

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

***Thursday,***  
***July 16, 2015***

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

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

July 16, 2015

**TFAC Members Present:**

Billy Rice, Chair

Robert T. Brown  
Rachel Dean  
Robert Gilmer  
Bill Goldsborough  
Ken Jeffries (*proxy for Greg Jetton*)  
Charles Manley  
Bill Sieling  
Gail Sindorf  
Aubrey Vincent  
Lee Wilson  
Richard Young

**TFAC Members Absent:**

Mike Benjamin  
Dale Dawson  
Greg Jetton  
John Martin

**Maryland DNR Fisheries Service**

David Goshorn, Ph.D.  
Paul Genovese

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

July 16, 2015

**I N D E X**

	<u>Page</u>
<b><i>Opening Comments</i></b>	
by David Goshorn, Ph.D. Acting Director, MD DNR Fisheries Service	5
<b><i>NRP Activity Report</i></b>	
by Lt. Scott Richardson MD DNR NRP	5
<b><i>Artificial Reefs</i></b>	
by Erik Zlokovitz MD DNR Fisheries Service	7
<b><i>Welcome and Announcements</i></b>	
by Chair Billy Rice, TFAC and David Goshorn, Ph.D. Acting Director, MD DNR Fisheries Service	13
<b><i>Regulatory Updates and Regulatory Scoping Items</i></b>	
by Jacob Holtz MD DNR Fisheries Service	19
<b><i>Questions and Answers</i></b>	33
<b><i>Estuarine and Marine Fisheries Management Planning Topics</i></b>	35
<b><i>ASMFC Update</i></b>	
by Mike Luisi and Lynn Fegley MD DNR Fisheries Service	35
<b><i>Questions and Answers</i></b>	40
<b><i>White Perch FMP Review and Stock Assessment Update</i></b>	
by Paul Piavis and Rick Morin MD DNR Fisheries Service	63
<b><i>Questions and Answers</i></b>	71

**I N D E X (continued)**

<b><i>American Eel FMP Amendment and Stock Assessment</i></b> by Mike Luisi and Paul Piavis MD DNR Fisheries Service	81
<b><i>Questions and Answers</i></b>	84
<b><i>Yellow Perch Box Tags</i></b> by Mike Luisi MD DNR Fisheries Service	94
<b><i>Public Comment</i></b>	97
<b><i>Possible Changes to the ITQ System</i></b> by TFAC Commissioner Ken Jeffries	100
<b><i>Questions and Answers</i></b>	102
<b><i>MDOT Grants for Oyster Recovery, Final Plan</i></b> by David Goshorn, Ph.D. Acting Director, MD DNR Fisheries Service	110
<b><i>Questions and Answers</i></b>	114
<b><i>MOTION</i></b>	128

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

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

(3:05 p.m.)

*Opening Comments*

*by David Goshorn, Ph.D., Acting Director, MD DNR Fisheries Service*

DR. GOSHORN: Paul just said Billy is running a little bit late so he asked us to get started. And then we are going to start with the NRP report, and then we are going to go back and do the announcements.

*NRP Activity Report*

*by Lt. Scott Richardson, MD DNR NRP*

LT. RICHARDSON: Good afternoon, everyone. I am Scott Richardson. I am a lieutenant with the Maryland Natural Resources Police. I work in the eastern region. Lt. Windemuth had a family emergency and got called out late last night so I am here today basically filling in.

We will go over the stats that he sent you, and I will try to answer any questions you may have about anything and if I can't answer it, I will take it down and find the answer and I will get back with you in the near future, okay?

I was told everyone already received this information so we will just kind of breeze right on through it. On the first screen, this is for fishing nontidal, and there are the statistics, citations and warnings and totals for the different violations. And the same thing for tidal.

Some of the biggest violations: Fishing without a

1 license, fishing without a license in possession and  
2 possession of undersized striped bass probably a distant  
3 third. If anyone has any questions as these pop up, just  
4 shout out.

5 Oysters: This was for the time period of April 1  
6 through June 30 so it was still a little bit of oyster season.  
7 And the most common violation for the time period was  
8 undersized oysters. Clamming, you will see, is on the  
9 comeback, and we did have violations for clamming in  
10 restricted areas.

11 Crabbing: Undersized crabs is the most prominent  
12 violation during the period. It is still early in the year.  
13 You know, we are talking April through June. We are just  
14 getting started. Again, like I said, I don't have an agenda  
15 of any kind for you per se. If anyone has any questions, I am  
16 more than happy to try and answer them for you -- about this  
17 or just anything in general.

18 (No response)

19 LT. RICHARDSON: Going once, going twice.

20 DR. GOSHORN: Thank you. Billy is still not here.  
21 Moochie, do you know if he is okay with going on to the next  
22 topic?

23 MR. GILMER: Yes, the artificial reef?

24 DR. GOSHORN: Yes. Why don't we --

25 MR. GILMER: Yes.

1 *Artificial Reefs*

2 *by Erik Zlokovitz, MD DNR Fisheries Service*

3 MR. ZLOKOVITZ: Good afternoon. My name is Erik  
4 Zlokovitz. I am with the Artificial Fishery Program, also  
5 known as ARI, Maryland Artificial Reef Initiative.

6 I was at the last meeting back in April I think it  
7 was, and I gave an update on sort of current projects and  
8 recent projects. And at that time the commission requested if  
9 there were any proposals for a change in the reefs or  
10 expansions, to bring forward to the group. Our situation  
11 right now is that 10-year reef permits are coming the end of  
12 their 10-year period this year.

13 So I am in the process of renewing the permits for  
14 both state MDE and with the Army Corps of Engineers. And  
15 typically this is the time to, if you are going to make any  
16 modifications to the permit, this is the time to do that when  
17 you are applying for -- they call it a reauthorization or a  
18 renewal.

19 So the one site that I felt would function better  
20 with some change would be the Taylor's Island reef. And just  
21 to get you situated, this reef is about 1.5 nautical miles  
22 west of Taylor's Island. So Taylor's Island would be over  
23 here on the right side of your screen. And then it is  
24 directly across the bay from Calvert Cliffs. Calvert Cliffs  
25 would be over here on the left side of your screen.

1           The CB buoy is out here about a mile to the  
2 northwest, the main buoy in the main channel. So it is very  
3 close to the deep water channel, going up the bay. It is 60  
4 feet of water on the western edge. And the existing reef  
5 where we are working right now is the green part right here on  
6 this edge.

7           It starts at about 60 feet and it goes up to about  
8 35 feet on the eastern edge. So this is a reef that we have  
9 discussed in my Artificial Reef Committee over the years. It  
10 has a lot of potential but it is very difficult to work here  
11 because it is very narrow. And the only area we can really  
12 work right now is along this eastern edge where there are some  
13 existing concrete slabs.

14           There is one sunken barge that we have documented  
15 with side-scan SONAR. And we have added some rubble to this  
16 area. But we are pretty much very limited on space and we can  
17 only work along this edge. So I was proposing -- the proposed  
18 extension is to just bring it in a little bit to the east,  
19 closer to the shore.

20           The distance on the southern part would 675 feet,  
21 and the distance on the northern part would be to bring it in  
22 about 400 feet. And it would go into about 25/26 feet of  
23 water at the shallowest. And really, I am just looking for a  
24 little bit of a buffer zone so I can work a little bit further  
25 east along this edge here. I am just looking for some working



1 room here.

2 I can't really go down to the 60-foot depths here  
3 because it is just -- it is too deep. It is probably low  
4 oxygen down there and it is very soft mud. And it is just a  
5 waste of reef material to put it down that deep on soft mud.  
6 So I really don't have a lot of working space currently.

7 MR. GILMER: What is the length of this?

8 MR. ZLOKOVITZ: Moochie, I think the length of it  
9 from north to south is about 900 feet. A little longer than  
10 that actually. Sorry about that. It is -- I didn't write it  
11 down in my diagram here. It is probably about 1,500 feet but  
12 I could -- it is longer from north to south. I have got some  
13 original plans here.

14 MR. GILMER: Okay.

15 MR. ZLOKOVITZ: Sorry, it is 3,900 feet from north  
16 to south.

17 MR. GILMER: About three-quarters of a mile.

18 MR. ZLOKOVITZ: Right. And it is, the existing site  
19 is 900 feet from east to west.

20 MR. GILMER: Okay. How far south of this is James  
21 Island?

22 MR. ZLOKOVITZ: It is actually -- that is a good  
23 question. It is -- are you familiar with the Punch Island  
24 Creek bar? It is north of Punch Island Creek bar, south of  
25 Trotter's bar. It is a little bit southwest of Oyster Cove.

1 And it is due west of like the northern portion of Taylor's  
2 Island.

3 MR. GILMER: And Aubrey, this would probably be  
4 something that you would need to go back and ask your guys if  
5 that is a good fall crabbing spot.

6 MS. VINCENT: I wrote down all the different  
7 distances and things like that you were talking about because  
8 that was kind of my concern. Is this going to be in anyone's  
9 way who is working that area in the fall or really anytime.  
10 Is this going to be something that affects -- it is like he  
11 said. This area out here is too deep. It probably is not as  
12 much of an issue.

13 MR. GILMER: But know the crabs come down that edge.

14 MS. VINCENT: This might be prime location.

15 MR. ZLOKOVITZ: I was out there Monday and Tuesday,  
16 and we saw the crab boats working closer, you know, much  
17 closer to the beach.

18 MR. GILMER: This time of year.

19 MR. ZLOKOVITZ: This time of the year, right. But  
20 in the fall, you are saying they may move --

21 MR. BROWN: Oh, they go right to the edge of  
22 that --. When that run is coming down --

23 MR. GILMER: That would be my concern over it. What  
24 are you planning on putting there as far as --

25 (Pause)

1                   MR. ZLOKOVITZ: I have got a different map. That  
2 map is at a different scale so you can see where it is in  
3 relation to Taylor's Island and the bars.

4                   MS. VINCENT: Thank you. This does make it a little  
5 easier.

6                   MR. ZLOKOVITZ: The material would be the material  
7 that we use on all the fisheries, which is concrete, rubble,  
8 reef balls. I am the one-man fish reef program. I am the guy  
9 who uses that material, and we have been using it in all the  
10 old state fisheries, and this is one of them. And that is  
11 what the permits are written for, for that type of --

12                   MR. GILMER: I would just say from Aubrey's group  
13 down the shore, I know the guys who crab there, how they would  
14 feel about it.

15                   MS. VINCENT: Yes, it might be something that  
16 concerns -- I have to say something to them as far as, see  
17 what their thoughts would be as far as the depths and things  
18 like that, if this is an area that they think would be a  
19 potential conflict for them.

20                   MR. BROWN: Dave, when are they having another Crab  
21 Committee meeting? This should be turned over to the Crab  
22 Committee so they can look at this, and they will have better  
23 insight on this than what we would have. I mean, I have got  
24 concerns about it myself.

25                   I would like to see it turned over to them before

1 | this goes any further so we can get more input from the  
2 | crabbers themselves.

3 |           DR. GOSHORN: The meeting is not scheduled yet but  
4 | we can put it on that agenda.

5 |           MR. ZLOKOVITZ: So where would that meeting be held?

6 |           MR. GILMER: It would be held here.

7 |           MR. ZLOKOVITZ: Okay. Sure, I would like to attend  
8 | that meeting and present the same plans basically.

9 |           MR. BROWN: We want you here to submit it to them.

10 |           MR. ZLOKOVITZ: That is all I have. I just need to  
11 | stay tuned for that date.

12 |           MR. GILMER: As soon as I get that date, I will make  
13 | sure that you get it.

14 |           MS. SINDORF: Will you need a different drawing for  
15 | the meeting? A different scale drawing for those guys?

16 |           MS. VINCENT: This one would be better.

17 |           MR. GILMER: This must be the corner of James's here  
18 | probably, I see here --

19 |           MS. VINCENT: Move the map up just to like right  
20 | here to show this land here because this is the primary focus,  
21 | not necessarily this.

22 |           MR. GILMER: Include the mouth of the Little  
23 | Choptank in it, that would probably be the best.

24 |           MR. ZLOKOVITZ: Yes, that is a little further up to  
25 | the northeast, right? Okay, got you.

1 *Welcome and Announcements*

2 *by Billy Rice, Chair, TFAC*

3 *and David Goshorn, Ph.D., Acting Director, MD DNR Fisheries Service*

4 MR. RICE: Two things to begin with. Number one, I  
5 apologize for being late but there was an accident in Waldorf  
6 that I didn't figure into my trip. It took me 45 minutes to  
7 go about three miles, and that kind of knocked me behind  
8 schedule.

9 The other thing is I don't know why I came at all as  
10 smooth as everything was going with Moochie at the helm. So  
11 it looks we are back up to the welcome and announcements.  
12 David, do you have anything to present?

13 DR. GOSHORN: Yes, just three things I wanted to  
14 mention. First of all, I wanted to introduce -- most of you  
15 know him already -- George O'Donnell is new with DNR. If you  
16 don't know George already, you will. Well, actually we are  
17 still trying to come up with a catchy title for him, but it  
18 will be something like stakeholder liaison or constituent  
19 liaison or something like that.

20 But his job will be to be one -- not the only,  
21 certainly -- but one point of contact between the department  
22 and all our stakeholders. And not just the folks here, tidal  
23 fish folks, but the rec folks, the charter boat folks, all the  
24 stakeholders we work with.

25 So you will be seeing a lot of George. He will be

1 migrating over to Paul's seat here. So he is here so you can  
2 see him and also to watch what Paul does so he can get the  
3 hang of it. But after the meeting, feel free to go up to him  
4 and say hi.

5           That is one thing. Two is, as everybody knows, all  
6 of your terms officially expired back on June 30th, so we  
7 appreciate that it is after June 30th and you are still here  
8 with us. As you can imagine, the appointments process for any  
9 new administration, they have got a million appointments and  
10 so things are taking a while. But it is all downtown.

11           I know there are some of you who did not wish to be  
12 reappointed, and so we appreciate your hanging in with us here  
13 while we go through that. I spoke with the Secretary just  
14 yesterday about where the appointments are, and he said his  
15 understanding from the appointment secretary is that it is in  
16 the final stages.

17           So I don't know what that means other than that they  
18 haven't forgotten about us. They are working on it. So I  
19 appreciate your bearing with us while we work through that.

20           The other big appointment, of course, is the  
21 fisheries director. And I know there are probably a thousand  
22 rumors out there but that too is in the process somewhere, and  
23 I honestly don't know where. I can tell you, I think I am  
24 very confident in saying there is no one in the state of  
25 Maryland who wants a new fisheries director more than I do so

1 we are pressing forward.

2           But until that happens, I will be sitting here but  
3 hopefully it won't be too much longer. So that process is  
4 going through. And then the last thing I wanted to say is,  
5 particularly for today's meeting, I know that in the past, Tom  
6 would be able to contribute a lot during these meetings. Tom  
7 had a tremendous depth of knowledge. I am not Tom so please  
8 don't expect the same of me.

9           I am trying to learn this stuff so I am not going to  
10 be able to provide all the answers and input and comments that  
11 Tom was able to in the past. So I ask you to be a little bit  
12 patient. But we have this cast of thousands behind me,  
13 fisheries staff who certainly are very knowledgeable.

14           And I just want to say on really quick personal  
15 note, I have known a lot of these folks for a long time but I  
16 haven't worked with them as closely as I have over the past  
17 couple months, and it is a real honor to work with these guys.  
18 The state of Maryland is truly blessed in my opinion to have  
19 such professional, dedicated people.

20           They really put their heart and soul into this, and  
21 they may not always tell you what you want to hear but that is  
22 not their job. Their job is to do what is best for the  
23 resources of this state. And so it is a real honor to work  
24 with all these guys.

25           This isn't all the fisheries staff. There are

1 others who are actually up in their offices doing work right  
2 now. But anyway, it is a great honor to work with these guys,  
3 and they are going to not hesitate to tell me when I say  
4 something wrong. So anyway, that is my two cents' worth. I  
5 will turn it back over.

6 MR. RICE: All right. Thank you very much, David.  
7 I think everyone needs to understand that if there is a  
8 question that you can't answer sitting in your seat, you will  
9 come up with the answers as soon as possible.

10 Personally I would like to welcome George. I look  
11 forward to working with you. It is not like we don't know  
12 each other so I don't think there will be any problems there.

13 The other thing is I would like, on my own behalf,  
14 to acknowledge that I appreciate all the time and hard work  
15 that Tom O'Connell put into this group. And that he was  
16 always there to answer my questions. He made sure I was  
17 prepared for the meetings. He talked to me on weekends.

18 And just as David said, sometimes he didn't give me  
19 the answers I wanted but at least I had answers that were  
20 relevant and pertinent to the issues I had at hand. And it  
21 seems that we have been somewhat adrift since Tom has left,  
22 and that we certainly would love to see somebody take his  
23 place.

24 And it might not be another Tom but at least it will  
25 be somebody we hope we can work well with. Quite obviously he



1 | didn't lose his job due to lack of dedication and knowledge.  
2 | He must have lost it because somebody saw a need to put a  
3 | different person in his seat. So quite obviously we are  
4 | getting a different person.

5 |           That being said, we still have some key people whom,  
6 | thank God, we do have that we can rely on. And I guess we can  
7 | throw out the names. We have got Lynn and we got Gina and we  
8 | got Mike. It seems -- I don't know how the situation is now  
9 | but I know for a while they came to work every morning not  
10 | knowing if they were going to come back to work the next  
11 | morning.

12 |           I would like to see some possibly -- somebody needs  
13 | some stability and somebody needs to answer the question: Are  
14 | you on our team or you are not on our team? It is time to  
15 | move on and do business.

16 |           And it is hard to do business when you think that  
17 | saying the wrong thing at the wrong time might upset the wrong  
18 | person and cost you your job. That is not how the game is  
19 | played. Nobody is ever always happy and nobody ever always  
20 | gets everything they want. But thank goodness I still got  
21 | somebody I can get on the other end of the phone who knows who  
22 | I am and I know who they are.

23 |           So that being said, I don't know how far what I have  
24 | said will get out of this room, but I hope it makes it  
25 | somewhere because enough is enough. It is time to go to work.

1 And next thing you know, we are going to have a whole year  
2 behind us and we will have done nothing but talk about who is  
3 going to do this and who is going to do that.

4           Instead of going forward, we have backed up. As far  
5 as I am concerned, we have backed up a whole heck of a lot.

6           A gentleman come up to me the other day and asked  
7 about an issue that we were working on in the little meeting  
8 we have with the Secretary with Lee and Robert T. and myself.  
9 He said, how is it coming along? I said, well, as far as I am  
10 concerned, it isn't. He said, what do you mean by that? I  
11 said, well, all three people I was working on it with have  
12 lost their jobs so it is just me by myself right now.

13           As soon as we get somebody to work with, we will  
14 move forward but right now it is kind of hard putting a cart  
15 without a horse. So anyway, thank you all. Enough being  
16 said, we would like to move on now to the public comment  
17 period.

18           Steve, would you like to present your spiel in  
19 public comment or do you want to wait until we get down to the  
20 issue that Mike is going to talk about, the box tags on yellow  
21 perch?

22           MR. LAY: Mike, if it is all right with you, I would  
23 relent that to you and whoever it might be making comment on  
24 that and then I would like to make comment after you have done  
25 your presentation.

1           MR. RICE: Okay, fine. I just wanted to know how  
2 you stood on what you wanted to say on yellow perch. Okay,  
3 does anybody else here from the public have something they  
4 would like to bring forward that is not on the agenda?

5           (No response)

6           MR. RICE: Hearing the silence and seeing the lack  
7 of hands, I think we will move on. So next we have Sarah and  
8 Jacob Holtz from the Maryland Department of Natural Resources  
9 with the regulatory updates and scoping items.

10                           ***Regulatory Updates and Regulatory Scoping Items***

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

12           MR. HOLTZ: How are you all doing today? I will try  
13 to be brief. We have a fair bit to talk to you about.

14           First we will go through the scoping items. As a  
15 reminder, with scoping we are -- these are possible regulatory  
16 changes. We haven't proposed them yet but we are taking them  
17 to you and to sport fish first get your feedback on them as  
18 far as how you think we should get this information out to the  
19 public that we are considering this.

20           We will have recommendations for it, and if you all  
21 have any additional ideas as far as what we should be doing to  
22 get some feedback prior to us submitting a regulation, that is  
23 what we are looking for right now.

24           So first there, the American eel, we are going to  
25 need to take some measures based on what ASMFC has told us

1 to -- I think, from what I understand, we are going to have to  
2 be setting a quota on eels and then manage that quota. We  
3 will have more on eels later.

4           The black bass, that is recreational. I will just  
5 skip over it but we are thinking about adding catch-and-return  
6 bass fishing areas.

7           The second page, commercial license targets, this is  
8 a regulation that we have to update every year, and that is  
9 just based -- the reason these numbers are changing is because  
10 more folks downgraded their unlimited tidal fish license. So  
11 the target number for the UTFL decreases and every other  
12 authorization goes up.

13           Our plan is just to scope that on the Website and  
14 send it out to all of our electronic contacts -- Constant  
15 Contact, Facebook and Twitter.

16           The next two are also more recreational,  
17 incorporating our black bass fishery management plan into  
18 regulation, and we are possibly looking at expanding the use  
19 of minnow traps for recreational folks. If you want me to  
20 talk about any of these things that are focused more on the  
21 recreational side of things, let me know. But seeing as how  
22 we are generally pressed for time, I am trying to get us done  
23 with this as quick as possible.

24           Altering a fish: This was a request from NRP to  
25 just have a regulation covering all fish to say that you can't

1 | cut the tail off or alter the fish's length in any kind of  
2 | way. We currently have that in the striped bass chapter and  
3 | in our nontidal chapter. We would just create some other  
4 | language to apply to all fish in both tidal and nontidal  
5 | waters.

6 |           Again the plan is just to scope it on our Website  
7 | and our electronic contacts.

8 |           MR. MANLEY: You say no altering of the fish. Now  
9 | the way they tell us now, we are supposed to pinch the tail to  
10 | measure it. Is that altering the fish?

11 |           MR. HOLTZ: No.

12 |           MR. MANLEY: He doesn't swim like that, does he?

13 |           MR. HOLTZ: You are manipulating --

14 |           MR. MANLEY: He doesn't swim like that, does he?

15 |           MR. HOLTZ: I know what you mean. You are not  
16 | permanently altering it.

17 |           MR. MANLEY: When you measure your height, you don't  
18 | go to the tips of your toes, do you?

19 |           MR. HOLTZ: It depends on how short I am feeling  
20 | that day. Next, commercial labeling of gear vessels and  
21 | vehicles. Right now the regulation says that the licensee's  
22 | ID number needs to be not less than four inches in height.  
23 | Obviously for a number of gears, that is just not possible,  
24 | and so we haven't -- it hasn't been an issue yet.

25 |           Folks have marked their gear with their number in

1 | whatever size -- it hasn't been a problem. But as far as  
2 | having something on the books that isn't workable, we just  
3 | didn't want that. So we are going to change it so that it  
4 | doesn't have to be four inches on your gear.

5 |           MS. DEAN: I have a question with the wording of  
6 | this. I know that the department has gone to the DNR  
7 | identification number. I want to make sure that this wording  
8 | doesn't require commercial licensees to now be using their DNR  
9 | identification number because I don't want to have to go  
10 | through and change all my commercial numbers. So can that say  
11 | commercial ID number instead of identification number?

12 |           MR. HOLTZ: Sure, we can talk about that. And right  
13 | now it is already in something that is headed commercial  
14 | something or other. So right now I can see what you are  
15 | saying. If someone was having a bad day, maybe they could  
16 | say, well, that is not the right ID number. We can make that  
17 | clear.

18 |           Other than the regular electronic stuff, is there  
19 | any way we should ask for feedback on that?

20 |           (No response)

21 |           MR. HOLTZ: Okay. This next one was an issue that  
22 | did come up, the commercial use of somebody else's gear. It  
23 | is obviously common practice that two guys might be working on  
24 | a boat and the gear is marked with only one of their ID  
25 | numbers. By the black letter of the law, the second guy can't

1 | be harvesting that if something doesn't have his ID number on  
2 | it.

3 |           And so the idea is to clarify that you can use  
4 | somebody else's gear if the owner of the gear is on board, and  
5 | they have their license on them. Just to say, yes, you really  
6 | can use my gear.

7 |           MR. MANLEY: That is not really the way it should  
8 | be. Just say, for instance, I am out there fishing, and I  
9 | have caught my quota of fish. And another guy is right there  
10 | and he has got room.

11 |           I give him my box and let him take it up. It has  
12 | got my numbers on it. Cop comes up to him, jerks a hole in  
13 | his butt because he doesn't have his number on it. Cut me a  
14 | little slack there on that. You know what I am saying?

15 |           MR. HOLTZ: Well, this is what that would be fixing.

16 |           MR. MANLEY: Oh, okay.

17 |           MR. HOLTZ: If you are on your boat, and you have  
18 | somebody else with you --

19 |           MR. MANLEY: I am talking about another boat. You  
20 | have already got your quota in your boat, and you still got  
21 | net overboard. You don't have to pick them out and throw them  
22 | overboard and kill them. He can take them up, put them in his  
23 | pile and they are all registered and not floating away.

24 |           MS. HUNT: Right. So last year during gill net  
25 | season, we had this issue where, per your example, you are a

1 | gill netter. You already fished your quota, your ITQ. This  
2 | other guy on your boat, who has a quota but he doesn't have a  
3 | net, so you set you gear, has your license numbers on it, and  
4 | NRP stops you and says, well, you have no quota, sir, to be  
5 | fishing this net.

6 |           It is clearly not his because his numbers aren't on  
7 | it. And the regs say his numbers need to be on his gear. So  
8 | last year we had this issue happen and we talked to -- gosh, I  
9 | can't remember everybody we talked to.

10 |           But bottom line, we ran it past NRP that we would  
11 | give this a trial and see if this is what the industry wanted  
12 | because there was the concern before that they didn't want  
13 | people who weren't actually active fishermen out there fishing  
14 | quota.

15 |           So we said, well, look, we will make a policy right  
16 | now where this will be okay for this gill net season.  
17 | However, it clearly would need to be fixed if it is going to  
18 | be a permanent issue.

19 |           And we went back to the Striped Bass Workgroup, ran  
20 | this past them and said, this is what we did for gill net  
21 | season last year. Do you want this changed? Do you want  
22 | somebody with no commercial fishing gear to be able to fish  
23 | somebody else's gear?

24 |           MR. MANLEY: I didn't say that.

25 |           MS. HUNT: But this is what this issue is. So he



1 | doesn't have gear. He is going to use somebody else's. Do  
2 | you want him to be able to do that? And by changing this  
3 | regulation, we are saying, yes, because that was the  
4 | recommendation that -- Striped Bass Workgroup agreed to that.

5 |           MR. MANLEY: The scenario I am saying we have had  
6 | before -- my brother had it. He caught what he was allowed.  
7 | And he gave it to another boy to finish taking his net up.  
8 | The cop said, those are your fish. You have to got to take  
9 | them up.

10 |           He said, I am not taking anymore. They are not  
11 | mine. The net was identified as his net.

12 |           MS. HUNT: Was it a different boat?

13 |           MR. MANLEY: A different boat that didn't -- that is  
14 | what I am saying. They can finish taking the net --

15 |           MS. HUNT: This won't address a different boat. The  
16 | waterman with the gear --

17 |           MR. MANLEY: That is what I am saying.

18 |           MS. HUNT: -- and the waterman with the quota need to  
19 | be on board the same vessel. They need to be present at the  
20 | same time.

21 |           MR. MANLEY: Do you know what I am saying, Richard?

22 |           MR. YOUNG: Yes, that is what I am trying to clarify  
23 | a little bit. We got a situation, and I know for a fact that  
24 | it happens a lot. A man has got a net in the water. He sets  
25 | on a bunch of fish. He pulls it up and the net is absolutely

1 | loaded.

2 |           He has filled his quota. Those fish in that net are  
3 | dead or they are going to be dead. They are still laying in  
4 | the water in the net, and he can't take anymore. So he calls  
5 | his buddy that didn't set on the fish --

6 |           MS. HUNT: Does he do that right there at the point  
7 | of pulling them out of the net?

8 |           MR. YOUNG: Yes, right there.

9 |           MS. HUNT: Okay, so the way this is worded right  
10 | now, I think to help clarification, the owner of the gear is  
11 | on board the boat. What you are suggesting is, is that this  
12 | doesn't say on board the same boat. But that they are  
13 | present, and that is -- again, that would solve that problem.

14 |           MR. MANLEY: Right. The thing we wanted was not to  
15 | waste fish. You don't want somebody to get his and throw the  
16 | rest of them overboard dead. You give them to somebody else  
17 | who has room on their quota to take them.

18 |           MS. HUNT: We can kill two birds with one stone  
19 | here. We can solve last year's problem and this problem --

20 |           MR. MANLEY: This was worked out in the very get-go  
21 | when this gill netting first started because back then we were  
22 | only allowed -- I am thinking it was like 125 pounds a day.  
23 | And we had to weigh them out, and then we would have 400 or  
24 | 500 pounds left, and then we would let the next boat -- he  
25 | didn't have to lay a net if we got into them. Let him finish

1 taking your net up.

2 MS. DEAN: Gina, I think that addressed the pound  
3 net issue. They are now asking to address the gill net issue.

4 MS. HUNT: No, it was a gill net issue last year.

5 MS. DEAN: Well, I am not saying it wasn't an issue  
6 but that is what we were thinking about when we answered those  
7 questions. It was the pound net, wasn't it, Robert T., that  
8 you were guys were, at the workgroup meeting?

9 MR. MANLEY: It was gill net.

10 MS. DEAN: Okay.

11 MS. HUNT: But my understanding is that this  
12 regulation is going to go forward and it is going to be in  
13 regard to finfish gear specifically. So it could be a fyke  
14 net. It could be a haul seine, it could be any of these  
15 finfish gears, but it is only about finfish gear.

16 MR. GILMER: Charles, do we need it so that you  
17 would have to stay --

18 MR. MANLEY: Sure, that would be fine. Stay  
19 somewhere close. You would have to be on your own boat. You  
20 can't go on somebody else's boat with your fish tagged and  
21 your boat with nobody on it.

22 MS. HUNT: We will have to work with legal on --

23 MR. GILMER: See how you can write that up that  
24 makes it --

25 MR. MANLEY: But you understand -- you can run into

1 that, and we can save a lot of fish by passing them on to  
2 somebody who has got room for them instead of just picking  
3 them out and throwing them back, and a percentage of them are  
4 going to die no matter what.

5 MR. RICE: Gina, we have got to be within so many  
6 yards --

7 MS. HUNT: Of the gill net, yes.

8 MR. RICE: Well, what is wrong with having our  
9 requirement be within that limit, that distance? If I have  
10 got my net set, and I am done, and I have caught my quota and  
11 Moochie hasn't. What is wrong with him fishing my net as long  
12 as I am available for inspection --

13 MS. HUNT: That distance is pretty big, it is really  
14 big.

15 (Simultaneous conversation)

16 MS. HUNT: My understanding from this conversation  
17 was you are actually within visible -- you are right there by  
18 the net. You are not a mile --

19 MR. GILMER: All they are doing is taking the fish  
20 out of the net and they are handing the box of net back to  
21 you.

22 MS. HUNT: So I don't think we need a distance. It  
23 is not --

24 MR. GILMER: For rough weather, we could say 100  
25 yards.

1 MS. HUNT: Let me run it past legal. And you will  
2 see this again when we put this out on the Website or if there  
3 are any other places you think we ought to scope this. We  
4 will have it out there in that manner if there are any  
5 concerns about what legal comes back with.

6 MR. BROWN: Why don't you have it the same length as  
7 a box of net --- . That is not very far.

8 MS. HUNT: Again, I would feel more comfortable  
9 leaving it open-ended right now and saying we are going to go  
10 to legal because if we put something like a distance, and the  
11 officer writes a ticket and says the guy wasn't present, and  
12 then the judge is going to say, well, what distance was he  
13 away from the net then?

14 Well, I don't know, sir. I couldn't find him. It  
15 make you have to write more on a ticket than maybe he wants to  
16 so I would rather leave it open-ended. And we will see.  
17 Maybe legal will come back and say, yes, you need a distance.  
18 We will see what they say.

19 MR. HOLTZ: The next two on the list are both  
20 nontidal. It is trout management in Herrington Creek and New  
21 Germany Lake and northern pike on Deep Creek Lake. And the  
22 two after that are also nontidal. The river herring, which  
23 you might raise your eyes at, we didn't close river herring in  
24 nontidal when we closed it. We didn't say that the season was  
25 closed when we closed it in tidal waters. So we are closing

1 it in nontidal to be consistent.

2           Penalty changes: There is a big list there that you  
3 can go through at your leisure and give us feedback. These  
4 are all the things that we talked about with the Penalty  
5 Workgroup. We had that meeting in early June. Bill and  
6 Robert T. and Richard were there along with a couple of folks  
7 from sport fish. I thought we had a pretty good discussion  
8 about everything and I thought we made some good changes.

9           So take a look at it, and if you have any feedback  
10 on that specifically, let us know. But because it is a page  
11 and a half long, I am not going to go through the whole length  
12 of it.

13           PSFAs: We received an application for submerged  
14 land lease in Edge Creek, which is located within PSFA 110.  
15 The department is looking to declassify that section.

16           We did a survey of the proposed site and found no  
17 live oysters within the area. And so when we declassify it we  
18 would then issue that lease. The plan is to scope out the  
19 Aquaculture Coordinating Council and then again on the  
20 Website, Constant Contact, Facebook and Twitter.

21           Spiny dogfish commercial fishery: We are changing  
22 some of the eligibility requirements. This is based upon some  
23 market situations and weather issues that they were having.  
24 They wanted to make it easier for folks to stay in the  
25 fishery.

1           Getting rid of the paper permits because the permits  
2 are already listed on your commercial license and then  
3 allowing someone who has an Atlantic striped bass permit to  
4 have a higher vessel trip limit of spiny dogfish than somebody  
5 who didn't have a striped bass permit in the Atlantic. But  
6 neither of which had a spiny dogfish permit.

7           Each of these -- so the first two were supported  
8 unanimously. The higher level for the striped bass permit was  
9 supported by four out of the five present, Spiny Dogfish  
10 Workgroup members. We would scope all three of those changes  
11 on our Website, Constant Contact, Facebook and Twitter.

12           And then lastly, a pilot program, a possible pilot  
13 program with the commercial yellow perch fishery, which Mike  
14 is going to talk more about later. That is our scoping.  
15 Based on that, do we need to reach out in any other way other  
16 than what we already had for those items that we talked about  
17 or are you okay with our plan for now?

18           (No response)

19           MR. GILMER: It is fine the way it is.

20           MR. HOLTZ: Okay. As far as the regulatory update  
21 goes, public notices: We would raise the spiny dogfish catch  
22 limit. For permit holders, they can land 4,000 pounds a day.  
23 There are a bunch of aquaculture leases. Established the  
24 rules for the horseshoe crab fishery, which is just the same  
25 as last year. And then some common pool striped bass stuff,

1 openings and closings.

2 Regulations that became effective since our last  
3 meeting: Shellfish aquaculture, those were the penalties for  
4 folks who get in trouble in aquaculture and then creating a  
5 demonstration lease program. We updated the name in the sport  
6 fish and tidal fish regs because it referred to the tidewater  
7 administration.

8 And then the spiny dogfish, prohibiting the removal  
9 of fins at sea. This was something we talked about before.  
10 It is required by the feds. And as far as we understand, none  
11 of our guys were doing it to begin with so it shouldn't have  
12 an effect on them.

13 The regulations that have been proposed since the  
14 last meeting: So striped bass, there is one that is currently  
15 open for comment. That is changes to the Atlantic fishery for  
16 their commercial tolerance and season.

17 The blue crab reg, it is entirely about recreational  
18 stuff. That will be in the register next week. The oyster  
19 reg, the first oyster reg, it makes changes to the county  
20 committee election process. It is going to let us do this  
21 hopefully in a more efficient way that is going to get more  
22 folks involved.

23 We have had to have meetings in every county with  
24 staff present, and the election was held in person. Those  
25 meetings generally, those elections generally had fairly poor



1 turnout so we are hoping that by doing it out of the mail or  
2 electronic or a combination of both, we can actually get the  
3 folks in the counties more involved in the process.

4 We also, at the request of some of the counties, are  
5 removing some of the harvest reserve areas. So those are  
6 going to be open to the public fishery throughout the oyster  
7 season rather than just opening them up by public notice. And  
8 that is regs.

9 And then the other two documents you have that we  
10 don't need to go over unless you wanted to are the documents  
11 from our Penalty Workgroup just so that way the rest of the  
12 commission is updated on what went on.

13 There is a handout, which is what we came to the  
14 Penalty Workgroup with. And then what you have in the summary  
15 is slightly different although not entirely different. It is  
16 a little bit shorter. It has what the Penalty Workgroup  
17 suggested that we actually move forward with so we cut some  
18 out of what was appearing in the handout.

19 So if you look at the two and you say, these look  
20 awfully similar, that is because they are. The handout is  
21 what we came to the workgroup with, and the summary is where  
22 the workgroup suggested we make changes. If you have any  
23 questions on that, I would be happy to take them.

24 ***Questions and Answers***

25 MR. BROWN: I have got one here. It is on the

1 commercial on the second page. The Tier VI. It says moves  
2 Lacey Act misdemeanor from Tier VI to VII. The Lacey Act  
3 would then potentially result in a revocation.

4 MR. HOLTZ: That was the question, and the answer  
5 was no, to make it two years for the misdemeanor and then the  
6 conspiracy-related activities. So rather than have it be one  
7 year, it would be two years. And then have the felony still  
8 be revocation.

9 MR. BROWN: Because the way I was reading it, I  
10 wanted to make sure that the misdemeanor was --

11 MR. HOLTZ: I understand. We could have worded that  
12 better. So what we tried to do there was say what we came to  
13 you all with and then at the end tell you what the  
14 recommendation was. So as we had it, the recommendation was  
15 to make it to two years instead combine both to say any Lacey  
16 Act violation would be a revocation. Sorry, that could have  
17 been clearer. You are right.

18 And if we don't have any other questions, that is  
19 the end of what I have.

20 MR. RICE: Anything for Jacob?

21 (No response)

22 MR. RICE: Thank you. Okay, we need to go now to  
23 the fisheries management and planning. ASMFC update. Who is  
24 going to do that?

25 DR. GOSHORN: Lynn and Mike. While Mike is coming

1 up here, ASMFC, the first week of August, happens to coincide  
2 with my vacation. Since I didn't know I was going to be  
3 expected to go when I set my vacation, I won't be there but  
4 Lynn and Mike will be there. Actually the Secretary is trying  
5 to rearrange his schedule so he can attend at least maybe as  
6 an observer. But officially it will be Mike and Lynn.

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

8 ***ASMFC Update***

9 ***by Mike Luisi and Lynn Fegley, MD DNR Fisheries Service***

10 MR. LUISI: Mike Luisi, fisheries service. I will  
11 give you guys an update on a few things.

12 The schedule for ASMFC is the first full week of  
13 August. I believe it is August third, fourth, fifth and  
14 sixth. The schedule this time is awfully light. There are a  
15 lot of board meetings but Lynn and I thought it would be most  
16 efficient to just focus on a few of the species that are going  
17 to be covered during that meeting and just give you some  
18 updates on what it is we will be discussing and talking about.

19 The first one, the Striped Bass Board is meeting  
20 August fifth. There has been considerable progress made on  
21 the development, the Technical Committee's development, of the  
22 Chesapeake Bay biological reference points.

23 This isn't the first time that you have heard about  
24 the reference points and the work that the Technical Committee  
25 has been doing to get those specific biological reference

1 points for the bay agreed upon by the TC.

2           So there has been progress made. There is going to  
3 be a report at this meeting regarding the specifics of those  
4 Technical Committee discussions. And I believe that the  
5 follow up to that will be an evaluation of -- an assessment  
6 update that is going to be occurring later this summer.

7           So the combination of an assessment update and a  
8 biological reference point discussion by the TC will go a long  
9 way to inform the board as to any next steps that may be taken  
10 to adopting those biological reference points for the bay.

11           What that means is that if we are successful in an  
12 attempt to adopt those reference points just for the bay, it  
13 gives us flexibility in our management of the bay for striped  
14 bay, and we essentially can in some ways separate our  
15 management from the coastal fishery.

16           Now, as you have been following along over the last  
17 year and a half, we are falling within the entire coastline  
18 fishery management action. So there will be a review of all  
19 of this information. I believe that the assessment update  
20 that the Technical Committee will be working on will not be  
21 available for this meeting so that will bump to the early  
22 November meeting of ASMFC at its annual meeting in Florida.

23           So we hope that by the combination of those two  
24 meetings, the board will have in its hands the information  
25 that will be needed to make a decision regarding whether or

1 not to adopt those measures. So that is one item for that  
2 week.

3 The second thing I want to bring to your attention  
4 will not be discussed at the ASMFC meeting in the first week  
5 of August; however, the Summer Flounder, Black Sea Bass and  
6 Scut Board of ASMFC is scheduled to meet jointly with the  
7 Mid-Atlantic Fisheries Management Council the second week of  
8 August in New York City.

9 And there has been recent data and information that  
10 has been passed down to the managers on the board regarding an  
11 assessment update on summer flounder.

12 You may have even seen some press related to this  
13 issue over the last couple days. And so where we are right  
14 now is -- and it was a bit shocking to me. I know a lot of my  
15 other colleagues that sit on the council and work on that  
16 board were also kind of shocked to hear what this latest  
17 assessment update is indicating.

18 But what it is telling us is that while we were  
19 going along over the last couple years establishing quotas and  
20 managing both the recreational and commercial harvest to those  
21 quotas, new information suggests that in 2014, we were  
22 overfishing pretty drastically on the summer flounder stock.

23 And the scientists, the assessment scientists, are  
24 suggesting that managers consider up to a 40- to a 43-percent  
25 reduction in harvest.

1           Again I got a phone call just at the end of last  
2 week about this in preparation for the meetings to come. This  
3 was interesting news, and I don't have all the information to  
4 present to you right now. We are working really hard to  
5 understand why this occurred.

6           What I do know is that projections that were used to  
7 establish the quotas for the last few years from previous  
8 assessments, they took certain -- they made assumptions as to  
9 how many new baby flounder were going to be recruiting to the  
10 fisheries each year, kind of like our juvenile index. They  
11 were making assumptions on the strength of that summer  
12 flounder juvenile index.

13           And while we were making decisions on establishing  
14 quotas and managing to those quotas -- and we did a great job.  
15 The recreational stakeholders along the coast hit their  
16 targets. All the commercial fisheries hit their targets.

17           What we found out, given the new assessment, was it  
18 looked back and it actually filled in the places where those  
19 assumption were made, and what we understand is that  
20 recruitment was very, very poor for a couple years. So while  
21 we assumed it was at this level, we thought this many fish  
22 were coming into the fishery each year, we now know based on  
23 the data that were collected that it was much lower.

24           So while we were fishing at the targets that we  
25 thought were appropriate, we now know that they were set too

1 high and overfishing has been occurring. So the council and  
2 commission will be meeting on that issue to discuss it the  
3 second week of August in New York. I will be there, you know,  
4 serving on both the board and the council.

5           The Statistical and Scientific Committee of the  
6 council meets next Wednesday. They are going to have a  
7 discussion about this assessment and all the details that went  
8 into why they are suggesting we take these drastic actions.  
9 And so I will have more information as to that discussion as  
10 well next week.

11           So I am sorry I don't have all the -- I can't give  
12 you all the information. I don't know where the SSC, who is  
13 this Scientific and Statistical Committee, I don't know what  
14 they are going to recommend. The assessment folks, it is just  
15 a few of them, they do the assessment, then they bring it to a  
16 larger group of scientific minds to discuss, debate and come  
17 up with a recommendation for management.

18           And if that recommendation happens to be to take a  
19 40-percent reduction, managers will have to take that under  
20 consideration and determine if those are the measures that  
21 need to be taken. The 40 percent, it would be both  
22 recreational and commercial.

23           And while the Chesapeake Bay, while there are  
24 flounder landings in the bay at a by-catch amount of I think  
25 it is 50 pounds per day, the biggest impact will be to permit





1 of the species where I spend an awful amount of time working  
2 on those boards and commissions.

3 MR. YOUNG: My suggestion would be to go back to  
4 them and say, go look at your science again because you  
5 screwed up with Menhaden. Make sure you are not screwing up  
6 here before you put out something that is hurting our  
7 commercial fishermen and the recreational fishermen also.

8 MR. JEFFRIES: On the reference points, since the  
9 data is not going to be ready in July, for the July meeting,  
10 is it going to be ready for the November meeting? And if so,  
11 when would it be phased in if it is approved through the  
12 Technical Committee?

13 Is it going to be in time -- what I am trying to get  
14 to, is it going to be in time for the 2016 season or are we  
15 still going to have to take that 20-percent reduction again  
16 next year?

17 MR. LUISI: That is a good question. The  
18 timing -- so if an addendum is initiated in the early November  
19 meeting, there will only be one other meeting that ASMFC will  
20 have in February to discuss that, and an addendum normally  
21 takes two to three meetings' time.

22 So the timeline of events leads us into the summer  
23 again. The spring fishery would likely just -- while the  
24 management measures that we have in the spring could change,  
25 we are very likely to still be under that 25-percent reduction

1 for the spring trophy season.

2           And, you know, whether or not we get around to this  
3 point in time, maybe the June meeting of the board, where new  
4 management measures are determined that could change the  
5 summer fishery next year. You know, that would be an in-  
6 season thing that we would have to make, we would have to  
7 consider. But just the timing --

8           MR. JEFFRIES: And that is a best-case scenario.

9           MR. LUISI: That is really best -- that is without  
10 any delay or any hang-up. And given the interest along the  
11 coast on this issue, if the Chesapeake Bay biological  
12 reference points come out, and everything suggests we would  
13 find ourselves at a lower level of reduction, it means that  
14 somewhere else, when you squeeze the bubble, there is going to  
15 be a bigger balloon somewhere else.

16           So while we may have a lower reduction, it may mean  
17 that the coast ends up taking a larger reduction, which -- so  
18 there is a lot to it. It is complicated. It is very  
19 political along the coast as you all know from what we have  
20 been through over the last couple years. So that is where we  
21 are now and that is basically -- I mean, that is the timeline  
22 that I can play out for you.

23           MR. MANLEY: You are the one going to the ASMFC  
24 meeting, right?

25           MR. LUISI: Yes.

1                   MR. MANLEY: Well, the point I am making is last  
2 year we had all this hell raised that they were struggling,  
3 there weren't any fish up there. My brother was selling ---  
4 up there. They had a commercial hook-and-line season that  
5 went to December. They had caught their whole commercial  
6 quota by the first of September because they were selling more  
7 eels up there. And they were bitching and complaining about  
8 not having any fish, and right now, just like we were talking  
9 earlier, the market is flooded. They have got plenty of fish  
10 up there, and we have been sitting here giving fish back  
11 because they are not supposed to have any fish.

12                   Now somebody is lying somewhere along the way. I  
13 mean, somebody has got to call them on this stuff. It is just  
14 let go, let go, and Maryland keeps paying the price. I am  
15 going to tell you the truth. I don't know if I am going to  
16 run next year, trophy season, if we have got to go back to  
17 throwing away 75 percent of the fish we catch.

18                   That is waste, and it is just ridiculous. And most  
19 of the people who come down -- I know we were on the boat  
20 there this spring, and one guy had his daughter, and the one  
21 and only fish she caught that day, biggest fish she ever  
22 caught in her life, 38 inches. She had to throw it back. The  
23 guy said, I am not going to do this again.

24                   I mean, the guy has got -- we are going to have to  
25 shake chains somewhere but this isn't going to work. I mean,

1 | it is going to put the charter business out of the trophy  
2 | season for sure. I mean, if that is the case, you might as  
3 | well close to the 16th and then let us go ahead and catch our  
4 | two per person and go back.

5 |           But honestly it is -- I have been fishing down in  
6 | Solomons a lot of springs, and when I first started going,  
7 | those boys were running every day two and three times a day.  
8 | And now you see a lot of boat sitting, and it is for damn sure  
9 | a part of it.

10 |           I mean, the economy is part of it too but it isn't  
11 | anything like it used to be, and this year it really hit them.  
12 | Hit us all. Not them. It hit us all. If we have got to pay  
13 | that price again, it is going to tear up the trophy season.

14 |           MR. LUISI: Well, what I will say to that is right  
15 | now you would be facing the same regulations for next year as  
16 | you have this year but we do have the opportunity to make  
17 | adjustments to those rules.

18 |           However, we would still need to show the Technical  
19 | Committee that the rules that we implement, if they change, if  
20 | we eliminated the no-take slot and went to something else,  
21 | those would be the other options that we have all discussed.

22 |           So we have flexibility in that but it is not that we  
23 | are going to be able to back ourselves out of that 25-percent  
24 | reduction that we had, that we had to take.

25 |           MR. MANLEY: With them having all the fish up there

1 that they say they don't have, I think somebody is not up  
2 front and not straight. They are not shooting straight with  
3 us and we are paying the price for it, and it is not fair.

4 It sounds like he was just talking about the  
5 flounders a minute ago. I know we have got a lot of rockfish  
6 in the bay. The county knows that. We are catching them. It  
7 might not be in the lower bay but we are --- up there. And  
8 with those little baby flounder and stuff running around,  
9 those rockfish are going to be like piranhas to those things.

10 I don't know anywhere else, but in here, baby spot  
11 and anything else, they are going to grind them up. And you  
12 keep managing and managing, trying to get more and more, then  
13 it overpopulates everything else and it just eats everything  
14 else up around it. So something is always going to be  
15 struggling until you get that balance.

16 MR. JEFFRIES: My problem with the summer fishery is  
17 we are at 20 inches now. We are fishing that 2011 year class.  
18 And every boat from Solomons north is above the Bay Bridge  
19 right now. And we got a crapload of fish.

20 But it is only going to take so much pressure. We  
21 are worried about next summer. That 2011 year class that  
22 everybody is betting their retirement on, it is going to be  
23 gone. And I don't know if anybody has been over the Bay  
24 Bridge but you look left and, good Lord, I have never seen so  
25 many charter boats. It is out of control.

1           MR. BROWN: Just a statement. One of the things on  
2 this, because I have heard a lot of complaints from the  
3 charter boats and in my association, with the slot limit and  
4 stuff, you know, if you are going to have a trophy season,  
5 have a trophy season. And they are worried about between that  
6 36, whatever.

7           Well, in the ocean, the whole coastal, they have got  
8 a minimum size of 36 inches, and they catch them all year  
9 round. We have got a 3-week season. Why can't we be allowed  
10 to keep them, you know, that size fish?

11           The other thing I have got to say is the reference  
12 points, we are in favor of those. We want to see them come  
13 about. And the amount of rockfish that we have down in my  
14 area now, I fished the other day, I never even took all rock  
15 out the net. I had 1,600-something pounds. I don't know how  
16 many small ones we didn't have. We were running through them,  
17 running them over a culling board.

18           Not seeing a piece of bait. The bait is in 8 to 10  
19 feet of water right on the shore. Now why is it in there? It  
20 is in there because out deep where we are sitting at, it is  
21 all rockfish. And they are not going mix.

22           I saw the same thing happen when we had all the  
23 bluefish back about 15 years ago. Remember the rivers were  
24 full of all those big bluefish? I was sitting out there in  
25 the Potomac. I could load the boat with bluefish. Every day

1 | you have to put a new --- bag, we were catching so many.

2 |           Carrying them over to --- Seafood, Bob Ramey,  
3 | getting 10 cents a pound. 15,000/18,000 pounds a day. I had  
4 | to go buy bait. And Tommy up in St. Thomas Bay, he couldn't  
5 | free his nets, he was catching so much bait because the  
6 | bluefish were running them in there.

7 |           And the rockfish are doing the same thing now like  
8 | they were in our area back when we had the moratorium, and we  
9 | had to all but stop fishing because all the bait was jammed  
10 | ashore or it was being ate up. I mean, that is how many  
11 | rockfish were out. It is all sizes from about like that up.  
12 | And most of it is like this to this.

13 |           But the little teeny stuff, what has come along,  
14 | they are not going to mix with those bigger fish like that. I  
15 | saw a little bit of that way early. Just stating we want the  
16 | reference points. We know it will help us. It is no sense  
17 | trying to beat a dead dog but, you know, it was unjustified,  
18 | you know, with the amount of fish we have.

19 |           And a lot of it had to do with -- they said they  
20 | weren't catching the fish up north. Didn't have any big fish.  
21 | Massachusetts, week before last, was getting \$5.50 for fish  
22 | over 8 pounds. And what happens? Their season opens up, they  
23 | went all the way down to \$3 a pound. They were cheaper than  
24 | the --- because they flooded the market so quick.

25 |           So they have got the fish. One of the problems they

1 | were having were a bunch of big fish were up off there, and  
2 | they were going out past that three miles and they were  
3 | catching them. Weren't having no problem at all. Well, what  
4 | happened?

5 |           Well, when the Coast Guard wound up down there off  
6 | Virginia Beach and North Carolina and ripped into all those  
7 | fellas, well, these fellas are straightened up now. They went  
8 | up north and started beating on them, and they had to go on  
9 | that inside.

10 |           And that three mile needs to be looked into because  
11 | these bigger fish are going to go where they want to go and  
12 | where they are used to going. Three miles is nowhere off  
13 | shore. The Potomac River is way wider than three miles. Five  
14 | miles in some places.

15 |           So that may be something that needs to be addressed  
16 | before we can get all this straightened out so we can all --  
17 | everybody can get a decent quota. Thank you.

18 |           MR. LUISI: That is all I had. I think Lynn is up.

19 |           MS. FEGLEY: Hello, everybody. Like Mike said, the  
20 | agenda is pretty light for ASMFC. I will be sitting on  
21 | Menhaden and American eel, both of which are fairly  
22 | noneventful. And I wanted to just update you all on Menhaden.

23 |           It will be just an hour and a half meeting this  
24 | time, and as you all probably remember, at the last meeting  
25 | the board initiated Amendment III, which is going to be a long



1 process to do a couple of things, one of which is to look at  
2 allocation.

3           This is the issue that we were talking about, that  
4 we have been talking about, where how this fishery is  
5 allocated among the states. As we know right now, the state  
6 of Virginia, because it is the home of Omega Protein, has  
7 approximately 85 percent of the coastal quota.

8           So we are starting to think about options for ways  
9 to make the allocation simpler and also to simplify management  
10 for this fishery. So what happened at the last meeting was  
11 the board created a subgroup of the management board to  
12 address this issue. That group consists of board members from  
13 six states.

14           So it is Rhode Island, New York, New Jersey,  
15 Maryland, Virginia and South Carolina. And we are  
16 having -- we had our first call, and I should mention to you  
17 that these are public calls so I would be happy to inform the  
18 commission when these calls happen. We had our first call  
19 yesterday to discuss how we might think about reallocating or  
20 basically starting fresh allocating the fishery.

21           So right now holistically -- so basically we are  
22 having this process. We started the conversation about  
23 creating basically a set-aside for small capacity fleets. The  
24 subgroup liked this idea. There is a lot of work to do. So  
25 the next steps are this group will continue to meet. I would

1 | like to reach out to industry, I think. I have talked to  
2 | people on our coast. I have talked to some of our fishermen  
3 | here.

4 |           It is clear that in the state of Maryland, we are  
5 | small-capacity fleet. We are nothing but a small-capacity  
6 | fleet. So basically this meeting for the board meeting as a  
7 | whole will simply be an update of where we are in this  
8 | process.

9 |           The second thing that is happening is there another  
10 | subgroup that has been set up to talk about eco-system  
11 | reference points for Menhaden. We have been in a continual  
12 | game of ping-pong where the board has asked the scientists,  
13 | tell us how we set fishing reference points for Menhaden.  
14 | Given that they are an important forage fish, how do we do  
15 | that?

16 |           And the scientists look at the board and say, you  
17 | need to set up some goals for your fishery. And so this is  
18 | this next group, which will meet for the first time in August.  
19 | Again, that is a public meeting. I would encourage you all to  
20 | look on the ASMFC Website. All of this stuff is announced up  
21 | there.

22 |           That will be, I believe, a face-to-face meeting in  
23 | Baltimore to start to discuss what those goals might be. And  
24 | it is important to note that we have these subgroups. But  
25 | everything that these subgroups do need to go back through the

1 board for final approval, and then they will go into a  
2 document for public comment.

3 So again this is just the very, very, very beginning  
4 of quite a long process.

5 MR. YOUNG: So given the recent, within the last six  
6 months, study that says that Menhaden are in fact not  
7 overfished and were not overfished, is there any talk about  
8 reversing what they have done?

9 MS. FEGLEY: Well, the quota increased -- the quota  
10 was increased by 10 percent this year. So we are all able to  
11 harvest 10 percent more fish. And that was deemed -- that was  
12 the board's decision in May. So we have a higher quota this  
13 year.

14 And I think that until the next stock assessment,  
15 and until we develop these ecosystem reference points, the  
16 board was reticent to go further because we still don't  
17 know -- there is still no determination about how many fish  
18 need to be left in the water for ecosystem purposes.

19 So the board decided, okay, let's increase 10  
20 percent. Let's give everybody 10 percent more fish,  
21 recognizing that 10 percent more fish -- when Virginia has got  
22 85 percent of the quota they get most of that 10 percent.

23 But that is neither here nor there. We get 10  
24 percent more fish this year, and that 10 percent will hold  
25 until we figure out the ecosystem and an amendment period is

1 initiated.

2 MR. YOUNG: So instead of our Menhaden season  
3 closing on June 15th it might make it to the 21st?

4 MS. FEGLEY: Well, I think last year it actually got  
5 pretty close to September 1st.

6 MR. YOUNG: Did it? So it might go to September  
7 15th.

8 MS. FEGLEY: Yes. And by the way, and what we  
9 realized -- and the 6,000 bycatch allowance still stands.

10 MR. BROWN: Just one comment. I was talking to Boo  
11 Palley\* the other day, and he has got a net that is on the  
12 crest of the shore of the bay, which has just been -- he said  
13 it just loads up with bunkers, and he is only -- he will take  
14 so many out one day, and then he has to turn them loose, the  
15 rest of them, because he just doesn't have enough market.

16 And one of the reasons that the market is not as  
17 good as it used to be, well, you know, there are few crabs  
18 that around that but a lot of people are still using razors  
19 for bait. And bait is just not moving. It is just not  
20 selling.

21 So I mean, it may go a little bit longer because,  
22 you know, they are not running everything because he  
23 doesn't -- the man he has been selling to, he has got  
24 everything pretty much stockpiled up and he can only buy what  
25 he is selling so he has room to keep it.

1 MS. FEGLEY: Are razors more available and cheaper  
2 this year than they have been?

3 MR. MANLEY: They are not cheaper.

4 MR. GILMER: There has been a few more good crabs  
5 around and there has been -- actually I was still selling bait  
6 in Hooper's Island until this week. Everybody went to fish.  
7 Crabs were a good price. There weren't very many crabs up  
8 this way. When those guys got over \$100 for crabs down there  
9 through the 4th, and they were fishing on some good crabs, and  
10 the razors were better. But that has all changed in the last  
11 weekend.

12 MS. VINCENT: The crab market has definitely  
13 changed.

14 MR. GILMER: Yes. And we got a few more crabs  
15 working their way up the bay now. And razors are still the  
16 bait up this way but they have mainly gone to fish in the  
17 lower bay.

18 MR. RICE: Anybody else have anything for Lynn?

19 (No response)

20 MR. RICE: All right, Lynn. Thank you.

21 MR. GILMER: Wait a minute, one more thing. Who is  
22 going to the eel meeting?

23 MS. FEGLEY: That would be me.

24 MR. GILMER: Okay. What is going on there?

25 MS. FEGLEY: The eel meeting is really -- it is a

1 | very short meeting. I think it is 45 minutes, and I believe  
2 | it is, I don't have the agenda in front of me, but it has  
3 | something to do with an update on the Maine Eel life cycle  
4 | survey. That is all it is.

5 | MR. GILMER: I had read that. But in the other part  
6 | that I think Jacob was talking about, they were talking about  
7 | some type of quota?

8 | MR. LUISI: Yes, we are going to talk about that.

9 | MS. FEGLEY: We will talk about that. We will cover  
10 | that later. That is not an issue at this ASMFC meeting.

11 | MR. BROWN: When is -- on the Atlantic States Marine  
12 | Fisheries Commission, the Menhaden, what day is that heard on?

13 | MS. FEGLEY: That is August fourth. It is the same  
14 | day as striped bass. The fifth, I am sorry.

15 | MR. MANLEY: One more thing on the ASMFC stuff. On  
16 | the rockfish thing, we had to take a 20-percent cut, right?  
17 | But from what I understand, we came up 100,000 pounds short on  
18 | our quota. Is that right? That wasn't caught?

19 | MR. LUISI: We are still fishing right now.

20 | MR. MANLEY: No, no, I am talking about last year.  
21 | Last year we were -- I had a delegate just tell me that we  
22 | were 100,000 pounds light, that we could have caught that we  
23 | didn't. That should be figured in on that 20 percent.

24 | MR. LUISI: As much as -- it just doesn't work that  
25 | way. Yes, you were 100,000 pounds short in 2014. Quotas get

1 factored and built -- there is no rollover. That would be  
2 kind of like a rollover of what hadn't been caught from a  
3 previous year. And currently within the striped bass  
4 management plan, there is no ability to do that.

5           So it doesn't factor into a savings, you know, for  
6 the purposes of taking reductions. And, you know, to another  
7 point, the reductions that were taken were based on the last  
8 assessed date in the assessment, which was the 2012 quotas  
9 that were set, so even actions that happened since the last  
10 date of the assessment, the last year of the assessment, don't  
11 play into that.

12           What we are hoping for this year is, given that it  
13 is the second of the ITQ fishery, that there will be -- you  
14 know, folks will have better, there is the opportunity there  
15 to move all that quota around to get caught. It is just that  
16 people have to be willing to do that.

17           MR. YOUNG: Is that why it wasn't caught, because it  
18 was quota that was held by fishermen who didn't participate?

19           MR. MANLEY: Not that they didn't participate. They  
20 either didn't catch their entire quota that they were allotted  
21 or they chose for whatever reason not to transfer it or do  
22 anything with it.

23           So fishermen who were given initial allocations in  
24 that year, for whatever reason, they chose not to lease it to  
25 someone or catch it themselves. They just have it and they

1 let it -- they let the year carry out and that is why the  
2 fishery was short that year.

3 MR. YOUNG: I can't wrap my head around leaving  
4 100,000 pounds of quota in the water. That is a hell of a lot  
5 of money. And I am sure there are some guys who are sitting  
6 at this table and in this fishery who are finding out that  
7 there was 100,000 left that they could have caught who are  
8 upset about it.

9 MR. MANLEY: Yes, but the flip side of it, this ITQ  
10 stuff, people think they are going to get \$2 a pound when guys  
11 are selling fish right now for \$3 a pound. How the hell can  
12 you work for \$1 a pound? So just keep it. I mean, that is  
13 part of it too.

14 MR. YOUNG: I understand.

15 MR. MANLEY: Some of them have got in their head, it  
16 is going to be \$2 a pound or I am not selling it.

17 MR. GILMER: Absolutely. Plus there was some guys  
18 who figured they were going to fish in December and oystering  
19 was so good, they never fished.

20 MR. MANLEY: Ice got there, and then little boats  
21 and stuff, they are going to go out and catch it themselves,  
22 and they froze in.

23 MR. GILMER: It is going to happen. You are not  
24 going to prevent that.

25 MR. MANLEY: There should be some way to recoup the



1 | next 20 percent.

2 |           MR. GILMER: That is right. But people thought it  
3 | was worth more than what it was.

4 |           MS. SINDORF: Is there a communication issue, where  
5 | someone who has quota doesn't know whom to contact to give the  
6 | quota to? Is there a breakdown there?

7 |           MS. DEAN: It is intentional, some of it.

8 |           MR. LUISI: Some of the noneffort is intentional.  
9 | We have tried to provide as many outlets as we can through  
10 | communicating with the permit holders. We had a lot of  
11 | requests last year from permit holders for the actual contact  
12 | information for other permit holders so they could take it  
13 | upon themselves to make, you know, get in touch with them.

14 |           We had a Website that we had operating, I believe,  
15 | and it is still operating, where buyers and sellers can go to  
16 | a place where they can see other -- it is kind of like a DNR  
17 | Craigslist.

18 |           MR. GILMER: You could either buy quota there or  
19 | sell quota there.

20 |           MR. LUISI: So we did what we could, and without  
21 | exhausting our resources on trying to get people to engage  
22 | when, to be honest, some people just don't to. They don't  
23 | want to engage. And that would be for somebody else to answer  
24 | why.

25 |           MS. DEAN: Two things that I want to point out with

1 | this. Our reductions came from a harvest total. So if we are  
2 | looking at future reductions, that is going to not only double  
3 | jeopardize us but that could triple jeopardize us because if  
4 | they were to go back and look at our 2014 harvest, they  
5 | wouldn't take it from our quota, they would take it from our  
6 | harvest.

7 |           So I think it is something that we need to keep in  
8 | mind. The other concern is -- and I know that I heard we  
9 | can't bank it, we can't bank it, we can't bank it. Meaning,  
10 | if we didn't catch it last year, let's roll it over. There is  
11 | nothing that says we can't overallocate.

12 |           MR. LUISI: That is a discussion that is worth  
13 | having. What Rachel means is that instead of taking the  
14 | million pounds and dividing just a million pounds to all the  
15 | permit holders if we have a million pound quota, we could  
16 | consider giving a million pounds, 1.1 million pounds out.

17 |           And the risk with that if you exceed by -- if you  
18 | catch the entire thing, you now have fallen out of the  
19 | management compliance to the quota, and there are paybacks.  
20 | So the next year you only get 900,000 pounds to distribute.

21 |           So overallocation just -- there is a risk that comes  
22 | with it, and if the risk is one that the department is  
23 | comfortable with and the industry is comfortable with, it is  
24 | something worth debating and talking about.

25 |           MR. BROWN: Well, Mike, that is one thing that I

1 | have said for years. You will never catch the quota if you  
2 | just try to get to it. You need to aim above it.

3 |           And if you go over, say, 10,000 pounds or 100,000  
4 | pounds, you have caught them this year. And you could deduct  
5 | it next year. And then get in that mode each year where we  
6 | will be over 10,000 this year. You will catch your quota  
7 | then.

8 |           Aim to be over some, just a little bit, and don't  
9 | take big steps to start with. Say well, it was 100,000 pounds  
10 | we were short last year. So we are going to do 100,000. Just  
11 | take 50,000 or 75,000 the first year to try it out just to see  
12 | how it goes.

13 |           If you catch the fish in December, what is the  
14 | difference? And if you wait until the first of January, they  
15 | are gone. You are not allowed to catch them. So if you get  
16 | deducted a little bit, it is just part of doing business. It  
17 | needs to be, especially with these low quotas.

18 |           MR. GILMER: If we are under for two years in a row,  
19 | which I am sure we probably will be because you have some  
20 | people who aren't going to catch the fish, then I am like  
21 | Robert T. You need to maybe, you know, step something up  
22 | there that at least gets you -- half of what you are under,  
23 | put it on the table.

24 |           MR. BROWN: And if you are still under, then step it  
25 | up a little more. It will eventually -- it will level out to

1 | where you can get really close to it. But I don't want to get  
2 | close to it. I want to go over it every year. I don't care  
3 | if it isn't but a thousand, or two thousand or five thousand.  
4 | That way, you have caught your quota. You deduct it off the  
5 | year because you cannot roll it over to the following year.  
6 | And that is not right.

7 |           The scientists say that we are allowed this many  
8 | fish. We should be able to catch them. If we catch them  
9 | over, well then we went over. We have just got to bite the  
10 | bullet and say, hey, look, deduct it.

11 |           MR. LUISI: Well, this year, the 2015 year, it is a  
12 | moderate test year for the overallocation because if you  
13 | remember back in the spring, we had an emergency regulation to  
14 | allow people who didn't declare their intent to come back into  
15 | the fishery late, late, late. Much later than they normally  
16 | would have.

17 |           Their quotas had already been given to the people  
18 | who were in the fishery, so we did have a number of people  
19 | redeclare. So we are overallocated now by I would say maybe  
20 | 20,000 pounds or so, which is, you know -- so we will see how  
21 | that ends up at the end of the year. I don't expect to exceed  
22 | the quota but it is a good point and it is something that we  
23 | will need to talk about.

24 |           MS. DEAN: I was just going to say with the ITQ  
25 | system, there are always the grumblings of the use it or lose

1 | it. And I think this would be a way to avoid that, taking  
2 | something from somebody completely. Whereas instead we can  
3 | just see that it is caught by the industry.

4 |           MR. RICE: And the other thing is this. If you  
5 | overallocated by -- let's just use the figure of 50,000  
6 | pounds -- under our current system, there is very little  
7 | chance of exceeding that 50,000 pounds. You go back to a bird  
8 | in a hand. What would you rather do: Leave 100,000 pounds on  
9 | the table or pay back 50,000 pounds that you have already sold  
10 | and spent the money from?

11 |           MR. BROWN: You have already go that.

12 |           MR. RICE: You have already go it.

13 |           MR. JEFFRIES: I was going to bring this up as part  
14 | of my ITQ thing but there are a lot of guys -- the problem  
15 | with the ITQ is the way the allocations were given out. If  
16 | you are in the charter boat industry and you are coming all  
17 | the way from Solomons or Chesapeake Beach, 27 miles one way to  
18 | catch fish, they are holding those allocations hoping those  
19 | fish live.

20 |           So if you are going to overallocate, there are a lot  
21 | of guys who have low quota who want as many fish to live as  
22 | possible. If I had the money to buy a million pounds of  
23 | quota, I would sit on every pound of it because the fish is  
24 | more valuable to me on that charter boat than it is eaten in a  
25 | restaurant. So I am definitely not in favor of

1 overallocating.

2           For those fish we need swimming, if we are going to  
3 keep getting cut by the north, we need every fish we can to  
4 swim, and there are a lot of guys who are against these ITQs  
5 who are purposely holding on to their quota so it doesn't get  
6 caught. And I would probably say most of our people would  
7 stand behind that decision.

8           MS. DEAN: I would expect that the charter boat  
9 industry would be willing to give up the commercial fishery's  
10 quota.

11           MR. LUISI: One thing that I have been thinking  
12 about lately regarding this issue is there are caps. We have  
13 caps in the fishery to how much quota a person can hold. And  
14 those caps are there to ensure that somebody doesn't  
15 monopolize the fishery all to themselves.

16           Something to think about that maybe we can bring up  
17 at a workgroup meeting this fall would be -- and we do this  
18 off the coast -- is that come the first of November, you know,  
19 temporary caps are off the board. So if you are fishing, you  
20 are no longer capped through the end of the year in the event  
21 that you want to exceed what you have had, people want to  
22 transfer quotas to you. It is something to think about.

23           It would only go on a temporary basis but it puts  
24 more flexibility to the people who are actually fishing.

25           MR. RICE: Well, we need to keep the meeting flowing

1 | but I think we have brought up several issues that are  
2 | worthwhile for the Striped Bass Workgroup, especially when it  
3 | comes to these quotas and stuff. We will take that up there.

4 |           We need to move on to the White Perch stock  
5 | assessment update, and we have Rick and Paul who are going to  
6 | do that.

7 |           ***White Perch FMP Review and Stock Assessment Update***

8 |           ***by Paul Piavis and Rick Morin, MD DNR Fisheries Service***

9 |           MR. PIAVIS: I am Paul Piavis. I work in Mike's  
10 | shop. We do white perch stock assessments generally every  
11 | three years. It is on a rotating basis. We just completed  
12 | our 2014 assessment, which covers data through 2014. Just  
13 | submitted as far as our federal aid report.

14 |           (Slide)

15 |           We approached the assessment on a regional basis  
16 | where we have data from the Upper Bay, Choptank, and then we  
17 | have a mix of other data from below the Bay Bridges. But as  
18 | far as the upper bay, that data is based on our fishery  
19 | independent winter trawl survey. We trawl the upper bay from  
20 | in between -- a little closer to Rock Hall than Tolchester but  
21 | we went all the way up to Turkey Point.

22 |           And then in the --- we trawl from Turkey Point up to  
23 | about Town Point, and almost all the way up to Georgetown on  
24 | the Sassafras. A couple years ago we added the Chester River,  
25 | so we have some data up into the Chester River.

1           So we have been doing that since about 2000. We do  
2 one round of sampling in December and then we do three weeks'  
3 worth in January and two weeks' worth in February, ice  
4 conditions permitting. We have had a couple years where our  
5 number of trawls weren't quite hitting the optimum.

6           In the Choptank River, we have been doing a fishery  
7 independent fyke net survey for a long time, as long as I have  
8 been here. Plus a year actually.

9           We have fyke nets set from about Kingston Landing  
10 all the way up almost to Martin Neck, and we fish those  
11 generally from, depending on weather conditions, from  
12 President's Day through April -- until rockfish start showing  
13 up. And we start catching those quite a bit, and then it is  
14 time for us to pull our nets.

15           One thing -- both these surveys are, they are not  
16 specifically targeting white perch. They are kind of  
17 multispecies surveys. We use the data for a lot of our other  
18 assessments that we do.

19           As far as below the Bay Bridge, we look at fishery  
20 dependent data, which is your commercial data. We have the  
21 striped bass spawning stock gill net survey in the Potomac.  
22 And Eric Durrell's Young of the Year Survey for striped bass.  
23 It captures white perch dynamics very well also.

24           (Slide)

25           This is a picture of the trawl survey this year.



1 Even though 2015's data isn't in it, those kinds of haul were  
2 quite problematic this year. The amount of yellow perch that  
3 we were encountering in the 2015 survey was pretty astounding.  
4 They were everywhere --

5 MR. : I am sorry to hear that.

6 MR. PIAVIS: Just took a quick look at the data, and  
7 our catches were probably -- of course we got out more this  
8 year but it was at least three times more than any other year.

9 But the models that we used for the Choptank and the  
10 upper bay, they are length-based, which means we are just  
11 looking at the number of fish that are going to grow into the  
12 population the next year and the number of adult fish that are  
13 in the population, the legal fish, eight inches and over.

14 So we are really trying to find out the number of,  
15 say, six-and-a-half- to seven-inch perch, and the number of  
16 perch eight inches and greater.

17 (Slide)

18 So these are our results from the upper bay model.  
19 The black top bars represent what I just said about the -- we  
20 call this the post-recruit, the eight inch and above fish.  
21 The gray bars would be the smaller fish that are going to  
22 recruit into the population the following year.

23 And I think if you look at the landings, you look at  
24 almost any indication, we are pretty confident in all these,  
25 certainly in all these trends and numbers. We had pretty

1 | good, very good reproduction in the early or late 1990s into  
2 | the early 2000s, and that gave us that high starting level.

3 |           Then you are starting to get a little faltering of  
4 | the reproduction, and the population level started to go down  
5 | a bit, and in 2008-2009 we started to build back very nicely.

6 |           You notice this slide goes through 2013. Sometimes  
7 | I put in the last year, sometimes I don't because -- one  
8 | reason why I don't is the pre-recruit is an estimated, so it  
9 | can kind of give a little bit of a false picture but that --  
10 | in almost every fishery that I look at, the 2011 year class,  
11 | which is just going to be coming into that gray band, is  
12 | extremely big so that is going to bounce up.

13 |           An indication of what 2014 adults are, that 2013  
14 | black bar represents about 4.2 million fish. The 2014  
15 | estimate was 5.5 million fish. So you have got about a  
16 | million and a half more in adult fish in 2014 than you did in  
17 | 2013. That is how quickly white perch stock dynamics can ramp  
18 | up.

19 |           (Slide)

20 |           We also get fishing mortalities out of this. I call  
21 | them proposed targets and proposed limits. The FMP isn't  
22 | really -- we have an FMP but it is not, I don't know how to  
23 | correctly put it, I guess not officially adopted. Rick will  
24 | go over that.

25 |           So until that would happen, I prefer to use the word

1 | proposed to qualify the targets. Another assessment came up  
2 | with these targets using a benchmark that is pretty robust for  
3 | all different species. And when you translate that to the  
4 | life history of white perch, it comes out to a target of F.6  
5 | and a limit of about 1.0.

6 |           Now again the targets are kind of where you want to  
7 | be, at or near. If you are above it for a little bit, that is  
8 | okay. If you are above it for a long time, that is probably  
9 | not good. The limit -- you really want to stay away from that  
10 | at all costs.

11 |           We can see for the upper bay, at least through this  
12 | 2000-2013 timeframe, we have been pretty good. We have been  
13 | below the target or just a little bit above it.

14 |           (Slide)

15 |           The one thing, moving into the Choptank assessment,  
16 | the one thing I want you to recall is the look of that  
17 | trajectory on that upper bay population, that big U shaped  
18 | trajectory. Virtually every statistical model, it relies on  
19 | contrasts and a directionality. For the model to know what it  
20 | is doing, you have to have a lot of contrast. You want a low  
21 | population, a high population in both directions up and down.

22 |           We have that in the upper bay, and even though this  
23 | is a longer data set in the Choptank, we have the contrast.  
24 | You can see that it is, from the beginning of the time series,  
25 | three and a half times greater toward the end at the high

1 | points, 2010.

2 |           The problem is all that increase, all that contrast  
3 | is going up. If you were to look at our 2011, it was  
4 | extremely -- even though the indexes were starting to fall, I  
5 | call it inertia. The model just wants to keep fitting it  
6 | going straight up.

7 |           Well, now we are starting to see, after a couple  
8 | years of lower indices, the model is now responding and coming  
9 | down. It is still -- until we get that -- and that is our  
10 | contrast. That is part of our directionality. When we start  
11 | building back up, this will be a bit more accurate.

12 |           So what this -- how I interpret this, as opposed to  
13 | the upper bay one, where we have the numbers, this I would say  
14 | look at the trend. Don't rely on the numbers so much. The  
15 | trend is there. It follows a relative abundance in our fyke  
16 | nets. Our most recent years may not quite be the exact  
17 | numbers but the trends are preserved.

18 |           And I want to bring attention to probably the year  
19 | '95. Right there -- it is going up but it is a little flat.  
20 | If you go to the next picture --

21 |           (Slide)

22 |           You can see in those years, that is when we were  
23 | fishing above the target, hit the limit once. And the reason  
24 | I want to bring that up is that, to me, gives me a lot of  
25 | confidence in our target and our limits. So if you notices,

1 we are slightly above our target, and that is where we had  
2 just a kind of plateauing. We were on the upswing, but it  
3 didn't go up as much as you would expect given the strong year  
4 classes.

5           When we started to come down, when the trajectory  
6 started going up even faster is when the F fell below the  
7 target. So that is why I am kind of confident in our proposed  
8 reference points.

9           Again, the pre-recruit levels on this Choptank  
10 graph, they are going to be impacted by the 2011 year class,  
11 and people don't really talk about the 2013 year class for a  
12 lot of the different species. I have a feeling that is going  
13 to be a lot better than a lot of people are expecting.

14           The 2011 year class is driving a lot of population  
15 increases in a lot of different species that we looked at.  
16 And again 2013, it is going to take another four or five  
17 years, probably another three or four years for that to show  
18 up into these Choptank white perch graphs.

19           As far as the lower bay, we looked at the relative  
20 indexes for the commercial fishery. What we kind of do there  
21 is we try to just look at the trends, see which ones compare  
22 to each other very well. And although we don't get an exact  
23 picture, what we do see is a lot of agreement between them.

24           And briefly what almost all of them show is a  
25 higher, well above average relative abundance up through 2008,

1 2009, 2010. Beginning to build a little bit, stabilizing off and  
2 coming back down. And all of them are right about at their  
3 long-term average, maybe a little bit lower.

4           So in those instances, we pretty much classify those  
5 as stable. There doesn't appear to be much to worry. If you  
6 look at Eric Durrell's striped bass spawning stock survey on  
7 the next slide, his results.

8           (Slide)

9           There you can see the 2011 and 2013. Those are the  
10 last two big bars. The horizontal black line is the long-term  
11 average, and these are all the sites below the Bay Bridge. He  
12 has his always broken up by river system. This is just an  
13 aggregate of all of them.

14           The red line is an eight-year moving average. I put  
15 that on there to give you an indication of -- you can almost  
16 look at that as a proxy of the population, given removals. It  
17 is a real quick and easy way to look at it. And you can see  
18 that we have a tremendous population increase. And it has  
19 come back down to, again, right around the average levels.

20           So every single -- and the fishery independent gill  
21 net survey, that shows the same signal so we are really  
22 confident that we are right about at the long-term average,  
23 and we don't really perceive any problems.

24           Those are the areas that we cover. I know that  
25 stock assessment stuff isn't the most fun stuff to discuss but

1 | if you have any questions -- how we arrived at it, what gets  
2 | put into it --

3 | *Questions and Answers*

4 | MR. RICE: I have a question. Do you think that  
5 | white perch, I guess the right way to put this, are  
6 | territorial?

7 | And what I mean by that is do white perch, say,  
8 | spawn in a river system, and do their young normally return to  
9 | the same system?

10 | MR. PIAVIS: Yes and no. That is a good way to  
11 | weasel out of it. When you have areas that have a big  
12 | salinity block, probably yes. What they are going to do is  
13 | they are going to come out, go into the deeps in the winter.  
14 | If the salinity block is such that they don't mix or move  
15 | around, then they are just going to go back to the area that  
16 | is in their comfort zone.

17 | In the upper bay, take the upper bay. They can come  
18 | out of the --- , go into the deeps where we catch them but  
19 | then they will disperse anywhere. In extremely light years,  
20 | you will get movement down the bay. We see that in  
21 | everything. We are seeing catfish, all kinds of different  
22 | things.

23 | MR. RICE: Well, the reason for my question is white  
24 | perch put me on my feet fishing. And I fish mainly in the  
25 | Wicomico River in Charles and St. Mary's counties. I use two

1 nets, gill nets and haul seine. And we knew they were  
2 catching them by the thousands of pounds.

3 Well, two things happened. One, loss of SAV. Two,  
4 they put an ash dump site at the head of the river, and since  
5 the ash dump came, we have no more perch. We have a few  
6 sometimes but we virtually have no springtime perch.

7 And during the rockfish moratorium, that is how I  
8 make a living, fishing white perch. We still couldn't catch  
9 them in the Wicomico I think because of the reason I just  
10 stated.

11 MR. PIAVIS: There is really good, interesting  
12 research done out of Solomons, Dr. Secor, he and a graduate  
13 student identified that, especially -- and I am sure the  
14 Patuxent, I am sure, translates to the Wicomico -- that there  
15 is actually they call them contingents. There are actually  
16 two contingents of white perch.

17 You have got some that spend the majority of their  
18 life span in fresh water or tidal fresh water. And then you  
19 have the more typical anadromous that go in and out. And  
20 those are the ones that are the fast-growing. Those are the  
21 ones that build the strong year classes.

22 But they bring out an interesting point: To keep  
23 things going, that localized, tidal freshwater population,  
24 they are important in the down years. And this is just  
25 building off of what you said. What possibly could happen is



1 | if you lose that contingent of the local, don't move as much  
2 | white perch, slower-growing white perch, when those  
3 | disappear -- those may have been what you were fishing on.

4 |           And, you know, I don't know what the water quality  
5 | from the ash dump -- I am familiar with the ash dump.

6 |           MR. RICE: We questioned it but they said we  
7 | couldn't blame it on the ash dump because they didn't have  
8 | data to support what this water was like before the dump got  
9 | there.

10 |           MR. PIAVIS: But you had fish before then.

11 |           MR. RICE: But we had fish before then. All right,  
12 | thank you very much. Anybody else?

13 |           MR. JEFFRIES: (away from microphone) --- study?

14 |           MR. PIAVIS: We do field work every year. We update  
15 | it every three years. When -- you can see that, especially  
16 | with the trawl survey and this type of model, you want a  
17 | minimum of, you know, eight to ten years' data. So previously  
18 | we used a different model. This is the second update with --  
19 | well, the first update. This is the second time we have run  
20 | this model with the upper bay perch and it is --

21 |           MR. GILMER: And also have you, since the oystering  
22 | has gotten better, have the pressure, the fishing pressure  
23 | been less for white perch?

24 |           MR. PIAVIS: I haven't looked at the effort. I  
25 | don't really get into the commercial stuff. I look at the

1 individual effort. I look at the numbers that are taken out,  
2 and this, in some in models, you wouldn't want that.

3 In this, all I need to know is the number that are  
4 taken out.

5 MR. GILMER: I understand that.

6 MR. PIAVIS: I look by gear -- I do this as  
7 precisely as the data allow. I look by gear, what the  
8 landings are. We have either some sampling gear, the striped  
9 bass gill net -- I use the mean length in that and the weights  
10 to figure out, this is a numbers-based assessment.

11 MR. GILMER: And I understand that. I just didn't  
12 know whether there was any assessment on the effort side.

13 MR. PIAVIS: There could be but there is no -- I  
14 could do that but given the population level and the --- it is  
15 not like --

16 MR. GILMER: I am pleased with the survey, I just  
17 didn't know, you know -- and I see the big rebound. And I  
18 know there are a lot more bigger white perch around just from  
19 charter head boats are running out and getting theirs and all  
20 that, you know. It is a beautiful fish. But I also know that  
21 there are less guys fishing in my area because the oystering  
22 has been better.

23 MR. PIAVIS: And that would show up in a couple  
24 different ways, like in the relative abundance indices like I  
25 have seen for the lower bay. I know you guys know this, that

1 | if you catch a lot more and there is less effort, that  
2 | generally means that there is a lot more fish.

3 |           And we would see that if we would go with -- now the  
4 | other assessment that I used to use before this, that was the  
5 | main beta points, a term I use in the fyke net and gill net  
6 | fisheries.

7 |           MR. RICE: All right. Does Rick have something to  
8 | add?

9 |           MR. MORIN: I will try to keep it brief. The FMP  
10 | program used to give a single presentation but we have had  
11 | some changes. The management team felt that they preferred to  
12 | have the species biologist more involved in the actual  
13 | management of the species that the state manages.

14 |           And mostly they are going to be writing the updates.  
15 | The annual updates that we do in the past 10 years or so have  
16 | been done by staff on the FMP program. But I felt that this  
17 | commission deserved to hear from the actual experts on the  
18 | species.

19 |           And that is why when I was scheduled to talk about  
20 | the review of the White Perch FMP, I called Paul and asked  
21 | him, and he graciously accepted right away. The stock  
22 | assessment is the heart of the FMP. It is really the meat of  
23 | the plan.

24 |           And it is best to hear from -- as you know, when you  
25 | take a vehicle in to a service department, you would rather

1 talk to a mechanic, the guy who has got grease under his  
2 fingernails, than talk to the guy in the air conditioned or  
3 heated office showroom who didn't even see your vehicle.

4           So that is why Paul gave the stock assessment, and  
5 this really why it is so wonderful to work with fisheries, to  
6 work with people like Paul Piavis, who could have just easily  
7 said no, you do it. And then you would be hearing from  
8 somebody who didn't collect the samples and didn't develop the  
9 models.

10           So in this case you heard from the state expert, who  
11 is probably the national expert on managing white perch in  
12 tidal waters.

13           (Slide)

14           Okay, we consider this commission, along with the  
15 sport fisheries commission, to be part of the FMP review  
16 process. You don't have to make comments today. You could  
17 contact us -- either me or Nancy, my boss, who is sitting  
18 behind me making sure I don't say something crazy -- any time  
19 in the next few weeks, and those comments will be incorporated  
20 into the management plan review that we just completed.

21           (Slide)

22           We have a review schedule, and white perch is what  
23 came up for this meeting. I also want to point out there is a  
24 request for allocation materials if you have some comments for  
25 the next species, red drum and horseshoe crab, which will be

1 | discussed at the next meeting in the fall.

2 |           (Slide)

3 |           This is a pretty easy species because we don't have  
4 | to take any direction from ASMFC. White perch are considered  
5 | by the federal government to be nonmigratory. They do move.  
6 | And as Paul mentioned, there is a component that moves quite a  
7 | bit. And there are people around who talk about sea run white  
8 | perch.

9 |           Have you heard of that term for Potomac River --  
10 | some people talk about some of the Potomac fish as being sea  
11 | run white perch. They get bigger than the ones that never  
12 | leave the system at all.

13 |           I went back and looked at some of my own personal  
14 | records from 1967-68, when I used to catch some of the largest  
15 | white perch in the world that occurred in Buzzards Bay in  
16 | Massachusetts. And I found a bushel with 26 white perch in it  
17 | that weighed 50 pounds. So they were nearly 2 pounds apiece.

18 |           Here, a 1-pound white perch is considered a large  
19 | perch. The only reason why we were weighing out fish was  
20 | because I had to filet them, and my dad weighed the filets to  
21 | see how good of a job I did at fileting the white perch.

22 |           This White Perch FMP has been reviewed in 2005 and  
23 | again in 2015. And like the other species we manage, it has  
24 | gotten annual updates since 2007.

25 |           (Slide)

1                   Paul talked about the targets and the limits. We  
2 also use the term threshold as a synonym of limit. It is  
3 just -- you will see that. The stock assessments that Paul  
4 does are every three to four years. And the conclusion of  
5 these stock assessments is that the fishery is not overfished  
6 and overfishing is not occurring.

7                   The white perch stock, as you saw in his charts,  
8 show high variability due to mostly variable recruitment. We  
9 don't think the variability in the population is due to  
10 removals from commercial fishing.

11                   (Slide)

12                   This is the same thing we used in Paul's  
13 presentation.

14                   (Slide)

15                   The fishery status -- this is a valuable fishery in  
16 this state. I asked Tony Lewis to give me a list of species  
17 by dollar value, and white perch was third. And almost \$1 1/2  
18 million in 2014. And that is for a very low-priced fish.

19                   I eat fish every day, and I stop on my way home and  
20 occasionally buy white perch at the side of the road, and I  
21 have never paid more than \$2 a pound for white perch, and  
22 often it is less for a really high-quality fish.

23                   (Slide)

24                   You have seen the landings, and it shows  
25 variability.

1 (Slide)

2 You haven't seen the recreational harvest estimates.  
3 Just like the commercial reports, the harvest estimates in the  
4 recreational fishery show a lot of variability. The estimates  
5 today with MRIP have very -- have much more precision than  
6 MRIP has for some of the less commonly encountered species.  
7 So these are considered fairly precise estimates compared to  
8 some other species.

9 (Slide)

10 The white perch is part of a mixed fishery. At the  
11 time that the FMP was written in 1990 either there were  
12 concerns that there weren't enough restrictive measures for  
13 white perch. But other species got much more restrictive  
14 measures. Those limits on mesh sizes, where you could set  
15 gill nets, had a ripple effect on other species, one of which  
16 is white perch.

17 So we didn't need additional white perch  
18 regulations. They are basically limited by striped bass and  
19 yellow perch restrictions.

20 We don't recommend, at least the fishery's FMP  
21 Review Team, does not recommend any new restrictive measures.

22 (Slide)

23 Issues of concern: We believe that more than  
24 fishing pressure, that water quality and habitat are of far  
25 greater importance to white perch stocks, and should be of

1 primary management concern. We are also concerned, but it is  
2 unquantified, about invasive species, especially things that  
3 can really gobble down white perch, like blue catfish.

4 (Slide)

5 The Fishery Service Review Team concluded that the  
6 FMP, even though it is 25 years old, is an appropriate  
7 framework for managing the species and recommends that data  
8 continue to be collected.

9 And the stock assessments continue on the current  
10 schedule, which is every three to four years. And that we  
11 focus on habitat and water quality as the primary concerns.  
12 That is pretty much what I have. If there are any questions,  
13 I will try to answer them.

14 MR. RICE (Away from microphone): I don't have any  
15 questions but I have a comment. I can really follow along  
16 with a lot of the stuff you said because I got a lot of  
17 experience with the white perch and I think the fishing gear  
18 we are restricted from is really --- .

19 We fish 3 3/4 inch gill net to catch hand-size  
20 rockfish and to catch the really big white perch because in  
21 the early 1970s I had a specific market that would take white  
22 perch at a higher price than normal, but each filet had to  
23 weigh a quarter of a pound.

24 And the other thing is in the winter months, small  
25 size white perch in the area where we gill net at, are



1 probably the main diet for striped bass.

2 MR. MORIN: And I agree with you about the fly ash  
3 site. And we are about to -- even though that was a long time  
4 ago, we didn't have data before the Pepco dump site. We are  
5 about to have the same situation in southern Maryland again  
6 with Dominion's coal point trapped gas refinery power plant.

7 And just last night there was a meeting in Lusby  
8 where the community is trying to convince a professor at West  
9 Virginia University to start collecting data now so that we  
10 have the baseline data before the operation becomes polluting.  
11 And we know pollution is going to be severe in 2018.

12 We are doing this as a community because the state  
13 and the feds refuse to do it.

14 MR. RICE: You can look at aerial photographs where  
15 the ash pits are. The leaching has virtually killed all the  
16 trees and stuff leading down to the swamp. Well, thank you  
17 very much. Mike, can you talk to us about the eel FMP,  
18 please?

19 ***American Eel FMP Amendment and Stock Assessment***  
20 ***by Mike Luisi and Paul Piavis, MD DNR Fisheries Service***

21 MR. LUISI: I certainly can. And I know your  
22 arrival today, Mr. Chairman, is no indication of your normal  
23 on-timeness. I know you are stickler for time so I think I  
24 can get us caught up pretty quickly.

25 I have two updates to give you. One is on eels and

1 the other is on yellow perch. So we can start with eels.  
2 So as you all know and are aware of, and it has been reported  
3 out before, the Atlantic States Marine Fisheries Commission  
4 finalized Addendum IV to the American eel plan back in October  
5 of 2014.

6 And what this did was that this addendum established  
7 a coastwide catch cap for American eel, with a catch cap along  
8 the coast. Nothing -- that was the only thing that the  
9 addendum did at this particular time. So as 2015 came about,  
10 we are currently now under this coastwide catch cap for  
11 American eel.

12 And the cap that was established was a little over  
13 900,000 pounds for the entire coast. Now as long as triggers  
14 in the plan aren't ever tripped or switched on, eel management  
15 as we know it would be the same. There would be the same  
16 seasons, the same monitoring, the same management in Maryland  
17 and other states along the coast.

18 However, there are triggers in the plan. There are  
19 two different triggers. And what those triggers do would  
20 be they would turn on management action. One of the triggers  
21 states that if that catch cap of about a little over 900,000  
22 pounds is exceeded by 10 percent in any one particular year,  
23 we would be looking at the trigger being flipped on.

24 So that is one way that it could get tripped. The  
25 other way would be if the catch cap is exceeded by any amount

1 for two consecutive years, even if it is a few pounds. If  
2 that cap is exceeded in two consecutive years, the trigger  
3 gets tripped.

4           So if that management action were to happen and  
5 we -- what I want to brief you on right now is our preparation  
6 for those management actions that would take place.

7           So if a trigger is set off, what it does is, the  
8 trigger then establishes state-by-state quotas. Those state-  
9 by-state quota percentages have already been determined based  
10 on this addendum, and there are a number of different options  
11 in the plan that were discussed at ASMFC.

12           And what was finalized was actually the most  
13 favorable percentage of the quota along the coast for  
14 Maryland, which, if these triggers are set, Maryland would  
15 then be faced with managing a new quota now that was 57  
16 percent of the coastwide catch cap.

17           So with that said, while it was a favorable amount,  
18 57 percent of the 900,000 pounds, a little over, approximates  
19 about 466,000 pounds of quota for Maryland, okay? And to give  
20 you an indication on what our catches have been in the last  
21 few years, the average of the 2011 through the 2013 harvest,  
22 commercial harvest in Maryland, is a little over 600,000  
23 pounds.

24           So if a cap is initiated in Maryland, which is a  
25 majority -- it is more than anybody else on the coast would

1 have -- we would have to take, there would be something we  
2 would need to do. It looks as if that would be a reduction if  
3 we had to manage around a 470,000 pound quota for Maryland.

4 What we are talking about now doing is how do we do  
5 that? How do we -- because the management of a quota is much  
6 different than our current management on eels. Right now it  
7 is an open fishery. At the end of the year we evaluate  
8 landings and we look at the landings but there is no  
9 management of any quota.

10 *Questions and Answers*

11 MS. SINDORF: How close are we to the coastwide  
12 catch cap now?

13 MR. LUISI: I don't know current, to date landings  
14 but Paul and his staff are saying that if we project out where  
15 we are from now, using future years as a reference, we will be  
16 over. We will have exceeded. So we are -- now, maybe not by  
17 10 percent. If we only go over by a few percent this year,  
18 nothing happens.

19 But we are planning for what will happen in the  
20 event that we exceed by 10 percent of the coastwide cap. So  
21 with all of that said, we have been discussing in house how we  
22 would go about doing that because we can't manage a quota with  
23 normal reporting that fishermen give us through their finfish  
24 reports. It is not timely enough.

25 The information, by the time it gets here and is

1 processed, it is months after the actual harvesting happens.  
2 So we are looking at another situation again, similar to the  
3 Menhaden reporting, where we are going to need very, well, we  
4 are going to need daily reporting to some degree so that we  
5 can monitor this harvest throughout the next year.

6           And we need the authority, which we don't have right  
7 now in our FMP or in our regulations, to open and close this  
8 fishery. Right now there is a season. We don't go in and  
9 open, and we don't close the fishery at all. But we would  
10 need to be able to manage a quota like we do with other  
11 species like yellow perch and striped bass under the common  
12 pool to be able to open and shut and open and close, however  
13 we had to do to manage.

14           So we have been working in house on how we are  
15 going to do that. The first thought is that using the -- an  
16 electronic reporting system of some type. We are developing  
17 the one that we have referred to many to you, the hailing,  
18 the e-reporting system, could be something that we could  
19 potentially use to obtain that harvest information.

20           Right now we have other options including text  
21 messaging and other things that we -- ways in which get  
22 harvest information in a timely way so that we can manage a  
23 quota.

24           There are some issues that we are going to need some  
25 feedback from this commission on as we go forward because of

1 | the stakeholders who are involved in the harvest of eels. TFL  
2 | holders are authorized to catch fish -- you know, they are  
3 | authorized to catch the seafood products of the state. And  
4 | they submit to us finfish logbook reports that have eel  
5 | harvest on them.

6 |           That is not a problem. We get the data from them.  
7 | It is just not timely enough in that case. Where we have some  
8 | issues and what we are going to need to address are the  
9 | uncertainties that we face with other stakeholders.

10 |           So we have LCC crabbers and CB3 crabbers who by law  
11 | are allowed to set up to 50 eel pots for their own -- for  
12 | their purposes of for bait. And we don't have a really good  
13 | handle on that harvest.

14 |           We suggest that they put it on their crab logs;  
15 | however, it is known that not everybody reports what they use  
16 | for their own bait on their eel logbooks. So that is an  
17 | issue. We need to be able to be certain as to what is being  
18 | harvested, and that certainty, we have to figure out how to  
19 | deal with that certainty.

20 |           You know, interestingly, the legislation that allows  
21 | these crabbers to harvest eels gives them an authority that  
22 | their commercial fishing license doesn't give them. As a  
23 | crabber, as somebody who is limited to crabbing, these  
24 | individuals are harvesting finfish through this legislation.

25 |           But it is just a complicated issue that we are going

1 to have to address.

2 MR. YOUNG: How many guys are actually doing that?  
3 You have any idea?

4 MR. LUISI: I don't personally.

5 MR. YOUNG: Does anybody else have any idea how many  
6 crabbers are actually putting -- I mean, like LCC holders are  
7 putting --

8 MR. MANLEY: I don't even know any trotliners who  
9 are using eels. It is either clams or chicken necks. I don't  
10 think anybody is using eels anymore.

11 MR. YOUNG: I don't think you have to worry about  
12 that.

13 MR. LUISI: It might not be as big of an issue --

14 MR. MANLEY: It used to be but they don't do it  
15 anymore. I mean, they don't catch as good as other stuff.

16 MR. LUISI: Okay. So we have got those two  
17 stakeholder groups, and then we have a recreational group.  
18 The recreational anglers -- I am sorry, recreational crabbers.  
19 Recreational crabbers are allowed to set up to 10 eel pots.

20 So now you have a recreational crabber catching eels  
21 that -- they are not being reported at all. So we have these  
22 issues that we have to face.

23 And, you know, if we are going to put restrictions  
24 on the commercial fishery to managing a quota but have a  
25 recreational stakeholder group catching fish without any

1 | certainty or any reporting mechanism, it is going to be -- it  
2 | is just something we are going to have to get some feedback  
3 | on. How do we move forward?

4 |           We also have the recreational fishing community that  
5 | lands eels, that we have no idea as to what is being caught.  
6 | The MRIP, the harvest estimates on recreational eels, is kind  
7 | of comical. Some years it says there was one eel caught. In  
8 | other years, it says there were 50 eels caught.

9 |           So we know that there are more than that occurring  
10 | and so I wanted to bring this to your attention. Our plan  
11 | right now, we are required by ASMFC to provide them at the  
12 | annual meeting at the end of October or beginning of November  
13 | a timeline on our actions to have regulations effective by  
14 | March of 2016.

15 |           So we are going to be working through these issues,  
16 | working on new rules, working through Rick and Nancy and her  
17 | team on our own FMP. We are working on maybe an amendment to  
18 | our FMP to provide the authority for us to begin delving into  
19 | the regulations to get something in place to be able to manage  
20 | eel quotas next year.

21 |           There is a possibility that it won't have to happen  
22 | but we are required to have the appropriate authorities to be  
23 | able to do it.

24 |           MR. SINDORF: So I understand why we need to get  
25 | prepared and have all this in. However, since it is not an



1 | advantage for us to go from 600,000 pounds down to 57 percent,  
2 | wouldn't we really want to start targeting the fact that we  
3 | don't want to trigger twice or even trigger over 10 percent?  
4 | Wouldn't that be where we really want our focus?

5 |           MR. LUISI: Yes, right. However, there aren't  
6 | any -- we don't have a mechanism right now to stop anyone from  
7 | landing eels. If the eelers stopped themselves -- when we  
8 | land, 60 to 70 percent of the coastwide landings come from  
9 | Maryland. So if we are tripping something, it is likely going  
10 | to be a product of what was harvested in Maryland. It is  
11 | going to be a big portion of it.

12 |           So the best-case scenario would be not to trip any  
13 | of the those triggers. Then none of this is necessary. But  
14 | we as the department can't manage, we can't stop people from  
15 | eeling right now. We have no ability to go in and alter  
16 | seasons and change -- do any kind of catch limit.

17 |           The eelers themselves would have to stop themselves  
18 | if they feared the change was coming due to their harvest now.  
19 | So if the eelers could manage the eelers' harvest themselves  
20 | to keep from going over those limits, we would be in a better  
21 | position but --

22 |           MS. DEAN: I am confused. The reason I ask  
23 | that -- I had the same question too. I would rather take a  
24 | proactive approach because otherwise we are looking at either  
25 | a derby fishery or an ITQ fishery. There is no other way to

1 | look at it.

2 |           MR. LUISI: So it is July -- what is today, July 16?  
3 | Something like that. I don't know --

4 |           MS. DEAN: It is the time of the year.

5 |           MR. LUISI: When is the -- the eel fishery is going  
6 | to operate, it is a spring/fall thing from my understanding.  
7 | I don't know when the season ends. The season probably goes  
8 | through the end of the year, right? We don't have a way to  
9 | shut it down. We can't stop it.

10 |           MS. SINDORF: Can you give us information so we know  
11 | what we need to do?

12 |           MR. LUISI: Well, the information I could give you  
13 | is where are landings now, and you go tell every eeler you  
14 | know to keep an eye on what our landings are now. But see, we  
15 | don't know what our landings are now because we only know what  
16 | we landed through April because it is months --

17 |           MS. DEAN: It is going to be based on this year.  
18 | This isn't something we can do to stop -- it is too late.

19 |           MS. SINDORF: Well, haven't gone over 10 percent  
20 | though. If we haven't gone over 10 percent, we have all next  
21 | year to recover.

22 |           MR. LUISI: A lot of what is happening right now  
23 | this year is out of the department's control. So we -- we are  
24 | not going to close anything this year. This would all be for  
25 | next year but I think you guys are getting the point.

1 MS. DEAN: We are asking for help. We are not  
2 saying you guys.

3 MR. LUISI: What we can do is we can provide you  
4 what we have to date as far as what has been harvested, giving  
5 you a projection, let's say, of where we would be if catch  
6 rates continued as they are now.

7 MR. WILSON: So really it is a no-win situation. If  
8 eels aren't coming back, and you do better, and you tell the  
9 truth, they are going to shut you down. Or hold you back. I  
10 will put it that way.

11 MR. LUISI: Well, the other point to this, you know,  
12 is that overall along the coast. The eel stock has been  
13 assessed as being depleted. It is depleted, which means that  
14 over a long period of time, it has come down. And depleted  
15 means that it is not just due to fishing. It is due to other  
16 factors.

17 MR. MANLEY: Right. So the Chesapeake Bay eelers  
18 are going to have to pay for what is being screwed up with the  
19 rest of the coast. I mean basically. Instead of them  
20 addressing their problem out there, they are making Chesapeake  
21 Bay address it.

22 MR. LUISI: Well, everybody would have to do this.  
23 This is not a Maryland only thing. Everybody would face --

24 MR. MANLEY: But the point is Maryland has still  
25 got --

1                   MR. WILSON:  Where does the majority -- what is  
2 second?  What is the second best state?  Is it Virginia?  New  
3 York?  Does anybody have any idea?  So if it is Virginia it is  
4 really the whole Chesapeake Bay.

5                   MR. PIAVIS:  (Away from microphone)  I am not quite  
6 sure.  I like the idea of that proactive approach but you can  
7 be as proactive as you want but remember the trigger is a  
8 coastline trigger.  It is not Maryland.  It is not if we go  
9 over some set level by us.

10                   So we could be as proactive as we want, and again,  
11 if it means that we are catching more because there are more  
12 out there, well, guess what?  There are probably that same ---  
13 in Virginia, and their increased landings could set the coast  
14 trigger off also.

15                   MR. GILMER:  Yes, it is not really if Maryland  
16 exceeds the 10 percent cap.  It is whether everybody exceeds  
17 the 10 percent cap.

18                   MS. SINDORF:  And considering we are catching 70  
19 percent, we are the ones who can control what happens.  My  
20 next question is, since we are catching, 60 to 70 percent, why  
21 did we get that?  Why did we get 57?  How did that happen?

22                   MR. LUISI:  I know better than to kind of ad-lib.  
23 The 60 to 70 percent, I know we catch a large portion of what  
24 is caught along the coast.  And the 57 percent was the result,  
25 I think, of a number of years' catch averaged out over time.

1           It wasn't just one particular catch year. It was a  
2 set -- and some of the options had different years that made  
3 out the different options. And the one that we ended up  
4 getting ASMFC to agree to was the highest for us, which was a  
5 benefit to us.

6           We had other options in there as low as in the 40  
7 percent but we got the 57, which was a good way to come out of  
8 that.

9           MR. MANLEY: The sad part of that figure you just  
10 gave -- I mean, you are right. I am not doubting the numbers.  
11 The effort to catch eels has really been low. It was a lot  
12 more eels than that but they couldn't get rid of them.

13           I mean, my brother just this spring was talking  
14 about sitting right down there across from Swan Point, 300  
15 pots and go out there in 2 ½ hours there are 900 pound eels.  
16 And he couldn't get rid of them.

17           MS. DEAN: I struggle with the fact that the catch  
18 goes up because the population is up yet our cap a hard cap. I  
19 am struggling with that.

20           MR. LUISI: So another point, and it will be my  
21 last -- I know we are trying to catch up a little bit  
22 here -- the management that we are falling under right now is  
23 two years out from the last assessment. So the addendum took  
24 years to develop after the assessment said the stock is  
25 depleted. You guys need to put something in place.



1 regarding the individual tagging of fish.

2           It is something right now in our rules. Every  
3 single yellow perch harvested needs to receive an individual  
4 tag, and the tags are actually all longer, I think, than the  
5 fish are. And it is a challenge for the watermen  
6 participating in that fishery in January, February and early  
7 March to accomplish that feat.

8           It takes a lot of extra time. It is a burden to  
9 them. So at the request of the industry and your direction,  
10 we did meet. We held a public meeting to discuss this issue  
11 with the yellow perch permit holders. A couple showed up. We  
12 sat right here and discussed what options we may have to deal  
13 with this issue of individual tagging.

14           And what we ended up -- what we came to as an  
15 agreement was that we would proceed through the fall at  
16 developing a pilot program on what we were calling a box tag  
17 of some type.

18           The box tag would have information on it that the  
19 fisherman would fill out, and it would be associated to the  
20 carton or the tote or the crate or whatever. Whatever type  
21 of -- whatever they were using to hold the fish, container, it  
22 would, that tag would be associated with the container rather  
23 than all the individual fish.

24           The details of that are yet to be determined as to  
25 exactly what would go on the tags but that is the concept.

1 Now this concept has been brought up before, and we have  
2 always had an issue with accountability, and how does going  
3 away from individual tagging impact the accountability and  
4 compliance with the harvest, with not going outside of, trying  
5 to fudge, cross the line on what is really being harvested.

6 And so with our new electronic reporting and hailing  
7 system, we feel that if that were to be used by these  
8 permittees through this pilot, that the hailing component of  
9 that system, which provides information to managers and our  
10 enforcement agency on fishing activities and whereabouts  
11 during that activity, we feel that accountability to the  
12 watermen in that case addresses this individual tagging issue,  
13 and we would be agreeable to moving forward with this pilot.

14 Steve has mentioned that he has spoken to many of  
15 the fishermen in this fishery, and while it is small, many of  
16 them -- they think this is a great idea and they are more than  
17 willing to go through the process of establishing an account  
18 in this hailing system and reporting system in order to test  
19 out the box tagging issue.

20 Now we considered doing this as a pilot so we would  
21 know -- we don't have to go through any regulatory process to  
22 do this, this would be a test, as a pilot is, and we would  
23 report out to how successful this was in close workings with  
24 the NRP through this process to see whether or not this would  
25 be something that we would want to make permanent in the



1 regulations and eliminate the need for the individual tags.

2 Fishermen would have a choice. They could volunteer  
3 to be in the pilot or they could decide to continue down the  
4 road that they have and do individual tags and paper  
5 reporting. That would be their choice.

6 We have another couple meetings planned maybe  
7 throughout the fall for the purposes of informing them and  
8 training them on how this would all work. And we are all  
9 excited that we finally can get to the point where we have  
10 that opportunity to do that, and we hope that it will help  
11 with the efficiency and benefit the fishermen in the long run  
12 to make their day and their time a little more well-spent.

13 MR. RICE: Thank you, Mike. Steve, would you like  
14 to follow up?

15 ***Public Comment***

16 MR. LAY: Yes. Mike said everything basically that  
17 we covered during the meeting. I would like to thank the  
18 department for hosting a meeting with the watermen to address  
19 this issue.

20 One thing Mike didn't mention: That there is  
21 already in the regulations -- has addressed the penalty  
22 situation, that if a waterman does intentionally violate his  
23 responsibilities, that there is something already in  
24 regulation for taking care of that, which is important because  
25 we don't want to have something that could be abused without a

1 penalty.

2           It is in the early stages, so they always say the  
3 issues are in the details, and that is what -- devil is in the  
4 details -- that we need to find out what we need to do with  
5 the hail part and what information needs to be on the tag.

6           But all those are very small in comparison to  
7 getting away from tagging each fish, and using the hail system  
8 and the box tags. So I am looking forward to working with  
9 department in the future for getting this in place for the  
10 January 1st, 2016, yellow perch season.

11           MR. RICE: Okay, well, all I can say is thank you  
12 both, because I know you have been active on this issue.

13           MR. LAY: I would like to ask the department to  
14 update this group on each of our meetings, our fall meeting at  
15 least, and let everybody know exactly -- by then we should  
16 know what the details are of that system.

17           MR. LUISI: And just for the record, this will all  
18 hinge on our development of the multispecies component of this  
19 system. We have a crab and a striped bass component of this  
20 fax system developed. But in order to do yellow perch and to  
21 have other species, we still -- that phase of the development  
22 is happening right now but it hinges on that component, if  
23 that is where we are going to be.

24           And we have every -- we are going to get there but  
25 if we don't, if for some reason there is some hang-up, it

1 | would not be because we didn't want to move forward with the  
2 | pilot. It would be that something glitched in the system that  
3 | would not allow us to do this on January 1st. But perhaps  
4 | weeks later.

5 |           We are trying. We are working on the timeline and  
6 | we are sticking to it. I just wanted to put that on the  
7 | record.

8 |           MR. RICE: You just want to make us aware of the  
9 | worst-case scenario.

10 |           MR. LUISI: Worst-case scenario.

11 |           MR. RICE: All right, thank you.

12 |           MR. GILMER: Mike, one more thing while you are  
13 | there, back to the eels. I just want this group to know that,  
14 | I am pretty sure -- doesn't Jimmy Trossbach sit in or inform  
15 | the Atlantic States Marine Fisheries on the eel information?

16 |           MR. LUISI: He might. On the AP, advisory panel?

17 |           MR. GILMER: Yes.

18 |           MR. RICE: He does for DRC.

19 |           MR. GILMER: And I think he and Bill Legg are on it  
20 | for the state of Maryland.

21 |           MS. SINDORF: You just want to get those predictions  
22 | to them then?

23 |           MR. GILMER: Yes. We have talked about this a lot.

24 |           MR. RICE: Moving on with that, and Ken, if you want  
25 | to --

1 MR. JEFFRIES: I will try to be quick.

2 ***Possible Changes to ITQ System***

3 ***by TFAC Commissioner Ken Jeffries***

4 MR. JEFFRIES: In reference to the ITQ, I know we  
5 have already talked about some of it but at this point -- I  
6 think we have been in this thing for two years. It is time to  
7 put some of this stuff to bed.

8 We keep saying let's send it over to the rockfish  
9 group, the workgroup. Some of the problems, coming from the  
10 charter boats, one the equal allocation. I know that is not  
11 going to change. But you wouldn't have the problem with the  
12 leftover quota if a guy wasn't sitting on only 300 pounds. If  
13 it were equal, he might be willing to go out there for 1,000  
14 pounds but not 300. Stuff we discussed earlier.

15 Secondly, guys who were given 10,000 pounds of  
16 quota, a guy gets 300 pounds, when he goes to pay for the  
17 license, both guys are paying the same. It is absolutely  
18 ridiculous. You have got a guy who has the ability to make  
19 \$1,200 and a guy who is going to make \$400,000 at \$4 a pound.  
20 And they are both paying the same amount of money for the  
21 license.

22 It doesn't make any sense to me. Maybe I am wrong  
23 but it is -- questions have been brought up. And the last  
24 thing, just to keep it short, it has gotten to the point now,  
25 if I go out and I see Richard in his boat I know he is

1 crabbing. When you go out now, you don't know who is  
2 hook-and-lining, who is common pooling.

3           We got rid of the old system because it was hard to  
4 manage but we still got common pool. Either go all into this  
5 ITQ system where everyone has got an individual quota. I  
6 can't keep track of the laws. If you are common pool, you can  
7 have this many people in the boat. If you are ITQ, you can  
8 have this many people in the boat.

9           And we are all expecting the police to know the  
10 difference between all of this, and it is impossible. 18-inch  
11 fish and 19-inch fish. I mean, we all want, you know, the  
12 whole coast to go to a certain size fish and be the same  
13 across the board. Well, this ITQ in Maryland has gotten to  
14 the point now, it is ridiculous if you ask me.

15           If it is ITQ, that is what we are in. We are not in  
16 common pool. You can't have 52 guys in one boat and 2 on the  
17 other boat. I am at the point now, I am tired of sending  
18 stuff over to the Striped Bass Workgroup and coming back with  
19 more problems every time they meet and come back.

20           Either we are all in, we are going to keep the  
21 thing, or we are going to get out of the thing. It is  
22 just -- at some point we need to sit down and take two hours  
23 and put it to bed and be done with it. It seems like we are  
24 bringing something up every meeting on ITQ, and basically  
25 having to rush through it. And that is kind of where I am at

1 on it.

2 MR. RICE: Thank you for your comments. Does  
3 anybody have anything to add?

4 *Questions and Answers*

5 MR. GILMER: I would say that in my county group,  
6 there has been talk about, you know, a price per pound for  
7 your license.

8 MR. DEAN: I think we should be careful doing that.  
9 Then we pay a price per pound for our CB3 and CB9. I mean, I  
10 know there is some discrepancies there. Some pay a little bit  
11 more -- right now we pay a little bit more for our tags so as  
12 long as the fishery cost is being covered, we can go back and  
13 I guess relook at that. But I mean, we are paying different  
14 prices now, so that might be a misunderstanding by some.

15 MR. JEFFRIES: With the 20-percent reduction -- I  
16 mean, Eddie just left -- he was down to 224 pounds this year  
17 paying the same amount for a guy who was given 10,000 pounds 2  
18 years ago. And we are talking about why didn't he sell the  
19 quota? Well, who cares about 200 pounds when you are only  
20 going to make \$1 a pound on it?

21 I mean, there are more guys who only got 300 or 400  
22 pounds than guys who got 10,000 pounds. That is why you have  
23 100,000 pounds sitting there not being used. At some point it  
24 has no value to it. When you are under 1,000 pounds a year,  
25 why even go out? Or why even lease it out? Why not just let

1 | it live?

2 |           There is nothing else in life that one guy pays this  
3 | and gets this much, and the other guy gets a piece of pie this  
4 | big and is paying the same price. It doesn't work in any  
5 | other industry. I don't know why we are doing it.

6 |           MR. BROWN: A lot of the people who got the bigger  
7 | quotas have invested a lot of money into it buying these  
8 | quotas. I mean, they have -- I didn't like the ITQ and all  
9 | when it started. We are into it. We are going to have it.  
10 | We got some people who are with the -- still doing it the old  
11 | way, you know.

12 |           Let them do it. They will either eventually come  
13 | over or they will stay where they are at, you know? But when  
14 | it comes to the price on the license, it is all the same. The  
15 | man who doesn't have enough quota, he can hunt it down and try  
16 | to pay, you know, \$10, \$12, \$15 a pound and buy some more  
17 | quota if he wants to.

18 |           MR. JEFFRIES: Then why do we still have the common  
19 | pool?

20 |           MR. BROWN: Well, some of the people who have got  
21 | common pool have big quotas and they have got a little bit in  
22 | the common pool. They got a little bit into the ITQ. Some of  
23 | them said, well, you know, I have only got, you know, so many  
24 | pounds. Let me just hop right into it.

25 |           MS. DEAN: That was a choice too. They want that.

1           MR. JEFFRIES: But the whole point of this thing was  
2 to make it easier to manage. How is it easier to manage when  
3 there are two fisheries within one fishery? You have got an  
4 ITQ boat parked here. You got a common pool boat parked here.

5           The ITQ boat can have 600 people on it fishing.  
6 This boat can have 3. There is a different rule -- it is just  
7 too many rules. How do the police, police that?

8           MR. BROWN: You are right on that. As far as it  
9 goes between the ITQ and the other one, and I have stated this  
10 before. They should have the same laws, be able to fish the  
11 same amount of hours, check them in the next day. That should  
12 all be the same because it makes no different whether you are  
13 ITQ or you are in the common pool, everybody should be treated  
14 exactly the same way. And it is not. You are correct on  
15 that. And it is wrong.

16           MR. JEFFRIES: There are just too many  
17 discrepancies. All I am asking for is to sit down two hours,  
18 hash out all the discrepancies to make it what we were told it  
19 was going to be, easier. I mean, two fisheries within one  
20 fishery, one boat having this many, this boat having  
21 that -- it is just too much.

22           MS. DEAN: I am going to defend the department here,  
23 I think. Ken, I don't envy your position. You have been  
24 tasked with bringing some of the charter boat industry's  
25 concerns to this fishery, and that puts you in a position that



1 is often uncomfortable, especially in this room.

2 But there are a couple of things that you -- points  
3 that you bring up that have been brought up at the Striped  
4 Bass Workgroup meeting, and, I mean, it is not my place but I  
5 would invite you to attend that because these discussions are  
6 happening.

7 Those people who are in the ITQ versus in the derby,  
8 that is a decision that they made, and I kind of thank the  
9 department for allowing them to make that decision instead of  
10 just cutting it off at the head.

11 There are concerns that the charter boat industry  
12 has brought up, such as the size thing, you know, in trying to  
13 make that size even across the board for, you know, as you  
14 say, regulating it. But we are looking at a 36-inch maximum.  
15 I don't think we want to do that across the board.

16 I mean, yes, we have a different size limit on the  
17 bottom end but if that decision -- if we were to go down that  
18 road, then I think we need to have the discussions about the  
19 36-inch maximum. You know, you say that it is a difficult  
20 fishery to manage but I haven't heard that.

21 I fished both fisheries this year. If that is the  
22 case then there are certainly some problems there because the  
23 number of people who are actually fishing are less.

24 So if it is more difficult to manage, that should  
25 throw up some red flags. But my concern is whether or not it

1 is really more difficult to manage or if there is a common,  
2 underlying current that is a charter concern with the  
3 commercial industry in general.

4 MR. JEFFRIES: It is an overall concern. Again, you  
5 bring up the 18- to 20-inch fish. That is a problem. It  
6 seems like every meeting we are at, we are always referring  
7 something back to the workgroup and we never get anywhere. We  
8 just add more loopholes to everything.

9 And at some point you can't keep putting this price  
10 tag on these big fish. Eventually there are going to be no  
11 big fish. It was supposed to make the fish more valuable. We  
12 are not getting paid anything for them now. If you take all  
13 the women out of this room and all the young men and say, all  
14 you old joes reproduce. The success rate is not going to be  
15 that good.

16 Right now, the price tag is on all those big fish.  
17 All the breeders are getting -- everybody is targeting the  
18 same fish. I mean, it is -- we are going to be at some point  
19 where there aren't going to be any breeding fish anymore.  
20 Everybody wants the 28- to 35-inch fish.

21 The charter boats do, the rec guys do and now the  
22 ITQ system, that is only fish that pays.

23 MR. MANLEY: I am with Ken. Like I will speak for  
24 myself. I mean, I know there are people -- I think I had  
25 2,800 pounds last year for my winter. That is what I got as a

1 commercial fisherman, not a damn part-timer. And that is what  
2 I got because when we were doing it, I was fishing with my  
3 brother some, we put -- he had four licenses of his own so I  
4 didn't need to put any more on there.

5           So I never put any fish in my name. I didn't know  
6 it at the time that you were going to come back later and take  
7 the harvest reports from the last nine or ten years. I got  
8 screwed. And somebody else who is hook-and-lining, and  
9 putting their full limit on their thing for two years, gets a  
10 full day at 10,000 pounds. It isn't right.

11           There is so much that has been unfair in this ITQ  
12 stuff that everybody has just turned a blind eye to it. And  
13 like Ken said, you are still paying the same price and you got  
14 a fifth of what somebody else has. And you are out there with  
15 them every day too.

16           I agree with Robert: A lot of guys have put a lot  
17 of money and all into it too. But I put the time into it to  
18 with my license, and don't have a drop in the bucket of what a  
19 lot of them got. And I know some of these guys who were  
20 hooking, were just putting the full max down even though they  
21 weren't catching it because they had been tipped that it would  
22 be coming.

23           Or just take the last few years that they had the  
24 full max. I have got building back there with a box of net in  
25 it.

1           MR. GILMER: And that is the thing that I have  
2 always said. The little guy was sort of left out of this  
3 whole meeting to begin with.

4           And the thing was -- I mean, look, I have had a  
5 rockfish license ever since we have had one. You don't know  
6 whether I have 40 boxes of net sitting in my garage that I  
7 didn't fish with just because I would rather be oystering.  
8 The money invested is way overlooked in this whole thing.

9           MR. MANLEY: I mean, I remember Mike saying it one  
10 day: Oh, this will be great. You can go out and buy quota.  
11 If you guys had to go out and buy hours to come in here to  
12 work every day, you wouldn't think it would be so damn great.  
13 And that is what we are doing. We are buying time from other  
14 people so we can go out and try to make a living. It isn't  
15 really good.

16           If you had to do it on the other end, you would find  
17 out it is not so great when people want at least half of what  
18 you take in. You have got to pay fuel and the net and the  
19 boat and wear and tear out of your half. And they are getting  
20 the full free ticket. I mean, it is just a business  
21 investment to them. They are not working on it.

22           MS. DEAN: I think we are probably ready to move to  
23 a use it or lose it. That would solve it. Either they use it  
24 or come off it.

25           MR. JEFFRIES: If they did it a little bit more

1 evenly.

2 MR. MANLEY: Well, you can go back to the derby  
3 style and just pay so much for the boat, for licensing that  
4 boat, and the hell with all this other. And if you just got a  
5 little, teeny -- if you just want an investment, you are not  
6 going to invest that.

7 MR. JEFFRIES: I know where this is going to lead.  
8 We will talk about the workgroup. I used to be on the  
9 workgroup.

10 MR. MANLEY: I was on there for a while too. That  
11 was a real blast.

12 MR. JEFFRIES: It is a big circle. Three years from  
13 now we are going to be sitting right here going, hey, got to  
14 go to workgroup.

15 DR. GOSHORN: Let me just say one thing. I know we  
16 have to move on, and I have not been involved in all the  
17 background of all of this, although I know it has been a lot  
18 and I know it has been controversial. I know there has been a  
19 lot of people with a lot of opinions on a lot of different  
20 sides of it. And I do appreciate everybody expressing their  
21 opinions.

22 We have had several meetings with the Secretary on  
23 this because obviously -- as I have been involved, he has been  
24 involved even less on it. But we have had very lengthy  
25 discussions with him about this. I think it is fair to say he

1 understands the issues and all the work and concerns that have  
2 gone into it.

3 He has also expressed that he is comfortable with it  
4 as it is now. Nothing perfect but he is comfortable with  
5 where we are. If this group has a specific recommendation you  
6 want us to take back to him, we will certainly do that.  
7 Otherwise, that is where we stand. If you want us to do  
8 something in particular, we will take that comment back.

9 MR. RICE: All right, well, everybody had an  
10 opportunity to bring their points out. Dave?

11 DR. GOSHORN: Yes. Is this the last thing?

12 MR. RICE: Yes. Can you mention the MDOT grant?

13 DR. GOSHORN: Yes.

14 ***MDOT Grants for Oyster Recovery, Final Plan***

15 ***by David Goshorn, Ph.D., Acting Director, MD DNR Fisheries Service***

16 DR. GOSHORN: As I assume everyone knows, for quite  
17 some time -- I want to say it is like from 1996 was one date I  
18 saw -- MDOT has been providing funding to the department for  
19 oyster work to support the industry, support the population.

20 This is money -- the amount has gone to various  
21 amounts over the years. How it has been spent has been  
22 different over the years. And it is not -- it is not a  
23 mitigation required. There is no permit, there is no  
24 requirement that MDOT provide these funds. This is  
25 funded -- they have elected to provide the department, which

1 is very nice of them, in support of the oyster industry and  
2 the oyster population.

3           That means -- other than that it is nice to have  
4 this money, it is also nice in that there are not a lot of  
5 strings attached. It is pretty flexible in how this money is  
6 spent, which is a double-edged sword. It is nice to have that  
7 flexibility but it also -- you sort of end up wrestling over  
8 where every dollar goes.

9           But it has been worked out over the years. We are  
10 currently -- last fiscal year MDOT committed to provide \$2  
11 million a year for 5 years. So this is the second year of  
12 that. And we will see where it goes after that. But  
13 Secretary Belton asked us -- as you may know, the new  
14 administration is placing a lot of emphasis on transparency  
15 and accountability and how public funding is spent.

16           And he was a little bit concerned about how this has  
17 been, how this money has been, how the decisions have been  
18 made on how this money has been spent over the years. So he  
19 asked us to make two changes this year to the process.

20           And one change was to work with MDOT to have them  
21 provide us guidelines. In other words, as I said at the  
22 beginning, they are not obligated. There are no rules on how  
23 this money should be spent from their end so how do they want  
24 us to spend the money? How do they not want us to spend the  
25 money?

1           So that was one thing he asked for. Another thing  
2 was to expand the review. Open it up to more people, more  
3 stakeholders, looking at our proposal for how to spend the  
4 money and provide us comments. So that is what we have been  
5 working on.

6           I forgot -- this is 100 percent my fault. The  
7 guidelines that we worked on with MDOT, we did not send out to  
8 you in advance because I forgot to send it to Paul and tell  
9 him to send it out to you. So I apologize for that.

10           That is what is on the board right now. I think it  
11 is the very last sheet in your packet. So it is the very,  
12 very last piece of paper in there. I would -- maybe I will  
13 just pause for like a minute to give you guys a chance just to  
14 read that because it did not go out in advance. Again I  
15 apologize for that. So if you just take a moment to read that  
16 and then I will tell you where we go from here.

17           (Pause)

18           DR. GOSHORN: Let me carry on. You can read it. It  
19 is pretty self-explanatory. The one point that -- to keep in  
20 mind that Dave Blazer at the port, who is the lead on working  
21 with us on this, said, as you know, if you think about it,  
22 they have made this commitment for five years. We are in the  
23 second year now.

24           So at the end of this period, the Department of  
25 Transportation is going to have a decision to make. Do they



1 want to continue this or do they want to expand it or do they  
2 want to reduce it?

3           And in his sense, the big part of their decision in  
4 that process is going to be whether this investment over the  
5 past five years and actually longer has resulted in an  
6 improvement in the oyster -- not just the oyster industry but  
7 the oyster population in the bay.

8           So that was his main point to me to keep in the back  
9 of your mind as we decide how we spend this money. So anyway  
10 we have -- so those are the guidelines. We have sent out the  
11 proposed budget to both this group and sport fish, and you  
12 will see in your packet -- oh, and we also met with Robert T.  
13 and Jim Mullen earlier this week to talk about it.

14           And we got comments back from all these  
15 groups. Not a lot but we got some comments, which are in -- I  
16 am not going to read through them all -- but those are the  
17 comments we received back. So what we wanted to do was just  
18 come back to this group one more time, since you are actually  
19 physically here, and see if you had any additional comments.  
20 If you wanted to emphasize anything.

21           We are going to have a meeting with sport fish next  
22 week, where we will do the same thing, and then we will sit  
23 down with the Department of Transportation and we will  
24 finalize it because we are already in the fiscal year and we  
25 need to get this moving relatively quickly.

1           So I went through that quickly but that is the  
2 speech. I am glad to hear any comments or questions.

3   *Questions and Answers*

4           MR. YOUNG: I would like to see MDOT add two words  
5 to the end of this.

6           DR. GOSHORN: To the guidelines?

7           MR. YOUNG: Yes, where it says open to comment by  
8 all stakeholder groups, add except CCA. Because CCA's  
9 response/comment to this was the most anti-commercial thing  
10 that I have read in a long time, and I thought we were coming  
11 together and starting to develop a little bit of an ability to  
12 work together for the betterment of the bay.

13           But that was flat-out against the commercial  
14 watermen, which is CCA's -- at the heart of CCA across the  
15 country.

16           MR. BROWN: I would like to start back in -- I think  
17 it was '96 also. It was Larry Simns who sat down with the  
18 Port Authority and the department. And it came about because  
19 they were trying to find a place to put the dredge spoils that  
20 come out of Baltimore Harbor.

21           And Larry found a place up the bay where they could  
22 put them at so it wasn't interfering with fishing and stuff  
23 too much and the seafood industry, and they gave us -- I  
24 believe it is \$1 a yard back then. I don't know exactly what  
25 it is right now, to put the spoils. That is how it came

1 about.

2           Now back then, the public fishery got 75 percent of  
3 it and the department got 25 percent. Of course, we are  
4 nowhere near that now but we would like to be able to get back  
5 there. And what we have done is right now with the money from  
6 this, right up at Rock Hall now, last year we planted 20  
7 million spat on shell on Swan Point.

8           We have already planted -- well, it is another 60  
9 million that is supposed to go up there this year, and I think  
10 it is probably close to 20 something million more that has  
11 been put there this year. So it is going to be 80 million  
12 over the 2 years. There is 20 million that is going on Man o'  
13 War. And 10 million that is going on --- .

14           These are places that almost haven't been worked for  
15 the past few years, and that is what is going up there. A lot  
16 of the counties are buying spat on shell. I mean there  
17 is -- St. Mary's County is getting 30 million. Charles County  
18 is getting 30 million. They are just some places I know off  
19 the top of my head.

20           Plus it was 200,000 bushels of shell that was  
21 bought. Now not all that money is MDOT money. We got our  
22 surcharge money and our oyster tax money, which is into that.

23           And we have done a lot of stuff with all that. And  
24 what you have got to realize is our oyster industry over the  
25 past, let's see, was down to -- I don't know exactly how low

1 | it was. Somewhere around 30,000 bushel or something at one  
2 | time. It might have been 50,000 bushel. I don't remember the  
3 | exact number on that.

4 | MS. : (Away from microphone) 26,000.

5 | MR. BROWN: 26,000. And we had got down to the  
6 | lowest, I believe it was somewhere around 130 or 150 oyster  
7 | surcharges was all that was paid.

8 | In 2012-13 season, we had over 300,000 bushel that  
9 | was harvested. 2013-14, it was like 420,000, somewhere in  
10 | that neighborhood. I don't know what the figures were last  
11 | year but it is over 1,100 oystermen who are back in this  
12 | industry now who are making a living.

13 | And a lot of it came from natural spat. A lot of it  
14 | has come from different places. We have got oysters coming,  
15 | and Billy can tell you, in Wicomico, what we have been  
16 | planting up there in the Wicomico River is starting to  
17 | rebound.

18 | Also when it comes to the -- well, first of all, in  
19 | our comments that you put in that Jim Mullin and I had that  
20 | you put there, we had where we requested -- we got \$800,000.  
21 | We are requesting \$1 million for the counties.

22 | You got 50 percent for the county oyster committee,  
23 | 50 percent for other use. Well, it is going to be 100 percent  
24 | for the counties, is the way we submitted it. Maybe it is a  
25 | type error when you put it in there or, you know. But we

1 | didn't have any other uses except spat. You know, seed  
2 | oysters if you wanted or shell.

3 |           So, I mean, I am looking right here on yours. It  
4 | says, 50 percent county oyster committees, 50 percent other  
5 | use. So maybe --

6 |           DR. GOSHORN: I meant \$1 million to the county  
7 | oyster committees and the other million to all this other  
8 | stuff.

9 |           MR. BROWN: Okay, all right. Well, maybe I  
10 | misunderstood.

11 |           DR. GOSHORN: No, I didn't write it very clearly.

12 |           MR. BROWN: Well, that is neither here nor there.  
13 | Now when you get to the CCA, if you look on page two of three,  
14 | it gets to the top there, it says where in good faith the  
15 | public monies are misdirected and put into a put-and-take  
16 | oyster fishery. You know, yes, in some places up at the head  
17 | of the bay we are in a put-and-take oyster fishery.

18 |           But if you go down to the next to the last  
19 | paragraph, they want to open up new operations for the  
20 | aquaculture industry to take place and expansion with these  
21 | monies. Well, we are not against aquaculture but aquaculture  
22 | is a put-and-take industry also. So, I mean, that is where  
23 | they are kind of juggling the words around a little bit.

24 |           Also what this money does when we get it from MDOT,  
25 | the economic value that it has. It has what the marinas get,

1 | what all the grocery stores get. You know, the oystermen and  
2 | stuff, the fuel they buy. You know, the economic impact on  
3 | it. It is far superior of everything.

4 |           And that is one thing that the port likes up there,  
5 | the Port of Baltimore, the MDOT people, they like because they  
6 | are into transportation. And they want to see money come in.  
7 | They want to see -- if you come in with \$1,000, they want to  
8 | see it turned into \$10,000.

9 |           And, I mean, we are coming close to that so, I mean,  
10 | that is all good. And as far as it goes, you know, they are  
11 | talking about using it for this. Yes, oysters filter the bay,  
12 | and use it for that. But you have got to realize we got these  
13 | numbers on these oysters going up.

14 |           We got -- 25 percent of our bottom was taken as  
15 | sanctuaries. 75 percent of it was our most productive bottom  
16 | that was taken from it, and we took this industry from 26,000  
17 | bushels to over 400,000. So, you know, the oyster industry,  
18 | the public fishery, is going in the right direction, and we  
19 | need more funds to help it.

20 |           Also I would like to know where the CCA was when  
21 | Larry Simns was up there getting this money for us. And as  
22 | far as it goes, this is probably mitigation money, not from  
23 | them but what should poured into the oyster industry because  
24 | look at all the sewage treatment plants that we got. How that  
25 | is hurting our water quality and stuff we have into the bay.

1 I mean, that is more and more pumped, and they have  
2 a spill. When they have a spill they don't -- you don't see  
3 anything. You don't have -- well this 100,000 gallons spilled  
4 here today. You don't see any great big fines thrown on them.

5 You know, it is not like an oil spill where you see  
6 the grease laying all around and you got to clean it up. The  
7 word they use when they want to move sewage down from Blue  
8 Plains down to Piney Point, well, if we have an accident, it  
9 will dissipate. Well, dissipate doesn't mean it disappeared.  
10 It is just you can't see it with your naked eye.

11 And I have taken up enough of your time. Thank you.

12 DR. GOSHORN: And I will make sure that is correct.  
13 I didn't mean to say that you got \$500,000. You got \$1  
14 million.

15 MS. VINCENT: Just to kind of piggyback off what  
16 Robert T. was saying, I think -- and this had come up I think  
17 it was the tidal fish meeting we had in January.

18 The investment in the public fishery I think needs  
19 to be looked at a little bit differently because ultimately  
20 though the shell providers -- I think that is a perspective  
21 that we haven't really taken, is that is where the shell is  
22 being produced, in the public fishery.

23 So unfortunately due to that, all of the other  
24 investments in aquaculture are essentially -- they can't be  
25 maintained if we don't have a strong public fishery we are

1 investing money in. That produces shell that can be divided  
2 between those two entities.

3 So unfortunately I think that is -- and I didn't get  
4 to read all of CCA's letter. I kind of read the beginning and  
5 I said, oh, I better save this for when I have a little bit of  
6 time when I really can delve into it.

7 But that is my concern. I think the perspective on  
8 the public fishery needs to be changed because ultimately we  
9 are the shell providers. And a strong investment in that  
10 equals a strong investment in aquaculture versus -- you know,  
11 they are not competitive. They can be collaborative but  
12 without the strong public fishery, aquaculture really -- the  
13 investment isn't a good one.

14 MS. DEAN: I just think that the argument for years  
15 was that we are funding a put-and-take fishery, and Robert T.  
16 reiterated that. Yet now we are looking at directing funds  
17 into an even smaller group of people with the aquaculture  
18 funding, and it is even more privatized. I see a couple of  
19 different conflicts with that.

20 One is obviously they are in direct competition with  
21 the public fishery. But it also looks like competition for  
22 those people who had to go out on a limb and establish  
23 themselves on their own. So I too see that as being money  
24 that could be put back into the public fishery for the same  
25 reason that Aubrey was saying.



1                   But these demo projects, I would like to know more  
2 about them. I want to know where -- I mean who, where does  
3 that go? Whose hand does it go into and what are we talking?

4                   Are we funding ORP and, just to throw something else  
5 out, Chesapeake Bay Foundation? I know it is not but where is  
6 that going? What is that?

7                   (Laughter)

8                   MS. DEAN: I don't know. I don't want to accuse  
9 anybody. Where is it going?

10                  MR. BROWN: These demos are done by the University  
11 of Maryland. What they are doing is they are putting tanks  
12 around here to teach people who want to get into aquaculture  
13 how to do it.

14                  MS. DEAN: I think that is separate, isn't it?

15                  MR. BROWN: No, it is into there. And what they are  
16 doing with those demo tanks, it is in here, the demo tanks,  
17 they show them how to do it and then it goes onto -- I don't  
18 know if it goes onto sanctuary bottom, which it may go on, or  
19 it goes onto public fishery.

20                  But they have changed it where this year, if a  
21 person is going to do it, he has to pay for the larvae and he  
22 has to pay for the shell, where before, they were giving it  
23 for some time. So they have cut that back.

24                  MS. DEAN: I think those are two different funds,  
25 Robert T.

1 DR. GOSHORN: You are talking about number four?

2 MS. DEAN: The demo, yes, not the aquaculture  
3 MARBIDCO, which I fundamentally have a problem with too but I  
4 am asking about the demo projects.

5 MR. BROWN: The demo is remote settings -- I think  
6 they got -- is it 32 they got in the state or am I wrong on  
7 that? I think it is 32.

8 MS. DEAN: But that comes out of aquaculture money.  
9 There is this demo --

10 DR. GOSHORN: What you are talking about -- there  
11 are two bullet points, one of which is the five-year  
12 assessment about sanctuaries, extend the public fisheries and  
13 aquaculture.

14 MS. DEAN: So the demo is the assessment?

15 DR. GOSHORN: Well, demo is not, no. Demo isn't the  
16 right word. It is two things. One is the assessment and the  
17 other is --

18 MS. FEGLEY: Yes, the demonstration projects, demo  
19 projects, are --if you recall, last session there was a bill  
20 concerning power dredging operations in the upper bay. And  
21 what we came out of session with was an agreement that was  
22 signed by DNR and members of the industry to demonstrate in  
23 the upper bay what would be the most cost-effective way to  
24 bring oysters back to the upper bay.

25 There was also a conversation about fresh shell

1 | because that generated from the shell policy discussions we  
2 | had. So a couple things came out of it. One was -- I believe  
3 | it was last year we planted 60,000 bushels of fresh shell down  
4 | in the southern part of the bay in Goose Creek, which we will  
5 | continue to monitor to compare the oyster density spat set on  
6 | fresh shell versus hatchery plantings down there.

7 |           On Swan Point what we have done -- we have been  
8 | working very closely with members of the industry. So that is  
9 | Chucky White, William Wilson, Robert T., Delegate Jacobs. And  
10 | we have developed a collaborative project where we are  
11 | comparing -- so the counties have invested their own money as  
12 | part of an agreement to plant spat on shell in one part of  
13 | Swan Point.

14 |           In another part, these guys go out and power dredge,  
15 | and then ultimately what we will compare is the two areas, the  
16 | areas that the counties are using their money to invest  
17 | hatchery seed versus the areas that we have gone out and power  
18 | dredged to prep for natural spat set.

19 |           And so the money here goes really to support those  
20 | monitoring efforts. So for example, on April 14th, we were  
21 | out this year, and we try to always go together. So we  
22 | go -- the watermen go with us. They didn't actually go with  
23 | us on April 14th but we went out and sampled the power dredge  
24 | treatment area.

25 |           I believe it was -- when was it, Robert T., that we

1 | were all out there looking at the plantings? So we have done  
2 | several of them, some collaborative sampling on these areas,  
3 | and the intent is to follow this project through several years  
4 | to really get to what is the most cost-effective way to bring  
5 | this fishery back in those areas.

6 |           MR. BROWN: They have checked the oysters up there.  
7 | Somebody checks them. Somebody who had something in crab pots  
8 | or something came up there and they said the ones I planted  
9 | last year are about an inch and a half long now or close to  
10 | it.

11 |           Also they had -- Chucky White and Tom Meredith went  
12 | up there and they dove on that ground to prove it, to make  
13 | sure where the best bottom was. And that is what they  
14 | planting on up there now. What I was talking about, I was  
15 | confused with the -- where they were changing those remote  
16 | setting tanks, what they had --

17 |           MS. DEAN: What Don Webster had.

18 |           MR. BROWN: What Don Webster had.

19 |           MS. DEAN: Those shells that went south, do we know  
20 | where they are?

21 |           MS. FEGLEY: Yes, we do.

22 |           MR. WILSON: What is going on with the possibility  
23 | of the permitting for the dredge shells? Anybody know?

24 |           DR. GOSHORN: You are talking about the Man o' War?

25 |           MR. WILSON: Yes.

1 DR. GOSHORN: We are submitting it like within the  
2 next few days.

3 MR. GILMER: Did they move that, Robert T.?

4 MR. BROWN: All I know is that they -- it may not  
5 come off of Man o' War because I know there is some opposition  
6 to it.

7 I was talking to Addie, Senator Addie Eckardt,  
8 yesterday on it. They said they were moving ahead and I told  
9 her, and she said, yes, we are looking at the other projects.  
10 And it is -- I can't remember the name of the place. It is up  
11 above Tolchester over on the right-hand side. Shad Battery  
12 Shoals.

13 That is one of the places they are going to look at  
14 because there is opposition to on Man o' War. Some of it is  
15 coming from Baltimore County because that is the only oyster  
16 bar that they have really got there in that county. And there  
17 are shells in other places where we can dredge --

18 MR. GILMER: I just wanted to make that known here  
19 that there was some opposition to that.

20 MR. BROWN: It is going through but I think the area  
21 is going to be changed. Also they have got -- the Langley  
22 fella is working down in Virginia digging every day.

23 MR. WILSON: That is what I know. We are right on  
24 the Maryland/Virginia line, and what Virginia is doing makes  
25 our oystering --- look bad now. And those boys started

1 dredging, they don't have to dredge anywhere else.

2           When they started dredging the first of December  
3 until the end of February, and five days a week, no matter  
4 what the weather, they were catching 24 bushels by 10:00 a.m.  
5 Never missed a day. Day in and day out.

6           MR. BROWN: It is a thing about those Langley  
7 Felder\* shells. I have worked on them when I used to patent  
8 tong all the time. And they are so far superior to the fresh  
9 shell.

10           MR. WILSON: If we could get them, you could have  
11 every fresh shell you could have --- the hatchery could have  
12 the fresh shells.

13           MR. BROWN: Don't want them. Don't need them. If  
14 you get Langley Felder shells, it is much better.

15           MR. GOLDSBOROUGH: Well, since CBF was mentioned, I  
16 thought I had better, in full disclosure, say that we do  
17 appear in here somewhere, not by name, in this MDOT thing.

18           Just where it does talk about the Remote Setting  
19 Training Program, we are a part of that. We don't get any  
20 money. We actually donate the use of the tank for local  
21 watermen to use to set their own shell.

22           We have been doing it every year of the program. I  
23 think this is the fourth or fifth year. But we don't get any  
24 money. And one comment about Virginia: They do have a good  
25 program but they assess their bars and their systems every

1 year and they are looking at about 50-percent reduction in  
2 this coming year.

3 MR. WILSON: They are going to a different bar.

4 MR. GOLDSBOROUGH: Yes, but even going to different  
5 bars --

6 MR. WILSON: Yes, they are looking at --- . And  
7 another thing about Virginia, they don't have the fleet that  
8 we have. They don't have the number of people overall. Not  
9 yet but they are getting more.

10 MR. GOLDSBOROUGH: I can tell you though, they are  
11 trying to figure out how to deal with about 50 percent of the  
12 catch they have been getting. Even to the point of reducing  
13 licenses.

14 MR. MANLEY: This whole thing with the CCA, it makes  
15 me laugh when I think about our governor robbing \$300 billion  
16 out of the Chesapeake Bay Cleanup Fund from the rain tax and  
17 the flush tax and put it in the general fund. CCA or CBF,  
18 nobody said a word. But now they got this all in here --

19 DR. GOSHORN: You said they are not worried about  
20 what?

21 MR. MANLEY: O'Malley, when he took that money out  
22 of the Chesapeake Bay Cleanup Fund and put it in the general  
23 fund to balance the budget --

24 MR. GOLDSBOROUGH: You think we said nothing about  
25 that?





1 MR. RICE: Okay, well that --

2 MR. BROWN: That was a motion.

3 MR. RICE: Okay, I guess we got that. Bill, you  
4 seconded the recommendation. Do we have further discussion on  
5 the recommendation?

6 MS. VINCENT: I don't think it is a bad suggestion  
7 at all. I think the counties know their areas and know, you  
8 know, what kind of investment -- and it is a long-term  
9 investment for them. If they are not in it for the long term,  
10 why would we be talking about it to start with?

11 I think it is a solid suggestion. I think there are  
12 probably going to be some things we will need to work out but  
13 I think the counties ultimately could be a good source. And I  
14 think people, when they invest in things and they feel like  
15 they have decisions to make, I think it produces a better  
16 result.

17 MR. RICE: Okay, does anybody else have any thoughts  
18 or input before we move on?

19 (No response)

20 MR. RICE: All those in favor of moving forward with  
21 Robert T's recommendation, raise your right hand.

22 (Show of hands)

23 MR. RICE: All those opposed?

24 (No response)

25 MR. RICE: Recommendation passes.

1 MR. GOLDSBOROUGH: One abstention.

2 MR. YOUNG: Billy, can I say something before we get  
3 out of here?

4 MR. RICE: Yes, sir.

5 MR. YOUNG: For those of you who didn't know it, I  
6 didn't submit my application for re-upping for tidal fish this  
7 year. I have come to the conclusion I can no longer make 2:00  
8 p.m. meetings. I think that this commission should be meeting  
9 at 6:00 p.m. in the evening like it used to be. We shouldn't  
10 be required to -- for a volunteer commission we shouldn't be  
11 required to miss our working time.

12 At any rate, I have been in the past, however many  
13 years I have been here, this committee has appointed me to  
14 several subcommittees. One of them is the Blue Crab Industry  
15 Advisory Committee, whatever it is called. Brenda Davis'  
16 group. The other one is Sarah Widman's Penalty Workgroup.

17 They both meet at 6:00 p.m. in the evening, and I  
18 can make those. I won't be able to make mid-afternoons. So I  
19 am resigning from tidal fish until circumstances change, and  
20 maybe I will reapply again. Maybe I won't but I would like to  
21 ask Tidal Fisheries Advisory Commission to allow me to remain  
22 involved with those two other committees.

23 MR. RICE: I have no problem with that. If we want  
24 to take a consensus and just -- I don't think there is anybody  
25 saying, my God, we don't this man on this committee.

1 MR. YOUNG: Okay, let's go home.

2 MR. RICE: Okay. If there is no further business,  
3 we are adjourned.

4 (Whereupon, the meeting adjourned at 6:17 p.m.)

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25