

CRAB ADVISORY COMMITTEE REPORT

January 10, 2008

PRFC Office, Colonial Beach, VA

Members Present

Robert A. Boarman – Chairman
Dean E. Bowie – Upper River Hard Crab Potter
Charles R. Clift – Recreational Crabber
Herman Delvo – Recreational Crabber
Arthur L. Loving – Crabber-At-Large
Larry W. Thrift – Lower River Peeler Potter
John B. Morris, Jr. – Crabber-At-Large
James B. Berthe – Lower River Peeler Potter
George W. Smith – Upper River Hard Crab Potter

Members Absent

Elgin H. Nininger – Vice Chairman

Press

None

PRFC Commissioners

Ida C. Hall
Robert H. Bowes

Support Staff Present

Dr. Tom Miller – CBL
Mike Wilbeg – CBL
Mike Johnson – VMRC
Capt. M. Ray Jewell – VMRC Law Enforcement
Lt. Charles Sauter – MdDNR Law Enf.
Sgt. Charles Simmons – MdDNR Law Enf.
Kirby A. Carpenter – PRFC Executive Secretary
Becky Butler – PRFC Staff
Ellen Cosby – PRFC Staff

Others Present:

Paul Springer, John F. Tucker Brown and Craig Kelley – Oyster/Clam Advisory Committee, Harry Boyden, John Dean, Phil Angle, Marvin Harley, - Finfish Advisory Committee, Thomas Tippet, Larry Higgs, Jerry Cumberland, Hike Hayden, Bert Hayden, Curtis Jenkins, Russell Gaskins, Phil, Hayden, Ken Smith, Eddie Hayden, Jimmy Morgan, Dan McDougal, David Faunce, Ignatious Farrell, Conrad Morris, Charles Blackistone, Jim Farrell, Jeff Schenemann, Paul Kellam, Tim Burton, Douglas Jenkins, Patrick Goldsmith, Joseph Hawkins, Rock Rice, Daniel Grinder, Shannon Wilt, Kenny Dent, Brandon Starling, Kenneth Dent Herman Beasley and several others who did not sign the guest register.

Chairman Boarman called the meeting to order at 6:05 p.m. He welcomed and thanked everyone for the wonderful turnout. He asked the audience to keep in mind that the committee wants to hear what everyone has to say and for the committee to be prepared to make some suggestions in preparation for the results of the winter crab dredge survey.

Review of the CBSAC 2007 Blue Crab Advisory Report

Dr. Tom Miller from the Chesapeake Biological Laboratory gave a brief presentation on the CBSAC blue crab advisory report for 2007. The report is published by NOAA each year and is put together by a team of scientists. The report represents the best scientific interpretation of the data available and may have some recommendations and thoughts about warning signs for the future. Dr. Miller presented a diagram that showed all but three years since 1999 the exploitation rate has been over the target, and in some years over the threshold. This means there are too many crabs being harvested and not enough are being left to reproduce.

Dr. Miller also noted that the data from the winter dredge survey is getting to be a very good indicator of the prior years total mortality and the year's summer and fall harvest. Such that both last year and next year's exploitation rates can be estimated.

Chairman Boarman questioned if the data included commercial and recreational crabbing. Dr. Miller explained that it included commercial harvest that is reported to the different agencies and the crude estimate of what the scientists think the recreational harvest is.

Paul Kellam stated the graph shows the exploitation rate going up for the last two years. He felt that is because of a lack of recruitment, not from an increase in pressure, because that has remained constant. Dr. Miller agreed with Mr. Kellam and hoped that was not the impression he gave to the audience. It's not that the harvest is increasing, it's that the amount of crabs to be harvested is decreasing and something needs to be done about that.

Phil Angle asked what effect dredging females at the mouth of the Chesapeake Bay has on the crab population. Dr. Miller explained that survey measures the abundance of both male and females between December and March of any given year. It takes several months to complete the study because of the large number of sampling stations that are surveyed. Basically, that is a declining fishery and it does not have a major impact on the overall abundance in the dredge survey.

Arthur Loving questioned if the population was down at every station that was surveyed. Dr. Miller explained that overall, the trend was negative in the crab population.

Chairman Boarman thanked Dr. Miller for his presentation and stated this is a scary situation.

Crab Harvest Report and Historical Data

Mr. Carpenter also presented some graphs that showed a similar situation in the Potomac River. He explained the data he is presenting is based on catch reports received from the watermen and is specific to the Potomac River only. He reviewed such things as landings from 1964 to current, the catch per unit of effort (CPUE) from 1986 to current, the number of licenses sold versus the number of working boats and the amount of harvest by sex.

Chairman Boarman stated that he believes science and numbers are needed to prove what's going into the fishery and those graphs presented tonight show just what's happening. He encouraged everyone to report accurately. He asked Mr. Carpenter to present the crab harvest report.

Mr. Carpenter stated that the crab harvest report compares the 2007 data with the previous three years and as well as a longer term average. The report shows 59,780 bushels harvested to date of hard crabs compared to 99,036 for the same period last year. The peeler harvest has stabilized with 25,865 pounds harvested to date, compared to 23,140 pounds harvested last year. However, that is still well below the longer term average of 54,808 pounds harvested. The soft crab harvest is negligible with only 1,342 pounds harvested to date. The effort data is the number of boats fishing in any given month and the CPUE data was presented on the graphs.

Paul Kellam stated again that this situation comes back to a recruitment problem. He noted that the catch report does not show any fluctuation between this year and the previous years until you get to the month of July. He felt that the recruitment from the spring peeler run, that would have

provided the second half of the seasons harvest, did not materialize. Mr. Carpenter stated Mr. Kellam's observations are accurate.

Mr. Carpenter explained that no one has control over recruitment and the committee is dealing with the best available information. The winter dredge survey is becoming a fairly useful tool to indicate what the following summer harvest may be. The problem with the survey is the data is not available until June and it's only good for one year. The survey gives us a rough idea of how many crabs can be harvested.

Dan McDougal asked for clarification on the crab harvest report. He said peelers are stated in pounds not in bushels. If you take the standard formula of 40 pounds per bushel you would see that for this year it would be 680 bushels of peelers caught for 2007. Mr. McDougal did not agree with that and he would double that figure. Mr. Carpenter explained that the peeler harvest is reported in numbers. In order to get the pounds you would take 2 ½ pounds per dozen and calculate from there. Mr. McDougal stated he converted the numbers back to actual crabs and there are 100 sooks in a bushel. It still comes up to 1,306 bushels of peelers and soft crabs being caught this year, which accounts for 2.2% of the landings. He felt the numbers on the catch reports look high, but everyone needs to understand what those numbers mean.

John Morris questioned why it takes so long to get the dredge survey. Mr. Carpenter stated the reason he said the data would be not available until June is because that is when the next Commission meeting is scheduled.

Suggested Crab Regulation Changes

Chairman Boarman stated he was going to take each issue one at a time and give the audience a chance to speak on each topic before they are turned over to the committee. He advised that any recommendations made tonight would be conditioned on the results of the winter dredge survey showing the need to change any regulations. The committee agreed. Mr. Carpenter noted for the record that these items are in no particular order, they are not ranked or numbered.

- Institute a time limit – 1 hour before sunrise to 11:00 am, noon, 1:00 pm, or 2:00 pm.

Dennis Dent – Why have a time limit when you are already limited in the amount of pots that can be set.

Patrick Goldsmith – Time limits will help with theft in the evenings.

Charles Bourne – Agreed with a 1:00 pm time limit.

Paul Springer – Is somewhat in favor of a time limit, but has concerns with the watermen who set crab pots within the shooting range of Dahlgren. A time limit would not work for watermen in that area and Dahlgren does not notify when they are planning to shoot. He felt setting a time limit from the Rt. 301 Bridge to Blackston Island would be a problem.

Dennis Dent – Questioned when there is an issue, why is the separation area from the Rt. 301 Bridge up river. Chairman Boarman stated it's an easy landmark.

Larry Thrift – Suggested a time limit of 1 hour before sunrise to 1:00 pm and excludes the Dahlgren area. Chairman Boarman questioned how that would be enforced. Mr. Carpenter stated the range itself is buoyed and watermen can work outside the range. Watermen who have crab pots inside the test area could be identified. He asked law enforcement for their

opinion. Sgt. Simmons from MdDNR Marine Police stated it's up to the watermen to abide by the laws.

John Morris – Stated Maryland has an 8 hour day.

Ida Hall – Stated Virginia has an 8 hour day, but the cut off time varies because is the sunrise is different depending on the month.

Arthur Loving – Felt 1:00 pm was fine with him.

George Smith – Stated you would want an 8 hour day.

A recommendation was made by George Smith, seconded by Arthur Loving and passed with one opposition to have a time limit of 1 hour before sunrise with an 8 hour day for the entire river. This would be on a one year trial basis.

- Establish a 30' maximum water depth for crab pots
Chairman Boarman felt it would create some kind of sanctuary and provide an avenue for some crabs to escape back to the Chesapeake Bay.
Rocky Rice – Suggested making the maximum water depth 36', so it would be the same as the gill net restriction.
Kenny Dent – Felt the channel should be considered an escape route for the crabs since you are not allowed to set crab pots in the channel.
John Morris – Said Virginia has a sanctuary that goes into affect in June and stops in mid September, so that it allows a deep passageway for crabs to escape.
Paul Kellam – Stated that Maryland is currently looking into crab sanctuaries.
James Berthe – Felt if a recommendation were made to implement a water depth, he would like to see something that would affect everyone equally.

A recommendation was made by George Smith, seconded by James Berthe and passed to establish a maximum 30' water depth to be patterned after Virginia's regulations.

- Encourage greater use of long line pots
Mr. Carpenter stated the suggestion came from someone who felt the river would benefit from fewer corks in the river and a more efficient operation.
John Morris, III – Commented on the current limited area and times for long line pots, saying we should expand the area and times. He said he uses crab pot long lines in the spring and fall and if a line is lost, it can usually be found by dragging for it. It does cut down on the loss of pots.

A recommendation was made by George Smith, seconded by Larry Thrift and passed to encourage the greater use of long line pots.

- Bushel limit on female crabs
Chairman Boarman suggested that everyone discuss the option of not only a bushel limit on female crabs, but also consider a season for female crabs, either or.
Patrick Goldsmith – Questioned what Virginia's bushel limit is on female crabs. Mr. Carpenter noted that if you begin considering bushel limits and expect to have any impact in a poor year, you should consider single digit numbers. Chairman Boarman stated this is where the season for females comes into play. Even if 15 days is knocked off the season, it should have a great impact on the crabs and little impact on the industry.

John Morris, III – Felt it would be a hardship on the watermen to impose a size limit on the female crab.

Tucker Brown – Agreed with Mr. Morris and felt the committee should concentrate on a season instead of a size limit.

Doug Jenkins – Felt the committee should consider a bushel limit or close the month of November for female crabs.

A recommendation was made by George Smith, seconded by Herman Delvo and passed with 5 in favor and 3 opposed to knock off 15 days at the end of the season for harvesting female crabs, which would end the season on November 15th.

- Cull rings open all year

Chairman Boarman explained the regulation allows you to close cull rings during the months of May and June. He felt the cull rings should be left open all year to let some peelers escape from the crab pots.

Tucker Brown – Stated that the St. Mary's County Watermen's Association is in favor of leaving the cull rings open all year.

A recommendation was made by George Smith, seconded by Charles Clift and passed to leave the cull rings open all year.

- Buy back females – based on reported prior female harvest

Mr. Carpenter explained this proposal is stated exactly as it says. Based on the number of females reported as harvest last year, the Commission would close the female harvest and pay whatever the value is for those crabs harvested. The problem with this idea is funding. However, it is a concept that is similar to paying farmers not to plant crops. If there were a funding source, this would pay watermen not to harvest female crabs.

Herman Delvo – Explained that this idea was his thought. He stated the river is not uniform and there are concerns with where the funding would come from. The Commission needs to talk to Maryland and Virginia and present this idea to both states. If females are restricted, it hurts some watermen more than others. One idea could be to impose a \$1.00 per bushel tax for crabs harvested, so a fund could be developed to pay the watermen not to harvest female crabs. It's an idea that should be seriously considered.

Doug Jenkins – Stated Mr. Delvo's idea was good, however he did not agree to taxing the watermen. He suggested going to both states and see about receiving fines paid for sewage treatment overflow and use that money to reimburse the watermen.

A recommendation was made by George Smith, seconded by Herman Delvo and passed to endorse the concept of developing a buy back program for female crabs.

- Reducing the number of pots per license by 5%, 10% or more

Dan McDougal – Felt that 5 to 10 % is like a cosmetic thing. It's only going to hurt the watermen that are fishing to the limits or their licenses. The average number of crab pots being fished is around 225. To have any effect on reducing the number of crab pots in the river, a 30% cut would be needed.

Phillip Hayden – Says the committee has already done enough and there is no need to cut the pots.

John Morris, III – Stated he fishes his crab pot license to its limit and if something has to be done, a pot reduction limit is fair and equal for everyone.

Paul Springer – Asked Mr. Carpenter if the Commission has the authority to reduce the amount of crab pots per license. Mr. Carpenter stated that is done by regulation and the Commission can change it if necessary. This could be one of the tools that the Commission could use to make changes if it receives bad news about the crab harvest. Mr. Springer felt in order to make a positive impact on the fishery, he would endorse a 10% reduction from the 300/400/500 pot licenses and give the Commission the ability to make changes by orders if needed.

A recommendation was made by Arthur Loving, seconded by Larry Thrift and passed to accept the idea of a 5% pot reduction (for a total of 10% from the 300/400/500 pot limit).

The committee heard various audience comments and concerns on several issues and while all comments were taken into consideration the committee took no action on the following suggestions:

- Licensee has to be the registered owner of the licensed crab pot boat
- An upriver limit (above the 301 bridge) of only 285 pots per license regardless of license class (285, 380 or 475)
- Designate the area above the ‘power lines’ (Moss Pt. to Power Plant) as a trot line only area or as a sanctuary
- Shorten the season, as examples: 4/1 to 10/31, 4/15 to 10/31, 4/15 to 11/15 and 5/1 to 11/15.
- Five and one-half inch minimum hard crab size limit all season
- The licensee must be on the boat but, could have some temporary limited designated fishermen ability
- Outlaw “shrimp heads” or “razor clams” as bait
- Reduce the limit on peeler pots
- Increase size of peelers (size of cull rings)

Chairman Boarman thanked everyone for participating tonight and stated that he knew how difficult it was to make these decisions.

Mr. Carpenter advised the audience and the committee that additional ideas would still be accepted and presented to the Commission for consideration.

Committee Membership Vacancies

Chairman Boarman announced four members’ terms would expire on March 31, 2008. Herman Delvo, John Morris, Jr., Charles Clift and Arthur Loving were the members whose terms were up. All but Mr. Clift stated they would be willing to serve another term. Therefore, there is a vacancy for a Virginia recreational crabber.

New Business

Chairman Boarman asked that the issue of theft of crab pots be placed on the next agenda. He said there has been a lot of theft in the middle and upper part of the river. Not only theft of crab pots but also other people crabbing pots and he has reported this to Maryland.

Lt. Charles Sauter explained that Mr. Carpenter has phoned him stating there are reports of theft in the river and when Lt. Sauter checks his messages, there are no phone calls or reports from the watermen. He stated the watermen have to make the initial call, otherwise the marine police will not know that there's a problem.

Mr. Carpenter reminded everyone that both Maryland and Virginia's law enforcement telephone numbers are located on the back of the license holders.

The meeting adjourned at 8:55 p.m.

Respectfully Submitted:

Robert A. Boarman, Chairman