species are known to cause  
24 human illness. One of the most familiar to most people is  
25 Vibrio cholera. We don't have that in the United States,

1 | thankfully, but I guess my point here is to get you to  
2 | understand that it is not due to pollution. It is not due to  
3 | eutrophication. It has always been there. So Vibriosis is  
4 | the illness that this bacteria can cause. Next slide, please.

5 | (Slide)

6 | So when you get an illness from Vibrio, it can cause  
7 | gastrointestinal illnesses. It can also cause wound  
8 | infections, systemic infection and sepsis, which is what  
9 | people call the flesh-eating part, which is really a misnomer  
10 | but that is what they are thinking about. They are also known  
11 | to cause ear infections from swimming in the water, from  
12 | Vibrio. Next, please.

13 | (Slide)

14 | It can range from mild to severe and even  
15 | life-threatening. It is everywhere, and the people who get  
16 | the illnesses that are -- hit the headlines in the news are  
17 | immunocompromised.

18 | So everybody is susceptible to Vibrio illnesses, but  
19 | the ones where people have lost their life, they are  
20 | immunocompromised in some way, and that means that you have --  
21 | you are on medication. You have liver disease. You have  
22 | diabetes. You are elderly or very young -- not that that is a  
23 | disease. It happens to the best of us.

24 | (Laughter)

25 | MS. BROHAWN: But it does make you more susceptible.

1 Next slide, please.

2 (Slide)

3 Here is some information, and Nancy is here from our  
4 Department of Health and Mental Hygiene. She is going to head  
5 up the outreach efforts from them too. We partner with the  
6 Department of Health and DNR in this effort in the future.

7 So Vibrio is what is called a reportable illness  
8 nationwide. The Department of Health and Mental Hygiene  
9 collects that information, and this is some data from the  
10 Department of Health and Mental Hygiene over the years of the  
11 number of cases of Vibriosis.

12 So that would include wound infections, sepsis, from  
13 eating shellfish, which is another common way to get sick from  
14 Vibrio. Next slide, please.

15 (Slide)

16 So people are exposed to Vibrio from food,  
17 consumption of raw or undercooked seafood, especially oysters.  
18 Open wound contact with -- coming in contact with bay waters.  
19 That is another way that you can get it. And seafood handling  
20 exposure. So for instance, if you cook your basket of crabs  
21 and then put them back into that same basket, and there is  
22 Vibrio, there were Vibrio on them, you can get sick even  
23 though you cooked the crabs.

24 One of the most common forms of illness occur from  
25 eating raw or undercooked shellfish that are harvested during

1 the summertime, and the most common illness is from *Vibrio*  
2 *parahaemolyticus*. It affects everybody, and you get the  
3 throw-ups for a few days. And then you are better. Cleans  
4 you out. Next slide, please.

5 (Slide)

6 I had mentioned these risk factors: People with  
7 weakened immune systems are more susceptible, especially to  
8 the nasty one that causes loss of limb and life. It is very  
9 important to be treated quickly if you think you have a wound  
10 infection or an infection from eating seafood or *Vibrio*.

11 The quicker that you get taken care of from the  
12 medical community, the quicker you can get better. People die  
13 within three days of having this. It is rare but when it  
14 happens it is really, really nasty. Next slide, please.

15 (Slide)

16 So in 2012, the Department of the Environment began  
17 outreach. It came down to us from our Secretary's office. He  
18 was being called, and I think it started with some illnesses  
19 that were reported in Calvert County from having exposure to  
20 bay water. So we developed two fliers along with our partners  
21 at DHMH, and one was targeted to people who fish and are  
22 exposed to bay water.

23 And the other one was to care providers. As I  
24 mentioned, the quicker you get care and the right antibiotics,  
25 the better off you are of surviving this illness.



1                   And I think there is an example in your packets of  
2 both of those fliers. And I meant to bring one with me to  
3 hand out to everybody; however, our offices are in Baltimore  
4 city, and we were closed today. So I didn't bring that. Next  
5 slide, please.

6                   (Slide)

7                   There is the one -- and I think I want to emphasize  
8 that the risk, when you think about the millions of people who  
9 are in contact with bay water on a daily basis throughout the  
10 summertime, the risk of getting this illness is rare.

11                   But there are some common-sense things you can do to  
12 lower that risk, and that is wash your hands before you eat.  
13 If you have an open wound, and you handle fish or you crab or  
14 you swim, and you can't avoid the water, it is easy to get a  
15 waterproof bandage to cover that wound up, and that is quite  
16 effective.

17                   If you get cut while you are on the water, have  
18 handy hand sanitizer or a way to wash your wound out. Soap  
19 and water goes a long way of preventing illness. If you are  
20 sitting down for lunch and you have had your hands in bay  
21 water and touching fish and stuff all day, wash your hands.

22                   Wear water shoes if you are swimming or crabbing so  
23 that you avoid getting cuts while you are in the water. So  
24 those are some of the things that we have on that flier. Next  
25 slide, please.

1 (Slide)

2 Oh, I guess this is blown up. I haven't looked at  
3 this since Monday. Sorry. Wear gloves. Shower after  
4 swimming is another good one. Next slide.

5 (Slide)

6 So this is important. If you develop a wound with  
7 unusual redness, swelling or drainage, seek medical attention  
8 immediately. So -- and mention to your caregiver that you had  
9 exposure to bay water, and that way they can get you started  
10 on the correct antibiotics.

11 MR. GRACIE: These organisms don't survive in  
12 freshwater?

13 MS. BROHAWN: No. They are halophilic so they are  
14 salt-loving organisms.

15 (Slide)

16 This is the flier that was developed for the  
17 health-care providers. So this one -- you can go to the next  
18 one. I think it is blown up too.

19 (Slide)

20 So the types that we are most concerned about, and  
21 the most common that cause illness are *Vibrio vulnificus*, and  
22 that is the one that impacts immunocompromised people, and  
23 *Vibrio parahaemolyticus*. The CDC says that of -- there are 40  
24 times more cases than are reported in the U.S. And that has  
25 been on the upswing. And that has -- and it is self-limiting

1 so it is not going to kill you like vulnificus does.

2           Then there are some of the clinical presentations.  
3 My colleague, Dr. Jed Miller, put this together. This is  
4 outside of my expertise. He will be here on Thursday to talk  
5 to the Tidal Fish Advisory Commission with pretty much the  
6 same presentation. Next slide, please.

7           (Slide)

8           So these are some of the things we are telling the  
9 health-care providers to be aware of because not everybody  
10 knows to look for signs of infection that are caused by Vibrio  
11 but the outcomes for people are much, much better if they get  
12 started on the right antibiotic immediately.

13           So our current efforts, when that bill came across,  
14 a lot of it we have already been doing. As I mentioned, these  
15 fliers were developed back in 2012. We have worked with DNR  
16 to hand them out to the folks who get the map book, show where  
17 shellfish waters are open and closed.

18           We are currently looking at other ways to outreach,  
19 and hopefully by talking to you guys -- I am going to hand out  
20 my cards, and if you have a way that we can get outreach or if  
21 you want fliers, we welcome any suggestions or some help from  
22 you. Next slide, please.

23           (Slide)

24           So that is it. We didn't outline exactly what we  
25 are doing but we are still putting that together. But we have

1 | already started.

2 | MR. GOLDSBOROUGH: Ed?

3 | *Questions and Answers*

4 | MR. O'BRIEN: When this bill first came out in the  
5 | Senate, from the face of it, it was scary as hell. And I know  
6 | we in the charter boat industry really appreciate the way that  
7 | the departments, both of them, got into this and came up with  
8 | some data and certainly delayed coming out with this  
9 | information until a final bill came out.

10 | We spent considerable time on this in the  
11 | legislature, which leads to some questions. It is still  
12 | scary. How many deaths have been attributed to Vibrio in  
13 | Maryland?

14 | MS. BROHAWN: In Maryland, I can't really say.

15 | MR. O'BRIEN: Any.

16 | MS. BROHAWN: I could find out and maybe by  
17 | Thursday, but nationwide there is usually about 30 deaths a  
18 | year --

19 | MR. O'BRIEN: 30 deaths?

20 | MS. BROHAWN: -- and that is from seafood mostly.

21 | MR. O'BRIEN: 30 deaths nationwide. And you don't  
22 | know about any in Maryland but there may be one or two.

23 | MS. BROHAWN: I think there are, and there have been  
24 | over the years.

25 | MR. O'BRIEN: I just wish, as part of this

1 presentation, which is really getting reasonable, I wish you  
2 could get into those kind of statistics because this will  
3 scare people even today as that bill has been considerably  
4 modified with the agreement of the senator who originally put  
5 it in, who didn't have the perspective.

6 But anyway if you could get some statistics in there  
7 to minimize the problems, certainly for the selfish interest  
8 of the people who might want to go out on a charter boat  
9 because it is scary-looking.

10 MS. BROHAWN: It is scary-looking, and I think my  
11 passion of bringing this to you is it is rare but when it  
12 happens to a family member or somebody close to you, and they  
13 lose a limb or their life, it is really bad.

14 MR. O'BRIEN: Any illness is bad.

15 MS. BROHAWN: Any illness is bad but we want to make  
16 sure you have the knowledge of what to do to prevent the  
17 illness, and that is why we are here. And we are not here to  
18 scare people.

19 MR. O'BRIEN: Okay. Well, if you could put certain  
20 statistics in, like the one you mentioned relative to national  
21 deaths, that would show people, yes, there is a problem. And  
22 you are doing a great thing in telling people how to avoid it  
23 but if you put that in there it won't tend to be as alarmist  
24 to people. Please do. Appreciate it.

25 MS. BROHAWN: Thank you.

1           MR. O'BRIEN: And when are you coming out with this  
2 document date-wise?

3           MS. BROHAWN: Which document?

4           MR. GRACIE: You are supposed to put out some  
5 language that you are going to coordinate with DNR on, right?

6           MR. O'BRIEN: June, right?

7           MR. O'CONNELL: It no longer has to be on licenses.

8           MS. BROHAWN: It doesn't have to be on licenses, and  
9 some of our efforts are going to be -- we have e-mail lists  
10 for the clinical people that we will send that out to --  
11 nurses, nurse practitioners, doctor's office, people who deal  
12 with elderly and liver disease. Get that information out to  
13 them.

14                   In the past we have had an article in the Waterman's  
15 Gazette about this information. We hope to work with DNR and  
16 our state park partners so that where you have access to water  
17 and they have the bulletin boards, we can put these fliers up,  
18 like this one, to get the word out that way.

19                   It is just not prescribed anymore in the bill as to  
20 how we do it, only that we have outreach.

21           MR. GOLDSBOROUGH: Jim?

22           MR. GRACIE: Is the -- I have got a couple of  
23 questions. Is the coordination with DNR now not required?

24           MS. BROHAWN: It is. We consult with DNR and they  
25 are our partners in this.

1           MR. GRACIE: My concern is one with process. This  
2 commission, you have already heard from one of the members,  
3 would have a strong interest in how this is presented and how  
4 it is worded. And it doesn't seem to me that if you haven't  
5 proposed some wording yet that we are ever going to have an  
6 opportunity to comment.

7           MR. BROHAWN: Well, I would take this as some of our  
8 wording, that we already have developed, which is in your  
9 packet.

10          MR. GOLDSBOROUGH: Well, the process I am concerned  
11 about is how would the commission get input to DNR about what  
12 things we do and don't want to see in this because, I mean, we  
13 may have some pretty strong feelings about that.

14          MR. O'CONNELL: So a couple points. One is that,  
15 Kathy covered it quickly, was that the way the bill was  
16 drafted, the Department of Natural Resources is going to be  
17 required to put specific language on all the fishing licenses,  
18 and we thought that language was, you know, a little strong.

19                 Through a lot of help -- I know Ed was very  
20 involved, and Dave to a lesser degree -- the bill no longer  
21 requires any specific outreach strategy. It requires the  
22 Department of the Environment to work with the Department of  
23 Health and Mental Hygiene and DNR to determine the appropriate  
24 language and the outreach.

25                 And so, you know, you could add it to a license.

1 | Personally I don't think it is necessary. Maybe a link to  
2 | MDE. So I think to Jim's point, Kathy, the bill requires MDE  
3 | to come up with an outreach strategy and implement it by June  
4 | 15th.

5 |           You presented several pieces that I think the  
6 | commission feels comfortable with but as new information or  
7 | new outreach strategies become available, is there an  
8 | opportunity to share that with the department so we can share  
9 | it with our advisory bodies and get information back to you if  
10 | there is something in there that is --

11 |           MS. BROHAWN: Right, and I think that we can  
12 | do -- we have already a list of strategies that we are going  
13 | to start this year, and I certainly will share that with you.  
14 | Right now it is going around our end of things, and I am happy  
15 | to share that with you.

16 |           And I passed out my card because I do want to hear  
17 | from you and what your concerns are, and I can share that --

18 |           MR. GRACIE: I am not sure that we can effectively  
19 | communicate with you one on one. I think that we would do a  
20 | better job if we have an opportunity to discuss it  
21 | interactively as a commission.

22 |           MS. BROHAWN: That is fine.

23 |           MR. GRACIE: Well, it is fine except that we only  
24 | meet every quarter.

25 |           MR. BROHAWN: Okay.



1                   MR. GRACIE: So, you know, if you are going to  
2 submit something from us, best-case scenario you are going  
3 wait three months to hear from us.

4                   MS. BROHAWN: Well, I don't think we have any new  
5 message other than what you see here. So what I want to take  
6 into consideration is your suggestion about some of the  
7 statistics, see if we can do that.

8                   And, in fact, I think the one for the clinical does  
9 have some statistics, which we did update this year. So that  
10 has already been done. But I don't see that we are going to  
11 have anything new coming -- because the change to the bill  
12 where it didn't require that we put it on fishing licenses I  
13 think alleviated a lot of your fears and concerns.

14                   And hopefully today I have alleviated that by  
15 explaining what Vibrio is a little bit better so you have a  
16 better understanding. And share that information with  
17 anybody.

18                   MR. GRACIE: Two suggestions, Bill. Can we get a  
19 copy of the full presentation, which we don't have in our  
20 packet. We only have two sheets here. And two, is there any  
21 interest on this commission in setting up a little  
22 subcommittee to go over what has been presented and see if we  
23 can't do a little brainstorming and see if we wanted to make  
24 some suggestions.

25                   I would be willing to serve on that if anybody else

1 | wants to.

2 |           MR. GOLDSBOROUGH: Everybody hear the second one?  
3 | Well, the first one was Ed asked if we could get a copy of the  
4 | full presentation. Sounds like we can do that. The second  
5 | one was if there is enough interest at the commission to set  
6 | up a subcommittee to look into it a little bit further in the  
7 | coming weeks to be able to providing feedback on the timeline  
8 | that they are on. Interest in that? Phil?

9 |           MR. LANGLEY: I would. My schedule is hectic this  
10 | time of year but depending on what time we met.

11 |           MR. GRACIE: Well, why don't you chair the  
12 | subcommittee. That way you can set the schedule and I will be  
13 | on it. That puts you in control, Phil.

14 |           MR. LANGLEY: I opened that door, didn't I?

15 |           MR. SIKORSKI: Jim, are you thinking something  
16 | electronically, like an e-mail or are you talking about  
17 | getting together?

18 |           MR. GRACIE: I think that might be adequate, or a  
19 | conference call. I think a conference call would be more  
20 | useful because everybody hears what everybody else says and  
21 | you get more ideas that way.

22 |           What I am interested in is looking at the full  
23 | presentation, having time to think about it and talk to other  
24 | people about it and see if we see anything that we think might  
25 | be useful to add to it or take from it.

1           MR. SIKORSKI: I would be willing to chair it  
2 because it is part of my communication with the various  
3 legislators that I have shared my commitment to help this body  
4 make sure that we are doing our job and so I would be willing  
5 to chair that and we can do so electronically and work through  
6 a conference call to discuss what other input we can add and  
7 make sure our communities understand the issues.

8           MR. GRACIE: I just think it warrants a little more  
9 time and effort.

10          MS. BROHAWN: I just wanted to add that, you know,  
11 we do have a strategy set up and I will share that with the  
12 subcommittee through Paul. So I can do that certainly.

13          MR. GOLDSBOROUGH: Rachel?

14          MS. DEAN: I was just going to comment. I was  
15 surprised when this rolled out that it wasn't going on the  
16 commercial licenses. And Ed asked about the data of deaths.  
17 I think it would be also interesting when you guys get  
18 together to look at the data of the commercial watermen versus  
19 somebody who is just not out there as much.

20                 And I think you will find that the data is kind of  
21 slanted toward the person who is dealing with the gear I  
22 think.

23          MS. BROHAWN: I will be honest with you, we don't  
24 have that kind of detailed information about these illnesses,  
25 and MDE is not the keeper of that information. It is the

1 health department.

2 MS. DEAN: I think it is missing data because I  
3 think you would find that there is more -- I know we can't  
4 give that because it is private and medical but --

5 MS. BROHAWN: I can't even get it from DHMH, which  
6 seems a little goofy. We can go on CDC and get some of that  
7 information. But I don't know that there is more commercial  
8 folks getting impacted than others. What is in the focus and  
9 in the limelight in the US right now is *Vibrio*  
10 *parahaemolyticus* and consumption of raw oysters.

11 And that is certainly something that we are very  
12 involved in with the health department and DNR because we have  
13 a *Vibrio* plan for the folks who have leases and are harvesting  
14 in the summer and required by FDA to have -- when we reduce  
15 the temperature it reduces the number of *Vibrio* in the oyster,  
16 in the product.

17 MS. DEAN: So those 54, they weren't necessarily --  
18 they could be oyster or they could have been --

19 MS. BROHAWN: They could have been oyster, and  
20 something goofy about the reporting too, so I mentioned it is  
21 a nationally required, you know, to be reported to the CDC.  
22 So if somebody went to the Jersey shore, and had oysters and  
23 then came back home to Maryland, and had *Vibrio*, it gets  
24 reported as a Maryland case.

25 So you have to look at those numbers with a grain of

1 salt because you are not getting the background of where they  
2 occurred. Or if your kid went to Virginia Beach, you know,  
3 with his buddies for the weekend and got a cut and came home,  
4 it could be that. We don't know that from those numbers.

5 MR. GOLDSBOROUGH: All right, I have got several  
6 hands: Val is first and then I have got Frank, Phil and Ed.

7 MR. LYNCH: It may be helpful to know that the  
8 Department of Health and Mental Hygiene reported 57 incidents  
9 or cases in 2013 in Maryland, and the august body, the  
10 Chesapeake Bay Foundation, reported 22 deaths in Maryland over  
11 the last decade.

12 MR. GOLDSBOROUGH: That is what, decade?

13 MR. LYNCH: Decade.

14 MR. BROHAWN: And this information is available on  
15 the CDC Website. Maybe not up through 2014 but prior to that.  
16 And we can certainly include those statistics as requested  
17 when we start --

18 MR. TUMA: I think the question I had was where  
19 those stats came from because my health professional didn't  
20 know that I had Vibrio and I don't know whether it was  
21 reported or not a few years ago. You know, I don't know how  
22 they report it or how they know that or -- because it was a  
23 major infection.

24 MS. BROHAWN: The cases are only reported when they  
25 do a clinical diagnosis. So if somebody reported to the local

1 health department, oh, I ate oysters yesterday and I got the  
2 throw-ups, but they didn't come in and give a stool sample,  
3 then that is not a reported case.

4 So these cases -- there are probably more cases than  
5 that because a lot of cases go unreported, and the Department  
6 of Health and Mental Hygiene's laboratories administration are  
7 the ones who usually get the samples but not always.

8 So the local health department will get the  
9 information and report it to the state health department, who  
10 reports it to the Centers for Disease Control and Prevention  
11 in Atlanta.

12 MR. GOLDSBOROUGH: Phil?

13 MR. LANGLEY: One of my points I was just going to  
14 try to make here is that hopefully we do a good job of making  
15 everybody aware that this isn't just a Chesapeake Bay or  
16 Maryland disease. Vibrio exists in the coastal states and  
17 maybe that we could mention that, that Vibrio exists along the  
18 coast and the coastal states in the United States --

19 MS. BROHAWN: And the world, so it is everywhere.

20 MR. LANGLEY: Yes, because my concern is that if  
21 somebody comes here vacationing and they see the signs --

22 MS. BROHAWN: And thinks it is just a bay problem.

23 MR. LANGLEY: -- that Vibrio exists, and the other  
24 states aren't doing as well a job of notifying the public then  
25 word gets out that you don't want to go to the Chesapeake Bay

1 | because they have Vibrio. And so then vacationers start going  
2 | to New Jersey or Virginia or other possible neighboring states  
3 | because they are scared away.

4 | MS. BROHAWN: We have -- pretty much what is in that  
5 | bill now we have already done, and we have a Website called  
6 | Maryland Healthy Beaches. And if you go to that Website there  
7 | is some information on there about Vibrio.

8 | And I think our focus rather than on the numbers,  
9 | rather than -- be smart and take common-sense precautions for  
10 | any kind of illness when you come in contact with natural  
11 | waters. It is just common sense, and that is pretty much our  
12 | biggest message that we are providing to everybody.

13 | MR. O'BRIEN: Well, Phil pretty much covered it.  
14 | Basically though we have been through this with three or four  
15 | diseases in the last 20 years. There was one on bluefish down  
16 | south, and I mean charter fishing just shut down once it got  
17 | on Channel 4 and in the paper.

18 | This could well do something like that so that is  
19 | why we are very worried about this and we need, through two  
20 | departments, we need our worries to get to the governor  
21 | because it can have a significant impact on tourism, charter  
22 | fishing, a lot of things in Maryland.

23 | MS. BROHAWN: Well, just so you know, we began this  
24 | outreach in 2012 and I don't know if it has had an economic  
25 | impact on charter fishing but I don't think it has. And we

1 are not planning to do anything drastically different. So  
2 pretty much when I read what the final outcome of that bill  
3 was, it was like, good. We already do this. No extra work  
4 for me.

5 And partnering with DHMH and DNR is all part of it.  
6 So that is the truth. I mean, that is what is going on. So  
7 this bill doesn't change what we have been doing for the last  
8 couple of years anyway.

9 MR. GOLDSBOROUGH: Okay, so you have got a quick  
10 comment, Dave? And then I am going to come to the workgroup.

11 MR. SIKORSKI: No, go ahead.

12 MR. GOLDSBOROUGH: Okay, so we have decided we want  
13 to form a workgroup to look into this a little bit further,  
14 provide a little more focused feedback to Kathy and  
15 colleagues. Jim and Phil and Dave are going to be on the  
16 workgroup. Phil got railroaded but Dave bailed him out.

17 (Laughter)

18 MR. GRACIE: You just lost control of the schedule.  
19 You realize that, Phil.

20 MR. GOLDSBOROUGH: So Dave is going to be chairman.  
21 Thank you, Dave.

22 MR. SIKORSKI: You are welcome.

23 MR. GOLDSBOROUGH: Does anybody else want to  
24 participate in that?

25 MR. TRAGESER: Dave, you can put me on that.



1 MR. GOLDSBOROUGH: And we got Roger.

2 MS. : Would you like someone from the  
3 department to help? I might be able to --

4 MR. GOLDSBOROUGH: Well, there you go. Excellent.

5 MS. BROHAWN: Do you want me on the workgroup too?

6 MR. SIKORSKI: I will keep you in the loop.

7 MR. GRACIE: We are reporting to you.

8 MS. BROHAWN: And I will try to get that outline of  
9 our outreach efforts for this year out to you guys.

10 MR. GRACIE: And this presentation.

11 MR. GOLDSBOROUGH: So good. Anything else on this?  
12 Can we move along?

13 (No response)

14 MR. GOLDSBOROUGH: Great. Thank you, Kathy. Okay,  
15 let's move on to the regulatory update. Who is starting that  
16 off? Sarah?

17 ***Regulatory Updates and Regulatory Scoping Items***

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

19 MS. WIDMAN: You guys should have in your handouts  
20 you got last week two on the reg front: our normal regulatory  
21 update and then our scoping materials for April. Unless there  
22 are questions on the reg update -- we have just come out of  
23 our reg hiatus over the winter and we don't submit due to  
24 preparations for session. So unless there are specific  
25 questions, there is not a lot specific to recreational on here

1 as far as current proposals.

2 Are there any other questions you guy had looking  
3 that over? I don't want to waste your time going over stuff  
4 you have already looked at.

5 MR. GOLDSBOROUGH: Questions for Sarah?

6 (No response)

7 MR. GOLDSBOROUGH: I think you can move on.

8 MS. WIDMAN: Okay, moving on then. Really quickly  
9 on -- most of these are not related to recreational. The  
10 first two, blue crab, defining a float, and determination of  
11 tolerance limits for species, are things brought to us by NRP  
12 for enforcement purposes.

13 MR. O'CONNELL: Does everybody have that handout?

14 MS. WIDMAN: You should have it in your packet. You  
15 should have gotten it last week.

16 MR. O'CONNELL: Give us a second to see if we can  
17 find it to follow you.

18 MS. WIDMAN: It says Fisheries Regulatory Scoping  
19 April 2015 at the top.

20 MR. GOLDSBOROUGH: No, we have got update and then  
21 we have got legislative.

22 MR. O'CONNELL: Do you have it electronically, Paul?

23 MR. GENOVESE: Yes. I will send it to everybody.

24 MR. O'CONNELL: So it is not in the handout but it  
25 is on the screen, and we will make sure -- if we haven't

1 | already e-mailed it to you we will do that.

2 |           MR. GENOVESE: Yes, they have it in e-mail.

3 |           MR. O'CONNELL: So just follow the screen I guess  
4 | for now. I apologize for that.

5 |           MS. WIDMAN: Okay. So the first two again -- we  
6 | have one in the blue crab fishery. They have a device called  
7 | a float that they keep crabs on and it is currently not  
8 | defined very well so there are discussions of how do we define  
9 | that so it could actually be enforced as far as the allowable  
10 | amount of undersized peelers per float.

11 |           So again brought to us by NRP, an enforcement issue.  
12 | Second enforcement issue that they brought to us had to do  
13 | with tolerance limits for several species and to clearly state  
14 | how we determine those, so how, per bushel of oysters, the  
15 | tolerance, and subgroup that is taken from that is determined.

16 |           So if we have -- the issue is if you have a whole  
17 | bunch of smaller amounts of bushels with some scattered out  
18 | for oysters, per se, and there is a certain amount in each one  
19 | instead of having all in one bushel you could have a whole  
20 | bunch of bushels with a little bit in each that equals a lot  
21 | more than the undersized allotment would be for one full  
22 | bushel.

23 |           So how do they combine bushels or figure that out to  
24 | get the quantity of undersized to determine did you take more  
25 | than you should have of undersized. Both of those would be

1 | scoped on our Website, Constant Contact, Facebook, Twitter,  
2 | unless you have thoughts of further scoping public meetings.

3 |           The next one, nontidal eel minimum size, is one that  
4 | is across all the fisheries, so right now we have a six-inch  
5 | eel minimum size and that would become a nine-inch.

6 |           This is coming through changes in eel management  
7 | from the Atlantic States Marine Fisheries Commission. Because  
8 | it has gone through that process at ASMFC, at this point we  
9 | just have it up for Website/social media/e-mail scoping unless  
10 | we hear otherwise.

11 |           The next one is more commercial-specific. It is  
12 | harvest reserve areas, oysters committees who come and ask for  
13 | several to be removed. Those are listed there. It has been  
14 | discussed with the oyster committees so at this point we would  
15 | move forward with the normal electronic scoping of the  
16 | removals.

17 |           The next one -- there is a slew of them and I will  
18 | just kind of group them. The shellfish aquaculture industry  
19 | for meetings with their aquaculture council staff and just  
20 | consistency purposes that we have come across. There are a  
21 | number of changes that are being asked for.

22 |           The main substantive one is that the industry would  
23 | like to allow workers who are on the boat with an aquaculture  
24 | permittee to not have to have additional individual  
25 | registrations for themselves as long as that permittee is on

1 | the vessel with them.

2 |           This allows for day laborers and short-term laborers  
3 | to be with the permittee helping them on the boat. Anyone who  
4 | else who worked for the permittee who wants to go out separate  
5 | would have to get their own registration card but it allows a  
6 | little more flexibility.

7 |           The rest of them really -- there are compliance  
8 | things we are just updating to be in compliance with the  
9 | National Shellfish Sanitation Program. A bunch of other stuff  
10 | as far as possession of permits, and fees that are just for  
11 | really consistency's sake. Some prorating that would go into  
12 | effect on smaller leases.

13 |           But the rest of them really are just consistency  
14 | across leases and cordoned areas to make sure everything is  
15 | consistent and what applies to wild or aquaculture is  
16 | clarified in regulation.

17 |           And the last one is Striped Bass Atlantic Fishery.  
18 | This is a commercial tolerance limit discussion that we will  
19 | be having. We were supposed to meet with the industry and  
20 | talk about it last week but we didn't get to it so we will be  
21 | discussing that with the Atlantic Fishery in May.

22 |           So again right now I believe all of these things --  
23 | I am sorry, aquaculture coordinating, aquaculture stuff was  
24 | scoped with the coordinating council. But everything else  
25 | would be on our Website through the normal scoping procedures.

1 | So I guess I look to you guys if you want any other additional  
2 | scoping mediums or outreach that you think we should be doing  
3 | on any of these packages, to let us know either today or in  
4 | the next week or two so we could get that planned.

5 | MR. GOLDSBOROUGH: Questions or comments for Sarah?

6 | (No response)

7 | MR. GOLDSBOROUGH: All right, then. Thank you,  
8 | Sarah. Now we get to Gina.

9 | ***License-Free Fishing Areas***

10 | ***by Gina Hunt, MD DNR Fisheries Service***

11 | MS. HUNT: Okay, so I am not sure if you read the  
12 | e-mail that went over this issue but the short of it is we  
13 | have license-free fishing areas, and the authority for that is  
14 | actually in statute, and in the statute it says that those  
15 | areas are about free fishing for finfish.

16 | That is clear; however, the department writes  
17 | regulations on the crabbing licenses. And in fact it is one  
18 | of the only things that we have the authority to set a fee for  
19 | is the recreational crabbing licenses. And when we did that  
20 | back before -- so when we did that, there was a section in  
21 | there that said that the license-free fishing areas, you were  
22 | exempt from getting a crabbing license.

23 | At the time that was written was prior to  
24 | regulations saying that in order to use crab traps and net  
25 | rings you need to a license. So remember, we changed that

1 just a couple years ago. So it is all really kind of a timing  
2 thing because at the time that exemption was put into the reg,  
3 it allowed you to use your handlines and your crab traps and  
4 your net rings just like you could anywhere else, without a  
5 license because the only thing you really needed the license  
6 for was the trot line as far as gear, and it is also clear in  
7 the reg, in another section, where it says, if you are an  
8 unlicensed crabber, even if you are exempt from a license, you  
9 are getting the catch limit for an unlicensed crabber.

10 So the catch limit part is clear. What is not clear  
11 now is what gear can you use as a crabber in a license-free  
12 fishing area because now you need a license to use those crab  
13 traps and net rings -- unless we are saying now you don't in a  
14 license-free fishing area.

15 And if we mean it to say that, then you are talking  
16 about 30 collapsible traps per person for free in an area you  
17 are supposed to be fishing in. So this question came up to  
18 the fisheries service from NRP. They have had at least one  
19 instance of this confusion. And we need to clarify it in the  
20 reg.

21 So really the question is, when we clarify this,  
22 what are we going to allow in a license-free fishing area. Do  
23 we say, you just need a crabbing license to set gear that  
24 requires a license? Or do you set a new limit because 30 is  
25 pretty high if you have a bunch of crabbers out there and you





1 | you are not running a trot line off one of these piers so this  
2 | is all the gear is about.

3 |           And it also at the time, when we had said it  
4 | was -- you didn't need a license to set crab traps and net  
5 | rings it was up to 10. So having a license let you set more  
6 | crab traps and net rings. Well now the rule is you can set up  
7 | to 30 but you need a license.

8 |           So keep in mind back when we had even written this,  
9 | all you really were allowed to do was set 10 there.

10 |           MR. O'CONNELL: So one of the concerns is that these  
11 | are areas to allow people to go and get introduced to fishing.  
12 | There is a scenario right now that someone could pretty much  
13 | occupy the majority of the free fishing area putting traps  
14 | along the side of the pier or shoreline.

15 |           MS. HUNT: Or just a couple people, 30 traps apiece,  
16 | could take up quite a bit of space.

17 |           MR. TUMA: You have taken up the whole area, not  
18 | just for crabbing but for fishing also.

19 |           MR. O'CONNELL: So do you want to limit it to  
20 | handlines? Do you want these areas to allow people to  
21 | experience using a collapsible trap but then limit it to a  
22 | smaller number?

23 |           It is going to cause some confusion because it is a  
24 | subrule of our existing rule of how many traps you can use so  
25 | it is going to add a layer of confusion but that would still

1 allow someone to experiment with using collapsible traps. Or  
2 do you just keep it to handlines?

3 MS. HUNT: Just keep it a finfish-free area?

4 MR. TUMA: Is there a restriction on handlines?

5 MS. HUNT: No. Handlines are free regardless of  
6 where you are.

7 MR. TUMA: No but I mean how many?

8 MR. O'CONNELL: Even with handlines someone could  
9 set, you know, 10, 15 --

10 MR. TUMA: I would say just off the top of my head  
11 is use some type of restricted on any type of fishing gear no  
12 more than 10 -- whatever the fishing gear is. You know,  
13 whether it is handlines, no more than 10. Crab traps, no more  
14 than 10. And who else knows what they are going to sneak in.

15 MS. HUNT: But your recommendation is that for free  
16 somebody can only set 10 of something in a free fishing area.

17 MR. TUMA: 10 types of fishing gear, yes.

18 MR. DEHOFF: And that is because that is already  
19 what is listed as that is what is available for free.

20 MS. HUNT: No, not anymore. That is what it was  
21 prior to us changing it to requiring a license for all --

22 MR. DEHOFF: So now even handlines need --

23 MS. HUNT: No, you do not for handlines but there is  
24 also no limit on the number of handlines, any location.

25 MR. GRACIE: Why don't you just exclude crabbing

1 from free fishing?

2 MS. HUNT: That is the question to the commission.  
3 Free crabbing, free crabbing. That is the question to the  
4 commission. Do you just say, if you are going to crab for  
5 free in a free, license-free fishing area, you are only doing  
6 it with the gear that is free anyway, which is a handline?

7 MR. GRACIE: Maybe I am all wet on this but my  
8 impression is that this is a great opportunity to encourage  
9 people to go fishing. We don't need opportunities to  
10 encourage people to go crabbing in Maryland.

11 MR. TUMA: Any of the free fishing zones, if you  
12 come in with a license and want to put 30 pots or 30 traps,  
13 you can do it. What I am suggesting is in a free fishing  
14 area, I don't care whether you have a license to do 30 or not,  
15 you are restricted to 10, period.

16 Otherwise you have got somebody who has got a  
17 fishing license, a regular fishing license or a crabbing  
18 license, and can do 30 traps and override the poor sucker who  
19 is there with his family just trying to enjoy the day.

20 MR. DEHOFF: So you are saying give the free fishing  
21 areas a separate set of regs for whatever you are doing,  
22 whether it is crabbing or fishing. It is specific to the free  
23 fishing area.

24 MR. TUMA: Yes.

25 MS. HUNT: Are you suggesting a limited of --

1           MR. TUMA: The free-fishing area restrictions  
2           override your regular fishing license restrictions.

3           MS. HUNT: Okay, but for -- I am not clear then. On  
4           crabbing I get what you are saying.

5           MR. TUMA: Crabbing.

6           MS. HUNT: Fishing, are you suggesting a limitation  
7           in gear?

8           MR. TUMA: No, I am not focused on it. I am saying  
9           crabbing. I am saying 10 crab lines, 10 handlines, 10 traps,  
10          10 who knows what they are going to sneak in next. But 10 as  
11          some type of fishing gear. What I am calling fishing gear is  
12          crabbing gear.

13          MR. GOLDSBOROUGH: Is that what you, Gina, called or  
14          referred to earlier as a subrule beneath your existing rule on  
15          a number of traps, and you were kind of reluctant about?

16          MS. HUNT: That was Tom's language but yes, that is  
17          exactly it. It is just a new category of ruling that -- you  
18          know, we have talked about crab regs so many times here. They  
19          are darn confusing as they are. The changes that we made a  
20          few years ago with requiring a license for traps actually made  
21          it a little simpler because then all of a sudden it wasn't,  
22          oh, it depends on how many you have.

23                 It simplified things. This now a subrule that will  
24          make it a little less clear to folks. Well, I am okay here to  
25          set my 30 traps with my license but I am not here in an area

1 | that you said was supposed to be about, you know --

2 |           So I don't want to discourage the discussion. I am  
3 | just saying that is a subrule and the rules are already pretty  
4 | darn confusing.

5 |           MR. GOLDSBOROUGH: Dave.

6 |           MR. SIKORSKI: I think a license-free fishing area  
7 | was intended to be for finfishing, and now that we have a crab  
8 | license, you purchase that crab license, you can fish up to 30  
9 | traps, correct?

10 |           MS. HUNT: With a crab license, yes.

11 |           MR. SIKORSKI: With a crab license you can fish with  
12 | 30 traps. There is no longer a 10-trap reg.

13 |           MS. HUNT: Correct.

14 |           MR. SIKORSKI: So the only thing you can do without  
15 | a crab license is hand line. So in a free-fishing area, I  
16 | think it should be exclusive to fishing for finfish. And you  
17 | can therefore hand line for free.

18 |           MS. HUNT: And if you show up with your crabbing  
19 | license?

20 |           MR. SIKORSKI: If you show up with your crabbing  
21 | license -- never mind.

22 |           (Simultaneous discussion)

23 |           MR. SIKORSKI: I think it should be a no-crabbing  
24 | area.

25 |           (Simultaneous discussion)

1 MR. GOLDSBOROUGH: Jim.

2 MR. GRACIE: First of all, we had free-fishing areas  
3 before. We didn't have problems with trappers crowding them  
4 out. The only thing that is different is if we now focus the  
5 crabbers on the free-fishing areas, we are going to have that  
6 problem. So limiting it to 10 doesn't solve the problem. You  
7 look at these free-fishing areas and you get a handful of  
8 crabbers putting out 10 traps, you have got a problem.

9 So I am inclined to -- not necessarily agree with  
10 Dave's suggestion that we require that it be no crabbing.  
11 Just don't give them any free privileges for crabbing in the  
12 free-fishing areas.

13 So free-fishing areas should apply to finfish,  
14 period. And you are not going to have a new problem. The  
15 crabbers can go anywhere they want. You shouldn't restrict  
16 them or complicate those regulations any more, but they have  
17 to have a license, and they are not allowed to crab without a  
18 license in the free-fishing areas.

19 MS. HUNT: That is a good point. We haven't had any  
20 calls and concerns about crowding at these areas to this  
21 point.

22 MR. GRACIE: The only reason we might is if we give  
23 them an opportunity to go there free.

24 MS. HUNT: Correct.

25 MR. GRACIE: So they might tend to focus on those

1 areas.

2 MS. HUNT: And if we do have that problem, if that  
3 does arise for whatever reason, people just decide to start  
4 taking their crabbing license to a free fishing area, we could  
5 always implement additional restrictions in the future.

6 MR. GRACIE: If it becomes a problem, yes.

7 MR. GOLDSBOROUGH: Roger, did you have something?

8 MR. TRAGESER: No, I was just piggybacking on what  
9 Dave and Jim were both saying.

10 MR. GOLDSBOROUGH: Did you have something, Rachel?

11 MS. DEAN: I just don't think taking away one  
12 person's access to benefit another is the right thing to do.  
13 I would live to sell those people crabs because they can't now  
14 catch them in the area that they were allowed to earlier, but  
15 I think that we know that the people who go to the shore and  
16 do that, that is their access, and that could be their only  
17 access to crabs.

18 And to take that away from them, I just kind of  
19 think that is --

20 MR. GRACIE: I am not suggesting take it away from  
21 them.

22 MS. DEAN: No, I agree with you.

23 MR. GOLDSBOROUGH: She was responding to Dave.

24 MR. GRACIE: Oh, okay.

25 MR. GOLDSBOROUGH: And Micah, you had your hand up.

1                   MR. DAMMEYER: So I guess, yes, the idea is really,  
2 it is about getting people out and exposing them to catching  
3 finfish, you know. Why can't you limit it to hook-and-line  
4 and hand-line fishing and exclude traps and baskets and all  
5 that junk, you know? I mean, that would seem to solve the  
6 problem.

7                   You could still go out and hand line for crabs, you  
8 know? I mean, I did that as a kid. You go get a bunch of  
9 chicken backs and hang them off a string and scoop them up.  
10 You know, it was fun. And I see, yes, I see where you string  
11 a hand line at every piling but maybe there is a limit too.  
12 You know, one rod, one line per person kind of thing.

13                   I know that is more paperwork for you all month but  
14 yes. I don't know. It just seems --

15                   MS. HUNT: It is not about me.

16                   MR. GOLDSBOROUGH: Tom?

17                   MR. O'CONNELL: So from what I am hearing -- I just  
18 want to kind of throw it out there to see if there is some  
19 consensus -- is that we don't provide any license exemptions  
20 for crabbing. You are allowed to use handlines because they  
21 are already free.

22                   You are allowed to go there if you are licensed and  
23 use your traps, and that we go forward with no crabbing  
24 license exemptions and, you know, if we find a site that a  
25 user conflict begins to occur, we can come back and try to



1 address it on a site-specific basis. Any objection with us  
2 going forward with that?

3 (No response)

4 MR. O'CONNELL: All right, so we will kind of record  
5 that in the summary as a consensus and advice going forward  
6 for us.

7 MS. HUNT: If I could take it one step further and  
8 just add this as a scoping item then. Any other additional  
9 ways you want us to scope that idea because we, you know, we  
10 need to get that regulation clarified and obviously Sarah  
11 already did her scoping. I mean, other than the normal  
12 putting it up there on the Website and those mechanisms. Is  
13 there some other way you would want us to scope that --

14 MR. TUMA: Are the regulations posted at the  
15 free-fishing areas because I have a real problem with the  
16 signage that I have seen.

17 MS. HUNT: Well, they don't speak to crabbing  
18 actually. The issue is in our regulation, in our regulation  
19 itself and the fact that it is basically antiquated from  
20 another time. Do you know what I mean?

21 So the license-free fishing areas, I think it would  
22 be clear or we can make sure the sign it is clear that it is a  
23 licensed finfish free-fishing area.

24 MR. SIKORSKI: You got fine print that says buy your  
25 crabs from Rachel.

1 MS. DEAN: Do we choose the areas because they were  
2 low-traffic areas or because these people were -- and I always  
3 get the word wrong -- sustenance fishermen?

4 MS. HUNT: Subsistence?

5 MS. DEAN: Yes because if that is the case then we  
6 are not talking about, you know, the kids having fun for hand-  
7 lining. These people are out there --

8 MR. GRACIE: Originally they were sustenance. The  
9 last round we changed that whole approach.

10 MR. SIKORSKI: But it is still used for that.

11 MS. DEAN: Okay.

12 MR. GRACIE: It may be.

13 MS. DEAN: I just didn't know it if was a priority.

14 MR. SIKORSKI: There are areas that are historically  
15 used for limited-access fishermen, and they are spread out  
16 throughout the state so it gives plenty of people opportunity  
17 to access the resource. It wasn't my intent to say, you know,  
18 shut things off but I want to avoid conflict. And this is  
19 Dave. CCA a long time ago decided they didn't want to mess  
20 with crabs.

21 MR. GOLDSBOROUGH: Okay, are we in a good place?  
22 You guys got what you need? Phil, you had your hand up before  
23 and I didn't call on you.

24 MR. LANGLEY: No, no, no. I just echoed what Tom  
25 said. I think in Jim's motion it was --

1 MR. GOLDSBOROUGH: Okay, great. Can we move on to  
2 legislative?

3 MS. HUNT: Surely.

4 ***Legislative Summary***

5 ***by Gina Hunt, MD DNR Fisheries Service***

6 MS. HUNT: So you have this as well, and it was  
7 certainly posted online, our legislative update for 2015.

8 I am only going to highlight what has passed not  
9 what died, although feel free to ask me any questions about if  
10 it died or why it died or anything to that matter.

11 So the first one being House Bill 67, this is more  
12 of a, you know, departmental issue across other units, not  
13 just fisheries service. But there are several mandated  
14 reports that were in law and they are old, they are  
15 antiquated. Usually, you know, it is something that we would  
16 have to send in a one-pager and say, we have new information.

17 So some of those reports we now no longer have to  
18 do. And when I say a report, this is basically something that  
19 you send to the house and the senate and it goes down to  
20 legislative services and gets recorded in a law library. So  
21 it is not even something you guys have probably ever seen  
22 unless you go peruse the law libraries.

23 So there are four reports for fisheries service that  
24 we now no longer have to do. Aquaculture liability for  
25 trespass: This basically sets up -- it clarifies what

1 penalties would apply if somebody is convicted in one of these  
2 areas or without written permission of a lease holder and does  
3 damage to a shellfish area. And basically it kind of just  
4 sets it up so that the judge has guidance on what these  
5 penalties should be to that individual.

6 Our favorite one, House Bill 785 -- it is also  
7 crossfiled with Senate Bill 666 -- this one is the license  
8 changed in our recreational fishing license from a calendar  
9 year to 365. We spoke about this, I think, last time we met  
10 and I didn't hear at the time any controversy, and there  
11 really was no controversy on the bill.

12 Nonetheless, during all the deliberation there was a  
13 sunset put on the bill, and thankfully it came off at the 11th  
14 hour and was eventually passed and enrolled without a sunset.  
15 Yes, it had a three-year sunset.

16 MR. GRACIE: Can you imagine the double transition?

17 MS. HUNT: Yes, I did and I hated it. So thank  
18 heavens that is gone. This bill becomes effective October 1.  
19 So we are going to be working on moving in that direction for  
20 both the license system -- you know, the compass license  
21 system -- as well as the decal that is sold for your vessels,  
22 is effective October 1.

23 So if you buy it prior to that and it is going to  
24 expire December 31. You buy it after that, it will be good  
25 for 365.

1           But that timeframe, the fall, is usually where you  
2 see our license sales drop off in annual license sales and  
3 people start buying short-term licenses because --

4           MR. GRACIE: This will push it up.

5           MS. HUNT: Hopefully. So that was really great.

6 And --

7           MR. O'CONNELL: Not to interrupt you, Gina, but just  
8 on that one, I think it is important to note that idea  
9 surfaced from this commission. And, you know, meeting with  
10 Dave Sikorski and Dave Smith, Dave Sikorski really took the  
11 leadership to push this thing through.

12           It would not have happened without Dave's work and  
13 tracking it through. I mean, I think anglers are going to be  
14 really excited about this. You know, and we offered the 50  
15 percent license discount program, and obviously some of the  
16 loyal customers have pushed back. Like, what is in it for me?

17           You know, I think this is something that our loyal  
18 customers will appreciate that they are going to get an added  
19 value for their license. So it is a great thing. The  
20 governor was going to sign it today but he got called up to  
21 Baltimore so I think May 12 is the rescheduled date. So it is  
22 pretty exciting. I think anglers will really appreciate this.

23           MR. SIKORSKI: In my experience in handling the bill  
24 and working with Delegate Flanagan and Senator Bates, two of  
25 my representatives from Howard County -- I mean, inland

1 representatives who don't deal with fisheries issues who were  
2 very excited, especially Senator Bates, to deal with one of  
3 these issues.

4           So it was a reminder to me and a reminder to all of  
5 us that they are out there and they are willing to do good  
6 things for us and they were really happy to do it. And  
7 Senator Bates was texting me late at night on the last day of  
8 the session. I even told her -- I said, look, the sunset's an  
9 issue but we have dealt with harder things and we can deal  
10 with a harder thing in the future. And she said, no, we are  
11 getting that sunset removed.

12           It was a sunset brought on by a legislator, and that  
13 is the way it works. And so she worked really hard, and it  
14 was really good to know that my local senator was working hard  
15 for fishermen in Maryland. And it wasn't me. It was an idea  
16 that came from this group and it came from everybody, and I  
17 was glad to represent this group there in the legislature to  
18 testify on it.

19           MR. GRACIE: Who came up with the sunset?

20           MR. SIKORSKI: Jay Jacobs is what I am told. That  
21 is what I am told. I can't confirm it.

22           MS. HUNT: It was in the house subcommittee that,  
23 that sunset came from.

24           MR. SIKORSKI: What I was told, and I kind talked to  
25 Senator Bates' legislative assistant about it, and disagreed

1 with his assessment, but what he was told was that it is done  
2 in these issues so we have some sort of baseline to review as  
3 we come back. And, yes, sunsets are done on major changes but  
4 not these overly beneficial changes and so ultimately, you  
5 know, the bill made it out clean and we are thankful for that.  
6 And I am thankful for my senator finally.

7 MR. GOLDSBOROUGH: It is not like we don't have  
8 experience in other states to look at.

9 MR. SIKORSKI: And it also -- it now makes Maryland  
10 the most-valuable license or the cheapest license in the  
11 region. So talk about selling more licenses. Tell your  
12 Virginia friends, come buy ours. It is cheaper. It is the  
13 truth, and you get Virginia and Maryland fishing for it. So a  
14 win for Maryland.

15 MS. HUNT: And it is also a good lesson for those  
16 who think that just because a bill has no controversy -- and  
17 absolutely no one opposed the bill. I mean, no one opposed  
18 the bill. And yet it wasn't coming out clean. You just think  
19 that is a no-brainer but it is not. It is just -- you never  
20 know what is going to happen. It is a good lesson. If you  
21 hadn't learned it in the past you learned it on that one.

22 Okay, and actually, you know -- it is also very true  
23 what happened this session. I mean there are a number of  
24 bills that just, at the 11th hour, got changed significantly  
25 or slightly but it was not that they got changed because these

1 | were amendments that came out on the first reader at the bill  
2 | hearing or anything like that.

3 |           I mean, they came later, they came later into the  
4 | session so it was just a very dynamic session in that regard.  
5 | House Bill 1287, this bill adds a member to Tidal Fish and  
6 | Sport Fisheries Advisory Commission. So it adds a member from  
7 | the Maryland's aquaculture industry to both of those  
8 | commissions. So it doesn't get rid of any seats. It simply  
9 | adds a seat.

10 |           And that actually did change in language a couple  
11 | times because originally it had -- there is a new aquaculture  
12 | association. They do have like a representation now. And  
13 | originally the bill identified that group, and then now it has  
14 | changed, just saying Maryland's aquaculture industry.

15 |           So clearly that would be somebody who has an  
16 | aquaculture lease in the state but it doesn't have to be a  
17 | member of that group.

18 |           MR. GRACIE: That would be quite aggressive if it  
19 | named an organization, wouldn't it?

20 |           MS. HUNT: Well, yes. We pointed out that nowhere  
21 | else does tidal fish and sport fish do that. It doesn't name  
22 | organizations, you know, so. And then Senate Bill 83, that is  
23 | what Kathy Brohawn basically brought up, and this is one of  
24 | these bills that completely changed. It is no longer about  
25 | putting something on a recreational fishing license. It



1 | directs the Department of Environment to do an education  
2 | campaign and just consult with DHMH and DNR.

3 |           So it does still have these requirements about what  
4 | needs to be in that information campaign but that is not  
5 | required to be on the fishing license so the whole drastic  
6 | change to what that bill originally said.

7 |           So moving forward just again, passed that I hadn't  
8 | covered, passed that is really related to fisheries, I should  
9 | say -- Senate Bill 694, income tax credit for oyster shell  
10 | recycling, completely changed language. This was originally  
11 | about being able to transfer your oyster shell credit.

12 |           So the way the law is right now, you get a \$1 for  
13 | every bushel you would recycle in oyster shells. And you will  
14 | get documentation and you would take it off your income taxes.  
15 | There is a cap of \$750 is the most that you could possibly  
16 | get.

17 |           And what the bill was designed to do was basically  
18 | allow one group to be able to transfer your credit to another  
19 | person. Say, you only have \$100, and I have \$10, and a couple  
20 | other people have \$10, we could just give you our transfer  
21 | credits for whatever kind of business arrangement we have.

22 |           It now has nothing to do with transfer of credit,  
23 | and I think that is because in the discussions they realized  
24 | that is really not an incentive to recycling oyster shells.  
25 | The incentive was that the \$1 is just too low, and so the \$1



1 holder to notify oystermen of where their leases are and  
2 furthermore they are not all marked with similar markings.  
3 And to take that to court, I don't know. Is it even going to  
4 do us any good?

5           So, you know, when you are before a judge and you  
6 say, well, they had it marked with milk jugs, and we have got  
7 some that are marked with milk jugs, or it wasn't in my  
8 shellfish closure book, I am not sure.

9           MS. HUNT: So I know you brought that up before  
10 maybe at tidal fish. We have talked about that before. And  
11 the last year, I think it was maybe, I think it was just last  
12 year, they did a survey, aquaculture division did a survey of  
13 all their lease holders to ask them that question.

14           I mean, the idea of the shellfish closure book is  
15 protection for both sanctuaries -- just areas that are off  
16 limits -- so watermen know where not to go. So the question  
17 being, well, if you put leases in there, then watermen will  
18 know where not to go. So the aquaculture division surveyed  
19 the industry and said, do you want your lease in this book?  
20 And there were a number of other questions to it. It wasn't  
21 just one question.

22           And it wasn't a strong majority, but the majority  
23 said, no. They think that basically telling the watermen  
24 where their lease is going to be is telling the watermen where  
25 the oysters are.

1 (Laughter)

2 MS. HUNT: But, you know -- so that never moved out  
3 of the coordinating council because you really had half the  
4 industry saying, heck no. Don't do that to me. But your  
5 point about markings is a good one because this is -- other  
6 areas, you know, Virginia, other places, do have more  
7 consistent markings. And something that has a sign that says,  
8 hey, this is an aquaculture area so that people know what they  
9 are seeing even if they see it from a distance.

10 I think that is a question to be brought back up to  
11 the coordinating council. The issue has been in the past,  
12 well, if you do that, who is going to pay for it and what is  
13 the sign going to look like and blah, blah, blah.

14 But it still warrants a little more discussion. And  
15 I just don't think we have had, you know, cases like this  
16 right now where I think if you had a problem, they are going  
17 to be a little more willing to maybe put something in a  
18 closure book or have that conversation but since it has not  
19 actually become a problem yet, there has not been that  
20 motivation.

21 But I take your point on the markings and I will go  
22 back -- we will go back and have that conversation with the  
23 council again.

24 MR. GOLDSBOROUGH: Phil?

25 MR. LANGLEY: Yes, maybe I am misinformed but I

1 | thought that the aquaculture leases had to have specific buoy  
2 | sizes and whatnot to mark their --

3 |           MS. HUNT: They have to have their corners marked  
4 | but it is not specific in what, it is not --

5 |           MR. LANGLEY: I thought it was like a certain  
6 | diameter, certain height, so -- buoys you had to have to meet  
7 | those specifications for an aquaculture lease.

8 |           MS. DEAN: We had to because we were in a channel.  
9 | That is not from the department. That is from the Coast  
10 | Guard. So, yes, they are big, they are expensive, if you are  
11 | in a certain area. But we have leases in St. Leonard's Creek  
12 | that literally it is a Frisbee on the like -- I don't even  
13 | know. And God bless him, he is doing great, good. But I  
14 | wanted it to have a backbone and I don't see a backbone to  
15 | that.

16 |           MS. HUNT: I know. And the other thing is though  
17 | you are required to have that lease marked if you want any  
18 | protection. There have got to be markers out there. NRP is  
19 | not going to write a ticket that says, well, you harvested in  
20 | a lease but there was nothing to tell anybody it was a lease.  
21 | It does have to be marked. That is in the law.

22 |           MR. LANGLEY: Well, that is what I thought because  
23 | actually I have got a lease application and part of it was the  
24 | specific sizes and whatnot of the buoys. So I don't know  
25 | whether this is something that has changed or -- you know,

1 | maybe some of the earlier leases it wasn't required. I don't  
2 | know.

3 | MS. HUNT: Again, it might depend on where you are.

4 | MR. O'CONNELL: We will take this input back to our  
5 | aquaculture manager, Carl Rozier, you know, and try to review  
6 | when it was last discussed at the council and maybe another  
7 | opportunity.

8 | There is also going to be the addition of an  
9 | aquaculture representative to both sport fish and tidal fish.  
10 | And while sport fish has done a lot of interactions with  
11 | aquaculture, I think it is a good opportunity to form that  
12 | relationship.

13 | Remember a few years ago when we made all of the law  
14 | changes, there was a lot of concern with aquaculture leases in  
15 | areas where guys would be trolling and all that so I think it  
16 | is a good addition like Rachel is for tidal fish to this  
17 | commission.

18 | MS. HUNT: Any other questions?

19 | (No response)

20 | MR. GOLDSBOROUGH: All right, thank you, Gina. We  
21 | are a little bit behind but we are good. Let's move along.  
22 | Inland fisheries. Tom?

23 | ***Introduction of New Inland Fisheries Director***

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

25 | MR. O'CONNELL: Yes, I wanted to introduce -- Tony



1 unit, working with the regulatory agencies trying to get, you  
2 know, better protection to our resources either through  
3 avoidance or minimization.

4 Most recently I was the director for the Resource  
5 Policy Division. It is a new division within integrated  
6 policy and review, trying to develop and utilize proactive  
7 approaches toward resource protection. So that is kind of my  
8 background here at the department. I have been in this  
9 position about less than two weeks so I am trying to learn as  
10 much as I can as fast as I can but I have a lot great mentors  
11 to help me get there.

12 So I know every month you guys receive the monthly  
13 report that reports out on our activities. You know, I am not  
14 even in my office yet and I am transferring my phone numbers  
15 and stuff, but if you guys ever have a question specific to  
16 what is in the monthly report, you know, please contact me. I  
17 don't have a business card yet so I am working toward all  
18 these things.

19 MR. GRACIE: You have a phone number yet.

20 MR. PROCHASKA: I do. You want it?

21 MR. GRACIE: Yes, you bet.

22 MR. PROCHASKA: I will give it to Jim. It is okay.  
23 It is (410) 260-8287. So that is my office number.

24 MR. DAMMEYER: We can probably call you there then.

25 MR. PROCHASKA: You can. I will be in that office.



1 I have been spending a lot of time over the last week and a  
2 half visiting the regional offices and interacting with staff  
3 as much as I can. I am just trying to get myself up to speed.

4 MR. GRACIE: We will know how to find you.

5 MR. PROCHASKA: Yes, you will find me. I am sure  
6 you will. Just call Tom and he will find me. So I mean I  
7 don't know if you have any specific questions about the  
8 monthly report that went out. You know, I am involved in one  
9 of the projects with the North Branch Potomac River. New Page  
10 is their application, is up for renewal to discharge.

11 Actually there are six outfalls that go to the North  
12 Branch Potomac. There are concerns about thermal impacts. I  
13 am working with Science Services Administration to address our  
14 concerns. What is that?

15 MR. GRACIE: --- College.

16 MR. PROCHASKA: Yes, that is a different permit but  
17 the one we are looking at right now is the outfall that has  
18 thermal impacts. I am very familiar with MDE's regulation  
19 specific to water-quality standards, to designate uses, water  
20 quality criteria and degradation policies.

21 I have worked with MDE many years now specific to  
22 the designated uses and I think there can be additional  
23 protection afforded to the North Branch below Jennings  
24 Randolph for temperature. So that is one of the things I  
25 tackled initially. And hoping to schedule a meeting here soon

1 with the permitting group and SSA to address our concerns.

2 MR. GRACIE: These are discharge permits from the  
3 plant not from the --

4 MR. PROCHASKA: From the plant, exactly. Yes, there  
5 are six outfalls. Use four, 75 degrees. The effluent from  
6 the outfalls is 95 to 114. So they are high numbers. So  
7 anyway that is one of the projects I am tackling right now as  
8 well as a number of other ones but that is one I am trying to  
9 deal with.

10 MR. O'CONNELL: Yes, so Tony is going around and  
11 getting to know staff a little better. He knows some of the  
12 already.

13 MR. PROCHASKA: Yes, I have worked with a lot of  
14 them. Don, I have worked with Don a lot on some reviews,  
15 Columbia Gas, --- , I am sure you guys are familiar with that  
16 project and others.

17 MR. O'CONNELL: I am also encouraging Tony to make  
18 himself accessible to you guys and maybe meet you out in the  
19 field someday to talk about issues that are of interest to you  
20 in your area. And establish that relationship. So looking  
21 forward to all the great work Tony is going to do.

22 MR. PROCHASKA: Thank you, Tom.

23 MR. O'CONNELL: Some big shoes to fill.

24 MR. PROCHASKA: Yes. About the same size but his  
25 have more miles on them.

1 MR. O'CONNELL: Thanks a lot.

2 MR. GOLDSBOROUGH: So you have got the Inland  
3 Fisheries Report in your handout. So we will move to the  
4 Estuarine and Marine Fisheries.

5 ***Estuarine and Marine Fisheries Management Planning Topics***

6 ***Update on Striped Bass Appeal***

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

8 MR. O'CONNELL: Yes, and I will kick this off but I  
9 am going to ask Mike Luisi to provide a couple updates. I  
10 wasn't able to attend our staff briefing for ASMFC today but  
11 Mike and I think Bill and Dave and Ed were there.

12 So just really quickly, at the last meeting on  
13 striped bass, we informed you that we were going to be  
14 briefing the administration on striped bass management through  
15 ASMFC and recommend an appeal for the bay fishery, which we  
16 proceeded with. And got a lot of compliments to the strength  
17 of our appeal from stakeholders like you, and our staff did a  
18 tremendous job.

19 Unfortunately, not too surprising, the commission  
20 rejected the appeal. And we shared with you their response,  
21 and I don't have to go much further than that. Interestingly,  
22 in the last paragraph, the letter, it foreshadowed that the  
23 Technical Committee had made progress coming up with a  
24 recommendation for an interim Chesapeake Bay reference point  
25 for fishing mortality.

1           And it turns out -- and Mike, correct me if I am  
2 wrong -- but it looks like they are going to recommend the  
3 same reference point that we asked for in our appeal. The  
4 only difference is that we are going to have to ask the board  
5 to initiate an addendum to consider establishing that bay  
6 reference point, and that is going to take the majority of  
7 this year if the board proceeds in that manner.

8           So we are pretty much looking at status quo for 2015  
9 and if the board accepted the new reference point, we would be  
10 looking at some options to adjust our rules for 2016 but I  
11 just want to just kind of keep everyone's expectations in  
12 line, is that right now we are taking a 20 1/2-percent  
13 reduction. And under this bay reference point that is being  
14 discussed, the reduction would drop to about 10 percent.

15           And our staff have begun to do a little bit of  
16 analysis to kind of gauge where we might be able to go with  
17 that. Right now it is looking like we are not going to be  
18 able to go below a 19-inch size limit bay wide, but as we  
19 discussed with some of you about looking at some smaller size  
20 limits in the fall, some of those opportunities may now be  
21 available where, you know, we start the season at one size  
22 limit and we can shift to a smaller size in the fall.

23           But don't think that this reference point is going  
24 to get us back to 18 inches year round. It is not likely  
25 going to give us 19 inches year round. We are still looking

1 into some of the analysis but it does open up options to look  
2 at some of the scenarios that we weren't able to do based upon  
3 the 20.5 reduction.

4 So I don't know if Mike has anything more to add on  
5 striped bass, and then Mike is going to talk about menhaden  
6 and then you guys may want to talk about the spring trophy  
7 fishing season a little bit. So I will let Mike get through  
8 the striped bass, any additional stuff, and then menhaden, and  
9 then we will come back and talk about striped bass.

10 MR. LUISI: So Mike Luisi, Estuarine Marine  
11 Fisheries. So Tom basically covered what I had thought to  
12 present to you regarding this upcoming discussion at ASMFC.  
13 The one thing that may be of interest is that through the  
14 evaluation for kind of reference points, aside from the  
15 coastal reference points, both the Delaware Bay and the Hudson  
16 River and Long Island Sound were asking to have their  
17 fisheries considered to fold into what -- a different  
18 reference point aside from the coastal reference point.

19 While the Technical Committee, when they met and  
20 discussed this issue, they are going to move forward with a  
21 recommendation for Chesapeake Bay reference points, they did  
22 not come to that same conclusion with the Delaware Bay and the  
23 Long Island Sound fisheries given just different dynamics of  
24 those fisheries in comparison to our Chesapeake Bay.  
25 So know that will be what is being recommended moving forward.

1           The other component to all of this, just to manage  
2 expectation, is that while a Chesapeake, an interim Chesapeake  
3 Bay reference point, is being recommended by the Technical  
4 Committee, and I believe it would be our intention to get the  
5 ball rolling on an addendum, by reducing the reduction in the  
6 Chesapeake Bay, it would likely require some additional  
7 reduction along the coast to account for the overall  
8 reduction.

9           Which means you are dealing with another situation  
10 for which the coastal fisheries may be looking at additional  
11 reductions in order to protect the spawning stock so it is  
12 just another element to it.

13           It is not just going to be Maryland, Virginia,  
14 Potomac River, Washington, DC, coming to the table with a  
15 plan. It factors into the entire coastal fishery.

16           MR. O'CONNELL: And Mike, just on that, I mean, that  
17 is likely not going to be assessed until the next benchmark  
18 stock assessment.

19           MR. LUISI: That is true. You are right.

20           MR. O'CONNELL: And at which point, the status of  
21 the stock may be different, so it is not an absolute. If the  
22 status of the stock stayed the same, it is true that the coast  
23 would likely have to have an increase in mortality but if  
24 these efforts improve the status of the stock it would be a  
25 different scenario.

1 MR. LUISI: Thanks for that clarification, Tom.

2 *Questions and Answers*

3 MR. GRACIE: I am not sure I understood. Did you  
4 say that the notion of developing different reference points  
5 for Delaware and the Hudson were rejected, even the idea of  
6 developing different reference points.

7 MR. LUISI: At this point, yes.

8 MR. GRACIE: Okay.

9 MR. LUISI: The Delaware Bay, not as much. The  
10 rejection wasn't -- it was a small X whereas the Hudson was a  
11 giant X, if you want to think of it that way. They just  
12 weren't sold, the Technical Committee wasn't sold on the  
13 Delaware Bay --

14 MR. GRACIE: Did they come in after we did? Were  
15 they jumping on our bandwagon?

16 MR. O'CONNELL: A little bit. They were kind of  
17 hinting around at it but then they really threw it out there  
18 at the last meeting in February.

19 MR. GOLDSBOROUGH: Mike, is it mostly a matter of  
20 how much mixing there is with other migratory fish?

21 MR. LUISI: Yes.

22 MR. GOLDSBOROUGH: How distinct it really is.

23 MR. LUISI: Yes, that is the reason for the  
24 rejection. Okay, so with that we can move to -- you said  
25 menhaden?

1 MR. O'CONNELL: If you can just go over menhaden?

2 ***Outlook for Menhaden at ASMFC***

3 ***by Mike Luisi, MD DNR Fisheries Service***

4 MR. LUISI: Yes, you know, as you know, Lynn Fegley  
5 is our staff lead and serves as Tom's proxy on the Menhaden  
6 Board. I would never be able to do any justice to Lynn here  
7 to try to provide you with all the details about the upcoming  
8 meeting so I thought I would just keep it pretty brief.

9 Bill, as heavily involved as he is with the  
10 discussion, please feel free to jump in here and help me get  
11 through this. So the Menhaden Board is going to meet next  
12 Tuesday. The discussion will be focused on the most recent  
13 benchmark stock assessment, which has indicated that the stock  
14 is not overfished and overfishing is not occurring.

15 The scientific body, you know, evaluating it and  
16 working with this assessment feels that this is a much more  
17 robust assessment than the previous assessment that indicated  
18 there were some concerns that we needed to take into  
19 consideration.

20 It has to with what I heard today is kind of the  
21 beating of the bushes regarding gathering information about  
22 menhaden populations and indices along the entire Atlantic  
23 Coast to try to get a full understanding of what the stock is  
24 looking like.

25 So there will be a discussion about that assessment



1 and the results of that assessment. One of the things that is  
2 so important with menhaden is its ecological role, and so at  
3 the February board meeting, the board tasked the technical  
4 working group that is working with biological -- the  
5 ecological reference point issue, which they have a name.  
6 They are called the BERP, which is the Biological Ecological  
7 Reference Points Workgroup, they came together and, based on  
8 board direction, applied the Lenfest Fishery Ecosystem Task  
9 Force methodologies to looking at establishing those reference  
10 points or evaluating the reference points for Atlantic  
11 menhaden.

12           So this is a more conservative approach than what  
13 the benchmark assessment was so the BERP group went back, did  
14 the evaluation, and they ultimately came to that same -- the  
15 same conclusion that menhaden, the stock is not overfished and  
16 overfishing is not occurring, even given this more  
17 conservative methodology of evaluating those biological  
18 reference points.

19           So all of this is going to be part of the larger  
20 discussion at the board meeting next week. With all of that  
21 being discussed, the board is then going to be tasked with  
22 approving the 2015 specifications, which would essentially be  
23 the quota that would be -- what would be managed for the  
24 future year.

25           And so that tied into the discussion on the health

1 of the stock -- and not overfished and overfishing is not  
2 occurring all factors into what the board could potentially do  
3 in evaluating those specifications and establishing them for  
4 the following year.

5           There will likely be discussion about liberalizing  
6 the -- adding to the quota based on the most recent results.  
7 So as you remember, was it two years ago, there was a  
8 20-percent reduction that was determined?

9           We are still working under that reduced, that  
10 20-percent reduction from the average of harvest between the  
11 2009 and 2011 options that the Technical Committee will be  
12 presenting to the board range from anywhere from the removal  
13 of that 20-percent reduction, which would go back to a 213,000  
14 metric ton quota, which essentially gets back to the status  
15 quo.

16           It gets back to that average time period that we  
17 used as a reference point to something as much as maybe a  
18 15-percent reduction. So there are a bunch of alternatives to  
19 consider. Each one of them will be more restrictive, and this  
20 will be the debate at the board as to how comfortable, if at  
21 all, the board is comfortable with adjusting its quota, its  
22 determination for next year and how we would manage coastwide.

23           Maybe I will leave it at that and ask Bill if there  
24 are any other major points that I could have forgotten.

25           MR. GOLDSBOROUGH: --- allocation? Did you say

1 something about that?

2 MR. LUISI: Yes, maybe if you could add to the  
3 allocation.

4 MR. GOLDSBOROUGH: Yes, so two years ago that was  
5 another big piece too when they established a quota, they  
6 allocated that quota state by state and it was basically using  
7 the state catches for the average of the years from '09 to  
8 '11, and the breakdown there between reduction and bait, size  
9 of a fishery, was about 80/20.

10 But at that time, the bait catches were headed up  
11 and the reduction catches were headed down so we sort of froze  
12 it where they were. In addition to that, we had really --  
13 most of the states had pretty poor catch data on the  
14 small-scale bait guys. Like our pound nets, trap nets up  
15 north, a few places where they use anchored gill nets like  
16 Virginia that only make up a couple percent of the whole  
17 coastwide catch.

18 Really poor data for them, and they are really just  
19 a small amount of the total catch. And yet when we did that a  
20 couple years ago, putting in a quota system for the first time  
21 ever, and assuming that baseline, based on data we did have,  
22 we had -- it resulted in this whole quota system, meaning you  
23 got to shut your fishing when you reach your quota, being  
24 imposed on those small-scale guys when a lot of us now feel,  
25 based on those two years' experience, they weren't fully

1 | accounted for.

2 |           So now there is some, a lot of discussion about  
3 | possible revisiting the allocation issue and better accounting  
4 | for that side of the fishery. So I think it would mean, and  
5 | this is kind of Maryland's proposal that is on the table,  
6 | setting aside a third sector. So not just having bait and  
7 | reduction but having small-scale bait and large-scale bait and  
8 | reduction.

9 |           So the large-scale bait are the guys who are using  
10 | gear a lot like the reduction fishery, the purse seines, but  
11 | they are just smaller purse seines in Virginia and in New  
12 | Jersey. But the small-scale, generally family, single-family  
13 | operations like our pound netters, would be a separate sector.

14 |           I mean, we haven't gotten there yet but this is what  
15 | Maryland would like to do, and Lynn has put on the table. It  
16 | would be considered a separate sector with it is own piece of  
17 | the quota and would not, under this concept, have to have a  
18 | strict quota system applied to it.

19 |           So you wouldn't be shutting down that kind of an  
20 | operation. That is really a big part of the cultural fabric  
21 | up and down the coast, you know, mid-season, under a strict  
22 | quota system. And that is where we hope to go but that is  
23 | going to take a plan amendment.

24 |           MR. LUISI: And that discussion, we have been having  
25 | that discussion with some of the other managers along the



1 saying?

2 MR. GOLDSBOROUGH: Yes, that was my point. I am  
3 sorry I was unclear.

4 MR. GRACIE: And I had a question for Mike. You  
5 said something I am not sure I understood. You said that the  
6 range of options go from eliminating 20-percent reduction to a  
7 15 percent reduction. You didn't mean a 15-percent reduction  
8 from that. You mean 15 from the reference period?

9 MR. LUISI: 15 from the reference period, right.

10 MR. GRACIE: Instead of a 20 we would get -- which  
11 would be a 5 percent increase.

12 MR. LUISI: So anywhere from zero from the reference  
13 period down to where we are now. Just different things to  
14 consider.

15 MR. SIKORSKI: Obviously for those of you who don't  
16 know, I will tell you that CCA is deeply involved in menhaden  
17 stuff, and it has fallen in my lap most recently in my current  
18 role. I have spent a lot of time digging through the issues,  
19 and the thing that stands out that I think is important for  
20 this crowd to understand is that if -- you hear this species  
21 is managed commercially.

22 It is all about its harvest. It is about how much  
23 you can leave in the water to sustain the level of fish out  
24 there that we need.

25 Stock assessment is more robust and does give us a

1 | lot more information but a couple things that it has told us  
2 | causes some concern for us at CCA and I think should cause  
3 | concern for all recreational anglers whether private or  
4 | charter, and even commercial anglers or the commercial  
5 | fishermen in the bay, and that is the lack of controls on  
6 | what -- leave in the water what our ecosystem needs.

7 |           In the stock assessment they use a thing called  
8 | natural mortality, and that is how they account for what is  
9 | eaten. That changes year to year. It changes based on the  
10 | stock structure but it stays relatively static in my view  
11 | within the stock assessment. And that is a concern.

12 |           And that is why ecosystem-based management is  
13 | something you have heard about. These fish feast on four-inch  
14 | species in the bay. They spawn off shore and then come in the  
15 | estuary, so they are not like our shad river herring or others  
16 | that spawn here and then spend some of their juvenile life  
17 | here on the way out.

18 |           So in my view, Maryland is kind of shut off,  
19 | especially considering that the state to our south is the only  
20 | state with a reduction fishery and has 80 percent of the  
21 | coastwide catch allocated to that reduction fishery.

22 |           I think it presents a major issue, and there are  
23 | maps and stuff out there. I wish I would have provided a  
24 | little more information to the commission over the last few  
25 | weeks but I haven't had the opportunity. But I urge everybody

1 around the table to pay attention to the management of  
2 menhaden because it directly affects us as recreational  
3 fishermen, especially in the bay.

4           You know, there is -- especially striped bass.  
5 ASMFC has made a tough effort that we all had to go through to  
6 reduce mortality on striped bass in order to increase their  
7 stock, and menhaden is their probably most important food. I  
8 think most people would have a hard time disagreeing with  
9 that.

10           So what we are seeing in the bay is a lack of  
11 abundance, a lack of numbers of fish. We are seeing that  
12 along the whole coast, and we are also seeing a lack of  
13 recruitment. That is fish that make it to year one. That is  
14 like every predatory fish that lives in the bay, it is candy  
15 to them. It is the little peanut bunker.

16           And so it is easy to look out from your boat and  
17 say, all right, I am seeing more menhaden around. But I don't  
18 think that necessarily corresponds with proper management, and  
19 I don't know that it necessarily corresponds with ever getting  
20 this thing right.

21           ASMFC has been talking about ecosystem-based  
22 fisheries management for probably 15 years now on menhaden,  
23 and our representatives have done a great job in advancing  
24 this mentality, advancing these effort to better control these  
25 fisheries but we are not there yet. We are still managing



1 | them as a single species.

2 |           We have got great people at the helm to do so. Lynn  
3 | is coming up with great ideas to solve problems for our  
4 | commercial fishermen and even our recreational fishermen, the  
5 | same with Bill.

6 |           I know CCA will be there. I will hopefully be  
7 | providing some public comment and I would appreciate any  
8 | support that any other groups would like to give to that and  
9 | communicate with me afterward. I can provide more information  
10 | because it is an important issue and I think it directly  
11 | relates to all the fisheries that we are involved with.

12 |           And we need to get this thing right, and it is going  
13 | to take a little more time but we need to get it right. So  
14 | that is my speech for today.

15 |           MR. GOLDSBOROUGH: Anybody else on menhaden?

16 |           (No response)

17 |           MR. GOLDSBOROUGH: All right. You want to do crabs?

18 |           MR. O'CONNELL: Yes.

19 |           ***Spring Striped Bass Season Discussion***

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

21 |           Just before crabs, Secretary Belton made a comment  
22 | about the spring striped bass season and, you know, I received  
23 | a few calls -- Phil and Ed and Bob Newbury. And I know the  
24 | Secretary received a call from Bob Newbury. Just curious, any  
25 | change, any change from last week? We have seen increases in

1 catch. Any thoughts?

2 We were kind of limited on our options going forward  
3 this year, as I think everybody knows but obviously the cold  
4 season seems to have delayed some of the catch rates, and  
5 hopefully they are going to pick up. But I am hearing people  
6 who are frustrated with the slot.

7 But hopefully we will see some benefits to that as  
8 the season progresses. I am not sure. So I just wanted to,  
9 you know -- the Secretary asked me to kind of bring up the  
10 issue, to report any new information to him. So if we could  
11 just take a few minutes, if anybody wants to provide some  
12 feedback.

13 *Questions and Answers*

14 MR. GOLDSBOROUGH: Phil?

15 MR. LANGLEY: Tom, I don't think it is as big an  
16 issue with the slot as what it is the number of fish. As a  
17 state we decided on a slot fishery and basically, you know, as  
18 long as were catching numbers of fish for our constituents, we  
19 didn't really care whether they were in a slot or not. That  
20 is what it was designed for. We agreed to that slot for the  
21 25 percent reduction.

22 But I think mother nature threw us a curve ball this  
23 year. And most of the boats that I am speaking with and  
24 speaking to are achieving about a 75 to 90 percent reduction  
25 this year in their catch, which is starting to affect the

1 industry economically.

2 Word is starting to get out a little bit. Trips are  
3 starting to cancel, guys are canceling trips and pushing them  
4 back later. So I am hearing, getting a lot of information  
5 through some of my constituents.

6 Some guys on some days have had decent catches but  
7 as a whole our spring is off, and Mike was good enough to call  
8 me the other day and just kind of give me an update on the  
9 spawn. But there are lot of guys in our association who feel  
10 that, you know, they have achieved well above a 25 percent  
11 reduction at this point anyway in the season and --

12 MR. O'CONNELL: Well, I appreciate that, Phil.

13 MR. GOLDSBOROUGH: Anybody else? Ed?

14 MR. O'BRIEN: Yes, well, just to supplement what  
15 Phil said, a lot of our people have asked why can't we get in  
16 an emergency situation. And as an example, they talk about  
17 watermen who got an extension in their gill net season based  
18 upon the cold weather. And I understand that.

19 And our situation now is based on the cold weather  
20 too when you get right down to it. So there are a lot of  
21 different ideas that have come up, and they also are  
22 influenced by the fact that it seems that the Virginia  
23 commercial fishery has had an exceptionally good year.

24 All you have got to do is go in some of these big  
25 food stores like Giant and you will see the results of that

1 still. So it is -- Phil puts it mildly. There is an intense  
2 situation among the charter boat captains, relative that they  
3 are being hurt by all of this and that they should, the  
4 department should entertain some kind of an emergency  
5 situation.

6 I mentioned to Tom, well, how about a situation  
7 where maybe the second season, the 16th, moves forward a  
8 couple days and gives people more opportunity? And then there  
9 is maybe an opportunity in the fall. And then there is the  
10 20-inch fish. Is there any way that the department can talk  
11 to us as a group based upon the fish we haven't caught, which  
12 is so obvious this year.

13 Last weekend, you would have charter boats running  
14 four parties, two half-days one day, two the next day. And  
15 all they could come back and report was, hey, we caught one 38  
16 inches and one 37 1/2.

17 I went out yesterday and, you know, everything was  
18 looking good and caught a 39 and 1/4-inch fish. And that sort  
19 of picked everybody up. But as the day dragged through  
20 another seven hours, there just wasn't anything you could  
21 keep. So it really is an issue.

22 You can see how the attitude of the parties  
23 deteriorate when they see this. They have voluminous  
24 questions: How did you all end up? And some of the sport  
25 fishermen remind me, hey, I thought there was not going to be

1 a slot again. Well, it really wouldn't have been a slot if we  
2 were catching the fish.

3 But it seems like every time we have a slot there is  
4 some controversy over it. But we all voted for it. The  
5 department went forward with it and we supported it.

6 MR. GOLDSBOROUGH: Phil?

7 MR. LANGLEY: Yes. Also, Tom, just to kind of -- I  
8 am not seeing, well, in my specific area, probably south of  
9 Solomons in the bay, I have seen very little recreational  
10 traffic as well because -- and the temperatures has been  
11 really cool, so it is not good weather to be in a runabout  
12 out, especially if you are dragging all day and not catching  
13 fish.

14 So I think word -- and these guys read fishing  
15 reports. They stay on top of what is happening. But the  
16 effort is down I think overall this spring so far, you know, a  
17 little more than a week into the season, not only with the  
18 charter but with the actual overall recreational fishery.

19 And to kind of echo what Ed said, and to mention to  
20 the Secretary basically, it would be nice to open up -- with  
21 Virginia as far as -- they did from the reports I am hearing,  
22 and I got phone calls from concerns from Virginia charter boat  
23 captains as well far as that, Virginia, late season, not  
24 having any maximum size limit on these female spawning fish  
25 come up to spawn, where Maryland and Potomac River Fisheries

1 | does have a 36-inch maximum size, you know, on those fish  
2 | coming up to spawn that time of year.

3 |           MR. GOLDSBOROUGH: Rachel?

4 |           MS. DEAN: I think that the timing of this couldn't  
5 | be any worse. Reduction any way we were going to take it, it  
6 | was going to be bad, especially with the cold winter we had.  
7 | I am hearing that the fish are still in the rivers. People  
8 | are laying their nets down to get rid of the rockfish. There  
9 | is rockfish in eel pots. They are in the rivers.

10 |           My concern -- I am hoping they dump soon, the rivers  
11 | dump soon. My concern would be if we made an action or did an  
12 | action, how would it reflect at ASMFC if we said, we have no  
13 | fish. Extend our season, please. Now we all know the bay has  
14 | different dynamics. And, you know, that is what we put our  
15 | appeal in under. And that is what we took to them.

16 |           However, I don't think that is how they would look  
17 | at us. I think we would looked at as, oh, really? You want  
18 | bay reference points and you don't have any fish? You need to  
19 | extend your season. So I think we are in a really tough  
20 | Catch-22, between a rock and a hard place here. If you look  
21 | at that big picture and you go, wow, we really -- the weather  
22 | killed us this year.

23 |           Things are running late because I don't think it is  
24 | that we don't have fish. I don't want to them to get that  
25 | perception. Was there a more recent state survey? I caught

1 | wind that there were nets set for 20 minutes to do a state  
2 | survey.

3 |           MR. LUISI: Yes, we have -- our survey is working  
4 | right now. They are setting gill nets in the upper bay and in  
5 | upper Potomac. And while the Potomac saw fish first, the  
6 | water temperature warmed a little more quickly there, the  
7 | upper bay kind of lagged about a week behind. About a week  
8 | ago they started to really see fish and now they are getting a  
9 | few hundred on each set.

10 |           There are hundreds of fish, you know, from all  
11 | sizes, in the survey that they are picking up right now. It  
12 | is not that the fish had -- and I mentioned this. It is not  
13 | that the fish are come and gone, they are just -- they are up  
14 | in the rivers. They are up in the spawning grounds where they  
15 | are not accessible and the hope is they will be more  
16 | accessible after they do what they need to do.

17 |           But what hurt us a little bit last week too was the  
18 | water temperatures were getting to be that peak point for  
19 | which spawning activity takes place in both the Potomac and  
20 | the upper bay, and then it got cold again for three or four  
21 | days. And that -- that is another environmental weather  
22 | condition that kind of put things on halt again for another  
23 | few days.

24 |           MR. GOLDSBOROUGH: I have Phil and then Dave.

25 |           MR. LANGLEY: And I guess, and I agree hopefully

1 | there are good numbers of fish up the river and whatnot.

2 |           But I can tell you from constituents that I have in  
3 | the charter boat industry, they put a lot of eggs in this  
4 | trophy season, in this window of opportunity, and whether it  
5 | is good business plans or bad business plans, they put a lot  
6 | of eggs in that basket and that is when they promote their  
7 | business, book their trips, and that is when they are the  
8 | busiest.

9 |           And we only have a certain amount of days  
10 | traditionally is what they worked upon in there as far as  
11 | booking these trips. And hopefully these fish are coming off  
12 | the spawning grounds and we do achieve good catches. But as  
13 | far as the overall -- the 25-percent reduction that we were  
14 | looking for to achieve, I think regardless, because I think  
15 | effort is going to start dropping off after mid-May as far as  
16 | the trophy-type fishery with guys who book trips.

17 |           I think already we have probably achieved more than  
18 | a 25-percent reduction with effort in that fishery this year,  
19 | and it is not whether the fish are there or not right at this  
20 | point. And certainly I hope that they are. But it is the  
21 | amount of reduction that we are going to endure this year as  
22 | far as the association and the fishery.

23 |           MR. GOLDSBOROUGH: Dave?

24 |           MR. SIKORSKI: I have heard that the cool-down  
25 | periods during the spawn can cause issues with juvenile -- or



1 | the success of the spawn. Is there any sense that we have had  
2 | already was cold enough to cause those issues? It was a big  
3 | influx of cold water?

4 |           MR. LUISI: Yes, well, I don't think it got to that  
5 | critical level. It was something I had been talking with  
6 | staff about. They were seeing an enormous amount of eggs in  
7 | the Potomac two weeks ago and then it cooled down. But what  
8 | has been reported is that we didn't get to that level. We  
9 | didn't drop down to the level where it is a critical level to  
10 | development. So we should be okay hopefully.

11 |           MR. GOLDSBOROUGH: Jim?

12 |           MR. GRACIE: Help me overcome my ignorance. My  
13 | impression is we had a cold, late spring this year and you are  
14 | telling us that the fish got in the rivers early. Normally at  
15 | the beginning of trophy season, we are catching a lot of  
16 | pre-spawn fish. You are telling me those fish are already up  
17 | in the rivers before trophy season opened in a cold spring. I  
18 | am not sure I understand the dynamics of that.

19 |           In my mind, the temperatures that we have had should  
20 | have delayed the spawning. Is that not true?

21 |           MR. LUISI: Yes, in theory the temperatures, cooler  
22 | temperatures will slow down that process. While in saying  
23 | that, it is not that the stock follows a line of temperature  
24 | at it adjusts. There are kind of waves that come through the  
25 | bay during the migration time period.

1                   And no I didn't mean -- our survey work started  
2 weeks and weeks ago. And it wasn't until just now they are  
3 really starting to pick them up. So the fish are moving  
4 through. Why they are not being caught or whether they are  
5 being caught but they are in the slot, I still don't have a  
6 great understanding as to whether or not fish are being  
7 caught, they are just in the slot or there just aren't any  
8 fish being caught.

9                   MR. LANGLEY: No fish being caught.

10                  MR. GRACIE: No fish being caught, is that what you  
11 saying?

12                  MR. LANGLEY: The numbers are way, way down. We  
13 would be okay if we were catching slot fish because that is  
14 what this was designed to, is catch these slot fish for people  
15 and release but we are not seeing the fish right now to be  
16 caught.

17                  And it does surprise me because believe me I have  
18 done a little bit of research and I have talked to some gill  
19 netters who gill net the Potomac River and who also have a  
20 charter license and some of these guys have told me they  
21 expected to have a robust spring with the numbers of fish that  
22 went up, they were successful gill netting once the ice thawed  
23 and they got their nets out.

24                  But the people fishing -- the charters and the  
25 recreational people fishing in the Potomac River at this point

1 aren't catching these fish coming back out, post-spawned fish  
2 that supposedly are up there and that have spawned. And the  
3 guys in the bay, you know, I drove 20 miles yesterday to  
4 get skunked, and that is the first time that has happened in a  
5 couple years but, yes, I never caught a single fish yesterday.

6           Get in the bay, and I would like to think I am  
7 average. And I am hearing that, you know, instead of where  
8 guys limiting out on their boats or catching a fish in past  
9 years, a lot of them are lucky to come in, you know, to bring  
10 in one fish or some guys to catch a fish or to catch a slot  
11 fish.

12           And that is where I am seeing the extremes from a  
13 traditional spring of years past versus this year. It seems  
14 to be having an impact.

15           MR. O'CONNELL: Well, I appreciate that and, you  
16 know, we can have some follow-up discussions. You know, I  
17 think our challenge is that we have two distinct fisheries in  
18 the bay. We have the coastal spring trophy fishery, 25  
19 percent reduction, and we have the bay summer, fall, winter,  
20 which is 20.5 percent.

21           You can't mix the two, so if we perform poorly here  
22 we can't ask for more here. The other thing is, and I  
23 appreciate the comparison to the commercial striped bass  
24 season extension, but that was allowed because we had timely  
25 reporting and we could assess where that fishery is.

1           You can compare that to a few years ago, the blue  
2 crabbers were asking for a season extension in the fall  
3 because of the same reason. Their anecdotal observation was  
4 that they were well below the required reduction, and the  
5 department said, no, we can't do that because we don't have  
6 timely, accurate harvest reporting.

7           So it gets back to, and I don't disagree with your  
8 observation at all. I think they are real but unfortunately  
9 to take that to ASMFC and ask for some emergency action, you  
10 know, they are going to be looking for some data that we don't  
11 have.

12           So that is a challenge in addition to Rachel's  
13 comment. The timing is very challenging. The time we are  
14 asking for some relaxation on the bay reduction through  
15 reference points and then going back and saying we also want  
16 some liberalization on the spring trophy.

17           So it is challenging but all that said, the  
18 Secretary and I do not underscore the importance of this  
19 fishery to the charter boat industry, and why he called me at  
20 9:30 p.m. last night to talk about this. So we don't have any  
21 solutions yet. You know, we are hoping that the fishing picks  
22 up. I talked to Greg Jetton this morning and he caught three  
23 I guess yesterday -- a 40, a 39 and a 36.

24           But let's stay in communication. If we can come up  
25 with something, we are open to listening.

1 MR. GOLDSBOROUGH: Ed?

2 MR. O'BRIEN: Tom, do you have to go to ASMFC  
3 because I thought I heard this morning that maybe we didn't  
4 have to. But you are saying flat-out you would have to go to  
5 ASMFC on any type of situation you might come up with to get  
6 us a little bit better situation.

7 MR. O'CONNELL: Yes, I mean, we took two options to  
8 ASMFC, and both were approved. We had the minimum 36 inch and  
9 we had the slot. So, you know, Captain Rob Newberry called me  
10 Friday saying, can we quickly go to the 36 inch? And we could  
11 because we have public notice authority to do that. And it  
12 was approved by ASMFC.

13 But I told him, talk to some captains because you  
14 are going to change it at a time where you probably want that  
15 20 to 36, and that is what he heard back. So that didn't go  
16 anywhere.

17 But to do anything differently, unless like you  
18 heard otherwise, we would be required to go back to ASMFC.  
19 The board would seek Technical Committee review.

20 MR. GRACIE: The season would be over before then.

21 MR. O'CONNELL: So the timing is really not  
22 available to us.

23 MR. LUISI: Well, the point I made earlier when we  
24 were discussing this issue had to do with not focused on  
25 changes to the trophy fishery but we have the second fishery,

1 the summer/fall fishery. And so what Ed had mentioned to me  
2 was the potential to start that sooner in May. Rather than  
3 the 16th, perhaps we would start it on the 10th.

4 MR. O'BRIEN: Or the 13th.

5 MR. LUISI: With that, what that would require  
6 though would be some adjustment to some other point in time in  
7 the fall. We would have to give something to get something.

8 Now the methods are all the same and I don't think  
9 it would be challenging to go -- we would have to inform ASMFC  
10 but I don't think there would be a denial of a request for  
11 that. But again there is a give and take. You would have to  
12 give to get.

13 MR. GRACIE: Well, I have a question then. Wouldn't  
14 moving the season earlier have more economic benefit to the  
15 charter boats than giving up that time in the fall?

16 MR. O'CONNELL: It may depend upon your business  
17 plan.

18 MR. GOLDSBOROUGH: Lower bay people depend on the  
19 late fall.

20 MR. O'CONNELL: So there may be some opportunities  
21 for us to follow up on that but in regard to the spring trophy  
22 fishery I think we are pretty much locked in, not to say we  
23 can't make adjustments for next year.

24 MR. LANGLEY: And I certainly hope it is not  
25 necessary.

1 MR. GOLDSBOROUGH: Frank?

2 MR. TUMA: We seem to bounce around on these  
3 statistics. That is what everything is driven on, how much we  
4 catch and how often. But using the reporting mechanism that  
5 we use, SAIF or whatever it is called --

6 MR. O'CONNELL: Yes, SAIF's.

7 MR. TUMA: It doesn't project what the effort is  
8 that we put into it. There is no way to report a no catch  
9 reported as no fish. We didn't fish that day. And we talked  
10 about last year about revising that whole fishing reporting  
11 system.

12 And even if we have a bad, which we have had, a bad  
13 fishing report this year, the statistics in how much we have  
14 lost, can that be thought of as next year's -- brought into  
15 next year's statistics on how many fish we caught and so forth  
16 to possibly look at, or does that or is it just this year,  
17 that is it.

18 We had the 25-percent reduction. We did an  
19 80-percent reduction in the catch. It has no bearing on next  
20 year but it should have some bearing on next year, what  
21 happens.

22 MR. O'CONNELL: Yes, they are --

23 MR. TUMA: But the reporting is critical in that we  
24 do the reporting accurately and correctly, and I have some  
25 real problems with it as I mentioned before.

1           MR. O'CONNELL: In some fisheries they allow quota  
2 rollovers, and for striped bass they do not. It is more  
3 relevant to the commercial, but they don't allow, you know,  
4 savings of one year to be rolled over to be utilized in the  
5 following year.

6           MR. TUMA: They being --

7           MR. O'CONNELL: Atlantic States Marine Fisheries  
8 Commission does not allow it through their addendum process.

9           MR. TUMA: But there has got to be some thought put  
10 into -- if we have got an 80-percent reduction, we were  
11 shooting for a 25-percent reduction. They do it with other  
12 fisheries, commercial and so forth.

13          MR. GOLDSBOROUGH: I have got Phil and then Ed.

14          MR. LANGLEY: Go ahead.

15          MR. O'BRIEN: Just to remind everybody that every  
16 state around us can keep a 28-inch fish in their seasons, and  
17 that is the competition we face. We have run into that this  
18 coming weekend tournament. There have been some parties that  
19 are reminding us of this kind of thing. Our people want a  
20 chance to catch a big fish. That is what the trophy season  
21 was all about. I remember every step of how we got it.

22          MR. GOLDSBOROUGH: Phil.

23          MR. LANGLEY: And I just want to clarify something.  
24 As a charter association, we are not trying to be greedy and  
25 ask for things. Believe me, we want to err on the side of



1 conservation. But -- and hopefully this is isn't necessary.  
2 Hopefully in a couple days fish will be coming off the  
3 spawning grounds, guys will be catching fish and everybody  
4 will be happy.

5 But this is -- if something doesn't happen in a few  
6 days, here it is having a big economic impact not only in the  
7 charter boat fishery but actually impact on the state,  
8 economic impact.

9 MR. O'CONNELL: I will stay in touch on that, all  
10 right?

11 MR. GOLDSBOROUGH: Anybody else on this?

12 (No response)

13 MR. GOLDSBOROUGH: Did you want to do the blue crab?

14 ***Blue Crab Winter Dredge Survey Results***

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

16 MR. O'CONNELL: So earlier this week, yesterday, the  
17 bay jurisdictions announced the Blue Crab Winter Dredge Survey  
18 result, and I just wanted to go through those really quickly  
19 with you. We don't have a recreational blue crab advisory  
20 body at all so we kind of look at you guys to provide us some  
21 guidance outside of our, you know, public meetings and all  
22 that.

23 So go to the next slide. There are a series of  
24 graphs. Karen, can you hit the lights? It is a series of  
25 graphs that look at the different male/female components of

1 the fishery.

2 (Slide)

3 This one is the overall crab abundance, and you can  
4 see that we had a 38-percent increase, so this is the  
5 male/females, young and adults, which is -- I think it is just  
6 slightly below the long-term average but pretty close. So  
7 overall we had a nice bump-up. Next slide.

8 (Slide)

9 This is the juveniles, the juvenile crabs, both male  
10 and female. And you can see that we have now for two  
11 consecutive years have seen an increase, a 35-percent increase  
12 from the last year. It is close to the overall time series  
13 average, not nearly what we had seen a couple years ago.

14 (Slide)

15 This is age 1 plus male crabs. And, you know, as  
16 you saw on the previous graphs, we had a pretty good bounce-up  
17 a few years ago but we have not really seen that in male crabs  
18 yet.

19 We did see an increase last year, which is good. We  
20 were at a pretty low point. And we were also somewhat -- we  
21 were subjected to 19-percent overwintering mortality due to  
22 the cold water temperatures. That was baywide, 19 percent.  
23 In Maryland, it was 28 percent, and you may know that the  
24 majority of the males are in the Maryland portion of the  
25 Chesapeake Bay and the females are in the Virginia.

1                   So that 28 percent, you know, had a pretty  
2 significant impact to the male crabs which, you know, would  
3 have had a little bit higher of a bump-up.

4                   But it is going in the right direction, and there  
5 are some management triggers in regard to male crabs that is  
6 based upon the 26-year time series, and while the male crab  
7 population has been kind of, you know, depressed at that low  
8 level, you know, there is no reason to have significant  
9 management concern at this point in time. Next slide.

10                   (Slide)

11                   This is the total female abundance. This is  
12 basically viewed as the exploitable stock, so these are the  
13 females that are going to be entering the fishery this year.  
14 And you can see that we had a modest increase from last year.  
15 Next slide. I will try to get to this management framework.

16                   (Slide)

17                   So getting to the management framework, like for  
18 striped bass we look at fishing mortality and we look at the  
19 female spawning stock biomass. Similar here for blue crabs.  
20 The one management reference point is age 1 plus female crabs,  
21 so this is the adult females. We want to stay out of that red  
22 area. We want to get up to that green line, that target  
23 abundance, and you can see last year we were actually just  
24 below the threshold.

25                   We have come up above that, which is good to see.

1 We are kind of in that yellow cautionary zone moving in the  
2 right direction but still far below that target level of  
3 abundance. So we know we have some work to do there. Next  
4 slide.

5 (Slide)

6 Another reference point is in regard to fishing  
7 mortality, and it is specific to females, the percentage of  
8 female crabs that are being removed from the population  
9 annually. It is a flip side graph, you know, but again you  
10 want to stay out of that red area. You want to get to that  
11 kind of -- get to that green line. That is the target fishing  
12 mortality, and as you can see, our management has been very  
13 effective for the last several years. We have kept the  
14 fishery below that target level.

15 The stock assessment suggests that you can allow  
16 that fishery to get up to that target level and over time you  
17 will achieve that female spawning stock biomass level. So it  
18 is going to be a delicate balance going forward. Maryland and  
19 Virginia have not yet determined what their management  
20 response is going to be.

21 We are going to be briefing our stakeholders,  
22 including you today and our Blue Crab Industry Advisory  
23 Committee. But there appears to be an opportunity for some  
24 liberalization because the fishing mortality is below that  
25 target.



1 MR. GOLDSBOROUGH: Yes.

2 MR. O'CONNELL: -- and, you know, we haven't really  
3 talked to this group about oysters since probably the plan was  
4 adopted in I guess it was 2010. You got that presentation,  
5 Paul?

6 So as Secretary Belton mentioned, we have had  
7 several interactions briefing the new administration on  
8 oysters and specifically the commercial fishing industry  
9 related to the Tred Avon oyster restoration efforts, and we  
10 are going to give you the presentation that we gave them about  
11 10 days ago, and I will kind of go through it quickly.

12 (Slide)

13 So this is -- just to remind everybody what the  
14 status of oysters is. This is just a picture of the  
15 historical harvest back to the late 1800s. And it is a good  
16 characterization, good visual, as to where we once were and  
17 where we are today. Harvest is like a proxy for population  
18 abundance. It has been recently estimated that the oyster  
19 population is less than 1 percent of historical levels.

20 And there are several reasons for that. You know,  
21 historically there was heavy harvest pressure. We have lost a  
22 lot of the hard substrates that oysters rely upon. And, you  
23 know, there are some water-quality issues with dissolved  
24 oxygen and all that, so there have been a lot of competing  
25 factors but in the end what we need is we need habitat.

1                   We need that shell for oysters to repopulate.  
2 Despite the decrease, however, you can see that the fishery,  
3 the dockside value in the fishery has been relatively high in  
4 the last couple years so that has been beneficial to the  
5 industry. So next slide.

6                   (Slide)

7                   This just explains the process we went through with  
8 the EIS leading to the plan you guys are familiar with. Next  
9 slide.

10                  (Slide)

11                  You know, restoration is kind of a competing -- it  
12 is very dependent upon salinity. You are trying to balance  
13 the pressure of high salinity/good recruitment, but also high  
14 disease pressures in high salinity.

15                  So you are trying to find that sweet spot where you  
16 can balance recruitment and mortality issues and try to get  
17 population response. So the next slide you will see --

18                  (Slide)

19                  This was the network of sanctuaries that we  
20 established in 2010. The green areas are the sanctuaries,  
21 which constitute about 24 percent of the available oyster  
22 habitat. The orange areas are the areas that are still open  
23 for the public fishery, which is about 76 percent of the  
24 historical habitat, recognizing that a lot of the habitat is  
25 no longer suitable.

1           Our sanctuaries were based upon a best bar analysis  
2 with the mindset that if you have a depleted resource of less  
3 than 1 percent, you want to find those areas where the oysters  
4 are still doing good and try to build upon that.

5           And based upon some independent, scientific advice,  
6 we got some -- we learned where those bars were, and half  
7 those bars were set aside in the sanctuary and half those bars  
8 were left open to the public fishery. Next slide.

9           (Slide)

10           The mindset behind the sanctuaries is we need to  
11 recreate some reproductive engines in the Chesapeake Bay. And  
12 Elizabeth North from the University of Maryland has a larvae  
13 transport model that was used during the EIS process that  
14 suggested that if you protect the upper reaches of  
15 tributaries, they will help feed the areas outside of the  
16 sanctuaries because there is a natural kind of down migratory  
17 movement of larvae.

18           There is some retention but there is also some flow  
19 out of the sanctuaries, and if you go back and look at the  
20 sanctuaries, the majority of the sanctuaries were in these  
21 tributary areas.

22           So we are trying to recreate these engines and  
23 through the Chesapeake Bay Agreement, as Secretary Belton  
24 said, our goal is for 10 tributaries in the Chesapeake Bay,  
25 and there is a gentleman's agreement that five would be in



1 Maryland and five would be in Virginia, and to do this by  
2 2025.

3 We are far along in two tributaries, Harris Creek  
4 and Little Choptank. And one project in the Tred Avon that is  
5 led by the Corps of Engineers we will be beginning later this  
6 week.

7 Our process going forward when we establish the  
8 sanctuaries was that we would go forward for five years and  
9 conduct an evaluation of not only sanctuaries but public  
10 fisheries areas and aquaculture, and a report is due in June  
11 of 2016.

12 And so far the administration seems to be committed  
13 to complete that evaluation and use that to guide any changes  
14 going forward, just build upon our successes and make changes  
15 where we can do better. Next slide.

16 (Slide)

17 So these are the three areas in the Choptank  
18 complex. Next slide.

19 (Slide)

20 Can you make that run, Paul? So this is Elizabeth  
21 North's larvae transport model. And what you are going to see  
22 is this is a model that looks at -- when oysters spawn, they  
23 produce larvae. And the larvae are in the water column for  
24 about 20 something days.

25 And so the oysters spawn and these are the larvae,

1 and they are floating in the water column back and forth, you  
2 know, with the tides and winds. And you will see these gray  
3 areas here, like here, and there are gray areas scattered  
4 throughout. Those are the oyster bars.

5           So while the sanctuaries are contained in the upper  
6 reaches of these systems, the larvae are spreading throughout  
7 the mouth of the Choptank River. And we are at day 10 right  
8 now, so this is the number of days -- day 12, day 13.

9           When we get about day 14 here, you are going to  
10 start seeing the larvae start settling on those gray areas.  
11 And they will continue to settle out until about day 24, at  
12 which point if they haven't found suitable substrate they will  
13 die.

14           So the model suggests that this sanctuary program is  
15 recreating these reproductive engines. And while they will  
16 provide the enhancement within those tributaries, if we can  
17 work with the industry to recreate the habitat outside the  
18 sanctuaries, those larvae will also have the opportunity to  
19 replenish those bars as well.

20           And those are some of the new discussions we are  
21 having with the administration and with the industry to try to  
22 focus our efforts to get some more shell, put them outside  
23 these areas and try to develop a management plan that will  
24 allow harvest to continue but in a manner that allows the  
25 population to rebuild as well.

1                   And again this model just looked at those three  
2 system. Obviously larvae are also coming out of Broad Creek,  
3 which is a very popular harvest area as well. Okay, next  
4 slide?

5                   (Slide)

6                   So this is just a summary of where we are. It has  
7 the three systems: Harris Creek, Little Choptank and Tred  
8 Avon. DNR's involvement is largely in Harris Creek and Little  
9 Choptank in regard to constructing oyster reefs. You can see  
10 that we have in the low hundreds of acres for our target, and  
11 you can see we have made significant progress in Harris Creek  
12 with recreating 258 acres. Little Choptank, we are only at  
13 17.

14                   The Tred Avon River is largely led by the Army Corps  
15 of Engineers, and they are doing all the reef construction.  
16 But the department's commitment through a cost-sharing  
17 agreement is to put hatchery seed oysters on those bars that  
18 the corps will construct.

19                   You can see that the effort in the Tred Avon has not  
20 yet started but will be starting later this week. And you can  
21 see that we are talking tens of millions of dollars that has  
22 been invested by state and federal government, so this is a  
23 huge investment. And there is really good scientific  
24 monitoring and evaluations that are going on that will lead to  
25 an evaluation of this investment. Next slide. Next slide.

1 (Slide)

2 Just how are we doing so far? You know, the work in  
3 Harris Creek is where we focus most of our monitoring efforts  
4 to date. We are seeing really good survival of the hatchery  
5 seed, about twice what we would normally expect. A lot of  
6 that is because we are doing a lot of ground truthing with  
7 SONAR, SONAR work to make the sure the bottom is suitable for  
8 the hatchery seed that we are placing, and we are seeing very  
9 good survival.

10 Oysters are growing extremely well. Dermo, which is  
11 one of the diseases, is present. It is not going to go away  
12 but to date we haven't seen any elevated mortality associated  
13 with disease. And it is good to remember that we will at some  
14 point, particularly if we get a dry year and high salinity,  
15 but it shouldn't be viewed that it is a failure to have  
16 oysters die from disease because ultimately we are trying to  
17 build natural disease resistance.

18 That is the long-term goal. And it is going to take  
19 many decades to achieve that but that is what we are trying to  
20 do.

21 *Questions and Answers*

22 MR. SIKORSKI: Not to stop the flow, but with regard  
23 to disease resistance, is there any evidence -- is it death of  
24 a certain part of the population that creates disease  
25 resistance or just the existence of a disease, does it create

1 disease resistance within the living oyster? Do we have to  
2 lose a bunch in order to gain resistance or are we  
3 automatically gaining resistance because the disease is there?

4 MR. O'CONNELL: I am not the expert in disease but  
5 what I would say is that it is probably always some disease  
6 resistance occurring but you really need significant die-offs.  
7 Otherwise that disease resistance is being kind of watered  
8 down by the population.

9 Some of the science in Delaware Bay, you know, they  
10 had a major disease outbreak, and that led to some good  
11 disease resistance for MSX. You may recall that between 1999  
12 and 2002, we had four years of drought, we had major disease  
13 problems. And that may be one of the reasons why now for I  
14 think 12 years we have had low disease mortality. Maybe there  
15 was a disease event, and the survivors have passed along some  
16 of that genetic --

17 But it is going to be a long process, and there is  
18 some science that gives us hope. MSX is clear. Dermo is a  
19 little bit more difficult because there are so many pockets of  
20 low salinity in Maryland. Even when we have a major disease  
21 outbreak, there are going to be a lot of areas that don't get  
22 that heavy disease because of the low salinity.

23 MR. TUMA: Just out of curiosity, MSX and Dermo, has  
24 that been around forever or is that just fairly recently? I  
25 mean, we hear about it recently.

1           MR. O'CONNELL: Dermo was found I think in the '50  
2 time period and it is believed that it probably was here. It  
3 was just detected around then. MSX is believed to have been  
4 brought in, in Delaware Bay when they were experimenting with  
5 Japanese oysters, *Crassostrea gigas*, and then it got moved  
6 over into the Chesapeake Bay.

7           MSX is a higher salinity disease that is mostly in  
8 Virginia, to a lesser extent in Maryland. Dermo is more broad  
9 spread and one of our major factors in survival. Now there  
10 are some suggestions that with diminished water quality,  
11 oysters are more susceptible to these diseases, as we would  
12 be. You know, you compromise your immune system and you are  
13 more susceptible. So that could be triggering some of the --  
14 Rachel?

15           MS. DEAN: I would just suggest for the commission  
16 that -- I believe it was the Oyster Advisory Commission that  
17 got one heck of a presentation on Dermo. Dermo has 12  
18 different forms. When an oyster dies, it sheds and it settles  
19 back on the bar. It waits for the conditions to get right,  
20 but this -- we should know more. I just think we would  
21 benefit from knowing because I think it would surprise you.

22           I commend your comment that we are going to have to  
23 see some deaths. We will see some deaths, and I think we need  
24 to be realistic about that as we move forward. I am not sure  
25 who gave that presentation. I thought it was somebody from

1 the department. But I think that, you know it would be good  
2 for us to see that because it is kind of a slap in the face.

3 MR. O'CONNELL: And you know that makes the industry  
4 want to get access to these oysters before they die. But on  
5 the other hand you are trying to look at natural disease  
6 resistance. And even when the oysters die the shell is still  
7 there for settlement of new oysters versus being removed. So  
8 those are kind of the points of contention with this disease.

9 MR. GOLDSBOROUGH: So not all of them are going to  
10 die but you can't tell which ones, and you want to save the  
11 survivors in some areas so they can --

12 MR. DEAN: And just to be clear, I wasn't saying  
13 that because I want to -- I don't want our public to be  
14 dismayed when something happens. I want that reality out  
15 there that it is a possibility so we don't all look like we  
16 sat here and came up with this and spent money.

17 MR. O'CONNELL: Almost every public meeting I go to,  
18 I try to make it clear that we are going to see mortality. It  
19 shouldn't be necessarily viewed as a failure, but it something  
20 that we are going to have to --

21 MR. GOLDSBOROUGH: Yes, and well, we are going to  
22 see it, but keep in mind there is a silver lining genetically.

23 MR. O'CONNELL: That may be the last slide. There  
24 may be one more, Paul.

25 (Slide)

1           Oh, and this one is just, you know, we were  
2 asked -- you know, I showed you what the results were in  
3 Harris Creek, and obviously when we closed these areas in 2009  
4 and '10, about 10 percent of the harvest in the previous year  
5 came from the sanctuaries, so that was kind of an assessment  
6 of what the impact would be. You know, just ballpark. And it  
7 has had an impact.

8           I know like hand tongers have been negatively  
9 impacted because we focused in the upper tributaries, and that  
10 is where the hand tongers largely were. But we were fortunate  
11 that we had two really good spat sets in 2010 and 2012, and  
12 that has allowed the industry to see some pretty significant  
13 increases in harvest and achieve some pretty good dockside  
14 values.

15           You know, unfortunately, this also resulted in the  
16 number of oystermen increasing from a couple hundred to about  
17 1,200, and because the areas to fish are more limited, it is  
18 putting more pressure in these areas that are still open.

19           We have already begun to see the harvest decrease  
20 this year. And it probably will continue to decrease, which  
21 is going to -- now that all these people have vested into the  
22 fishery again, it is going to put probably more, you know,  
23 there is going to be more interest to look for new areas to  
24 get access to, and I am sure that is going to be a focus of  
25 this five-year evaluation.



1                   How do we stay committed to restoration and  
2 achieving the bay agreement commitments but also trying to  
3 find opportunities to, you know, support this industry while  
4 it is significantly depressed? It is still our second-most  
5 valuable fishery in Maryland right now so it is a great value  
6 to the industry. Phil?

7                   MR. LANGLEY: Tom, speaking with AJ of PRC once, he  
8 said that Virginia, basically they are -- one of their  
9 management practices is that they actually survey the bars,  
10 and there is a maximum allowable harvest that they manage to  
11 come off. That way, they are always leaving a percentage of  
12 oysters on that bar for reproduction or whatever so you don't  
13 basically destroy -- overharvest any specific areas.

14                   Is that an approach we may look at in the future or  
15 are we doing that now?

16                   MR. O'CONNELL: There were these harvest reserves  
17 years ago that were largely dependent upon hatchery seed  
18 plantings, which set some boundaries to harvest but, you know,  
19 the concept in Virginia, rotational management, in setting a  
20 harvest goal that is sustainable, I mean, that has been a  
21 focus of discussion that I have had with the transition team  
22 leaders like Secretary Belton.

23                   And I think going forward that is one of the areas  
24 that we are trying to talk to the industry about, is, you  
25 know, can we find a way where we can provide those types of

1 | opportunities and have the assurance that, you know, it is  
2 | sustainable.

3 |           You know, if you look at all the sanctuaries, I am  
4 | not trying to foreshadow, but we have a significant number of  
5 | sanctuaries but we are limited to only do active restoration  
6 | in a few of them. In some of the sanctuaries, they are in  
7 | very low salinity waters, you know. The scientists have  
8 | suggested there is not a lot of optimism that they are going  
9 | to restore themselves because you don't get a lot of  
10 | recruitment there.

11 |           With significant investment but still very limited,  
12 | I know one of the thoughts is, is there an opportunity to look  
13 | at some of these sanctuaries where we are not doing anything,  
14 | and can we form a partnership with the industry whereby their  
15 | commitment and investment, establishing some type of  
16 | management system that, you know, is not going to protected as  
17 | the sanctuaries, but you are going to get more oysters in the  
18 | river than not doing anything there.

19 |           So it may be a win/win rather than letting that area  
20 | sit there. There are other sanctuaries that we are not doing  
21 | any active restoration and they are responding well because  
22 | they are getting natural recruitment. But there are other  
23 | ones that are not responding.

24 |           And that may provide some opportunities to work with  
25 | the industry and other stakeholders, see if we can find a

1 scenario, a new management system like rotational that -- you  
2 get ecological benefits by getting more oysters in the river.

3           You may not get the diverse habitat assemblage of a  
4 protected bar but better than what is in there right now.

5           MR. GOLDSBOROUGH: Any other questions for Tom?

6           (No response)

7           MR. GOLDSBOROUGH: So it is probably obvious but  
8 just so it is, the reason I asked for this was because as we  
9 do make progress with oyster restoration, we improve on the  
10 benthic habitat that is important to a lot of other species.  
11 And that becomes very important to this group, I think. So I  
12 think we do want to track that going forward.

13           And I know that as you do evaluate and have been  
14 tracking these targeted tributaries with lots of different  
15 studies, some of the information on benthic diversity and fish  
16 utilization I think will be particularly interesting to this  
17 group.

18           MR. O'CONNELL: Yes. You know, Harris Creek started  
19 really quickly but the Tred Avon River, just really quick -- I  
20 know the Chesapeake Bay office has been in there I think for  
21 the last two years getting baseline information on fish/crab  
22 utilization. So as we go forward with restoration for the  
23 Tred Avon, we are going to have some really good baseline  
24 information to see if, you know, see a positive effect or not.

25           MR. GOLDSBOROUGH: Anything else for the good of the

1 order?

2 (No response)

3 MR. GOLDSBOROUGH: Closing remarks, Bill and Tom.

4 You got any?

5 MR. O'CONNELL: Hope to be around to see you guys in  
6 the summer.

7 MR. GOLDSBOROUGH: I hope you are, too. I guess we  
8 are adjourned.

9 (Whereupon, the meeting adjourned at 5:16 p.m.)

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