

CRAB ADVISORY COMMITTEE REPORT

February 10, 2009

PRFC Office, Colonial Beach, VA

Members Present

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

Proxy Members

Curtis Jenkins Proxy for Larry W. Thrift

Press

None

PRFC Commissioners

Ida C. Hall
Robert H. Bowes

Support Staff Present

Dr. Tom Miller – CBL
Chris Walstrum – MdDNR
Mike Johnson – VMRC
1st Sgt. Adam Friend – VMRC Law Enforcement
Lt. Charles Sauter – MdDNR Law Enf.
Sgt. Shawn Garron – MdDNR Law Enf.
Kirby A. Carpenter – PRFC Executive Secretary
Becky Butler – PRFC Staff
Ellen Cosby – PRFC Staff

Others Present:

Paul Springer – Oyster/Clam Advisory Committee, Dan McDougal, Bill Whisenant, John Morris, Jr., Dennis Edwards, Robert T. Brown – Finfish Advisory Committee, Kenny Pearson and several others who did not sign the guest register.

Chairman Boarman called the meeting to order at 6:03 p.m. He welcomed and thanked everyone for attending.

Crab Harvest Report

Mr. Carpenter presented the crab harvest report. He stated that the 2008 crab season was very much like the 2007 crab season. The winter crab dredge survey predicted this would happen. For the 2008 season, 62,026 bushels of hard crabs were harvested compared to 59,905 bushels of hard crabs harvested in 2007. He noted there were no female crabs harvested in November as a result of the female closure on October 23rd. The October harvest of female crabs is also down as a result of regulatory actions taken by the Commission. In general, the CPUE's were better this year than last year and the effort remained stable.

Charles Clift questioned the 3,000 pound difference of peeler harvest between 2007 and 2008. Mr. Carpenter stated he didn't see any indication that there was anything unusual going on except for a little less effort in the fishery. Nothing stands out in the data to explain that.

Chairman Boarman questioned what the percentage reduction would be for the female closure that took place last fall. He asked when the Commission had to take a 34% reduction, was it only on females or all crabs in general. Mr. Carpenter explained the 34% reduction was for females only. He stated the average harvest for November was about 4,000 bushels and 43% of that average was female crabs. Therefore something less than 2,000 bushels would be the most

you could get for savings on females in the month of November. It would not achieve the 34% reduction.

When the Commission did the analysis last year to achieve the 34% reduction on the females harvest with just a season closure, the season would have to have closed on October 5th. The Commission, after the public hearing, instead imposed bushel limits starting the 1st of September and staying open until October 23rd.

Reg. VII, Sec. 5(e) – Crab Pot Depth Restrictions

Chairman Boarman explained that the committee reviewed this regulation at its last meeting. At that time there was a proposal to change the crab pot depth restriction to June 15th through September 15th. The motion failed with 3 in favor and 5 against, therefore a recommendation of no change was sent to the Commission. The Commission discussed the issue at its December 5, 2008 Commission meeting, where it ultimately decided to refer this item back to the Crab Advisory Committee for more discussion.

Chairman Boarman asked Mr. Carpenter to explain a table of river-wide hard crab harvest by sexes (male and female) which includes comparison of the last 2 years for the lower river (Area 1). Mr. Carpenter explained there was testimony at the public hearing that the 30 ft. depth restriction was keeping crabbers off the male crabs in deep water and forcing them to crab in shallow water where all the female crabs were. Studies conducted by the Smithsonian Environmental Research Center were cited that indicated that the recapture of females occurred in shallow waters. There was also a request to change the dates. In preparation for this meeting, crab data was compiled for the entire river and Area 1, which was the area most impacted by the 30 ft. depth restriction. The table compared the harvest of both males and females for the entire river for each year since 2000, as well as just Area 1 for 2007 and 2008.

Over all there was a 26% reduction from the prior 4 year average in the female harvest, while there was a 34% increase in female harvest from 2007 in Area 1 in 2008. Area 1 accounted for about 80% of the total female harvest most years. Over all there was a 25% reduction from the prior 4 year average male hard crab harvest. While Area 1 showed a 63% increase in the 2008 harvest (14,324 bu.) over the 2007 harvest (8,983 bu.). Every month, except May, in 2008 reflected a higher level of male crab harvest in Area 1.

Chairman Boarman stated according to the table and the amount of female crabs harvested, the 30ft. depth restriction really had no effect on the harvest of crabs. Mr. Carpenter noted the 30 ft. depth restriction did not appear to adversely effect the male harvest but, it may have possibly aided the increased female harvest. Staff's recommendation is to leave the regulation as it is and not change it.

Dr. Tom Miller from the Chesapeake Biological Laboratory stated it's difficult to assess and measure crab distribution. One study that is effective is a mark/recapture study where the crabs are tagged and you can find out where they go based on where they are captured. But he noted, the locations of the recaptures are based entirely on where the crabbers are setting their pots. He felt that the committee should not focus on trying to pick a specific depth, because there is not enough science to guide you in selecting one. However, timing should be an issue. Studies

show that female crabs start to move down the river in late September. Peak movement is during October/November and evidence suggests that most female crabs walk on the edge of the channel.

Arthur Loving questioned what percentage of the tag returns come from the Atlantic Ocean. Dr. Miller stated female crabs will move to the mouth of the Chesapeake Bay to spawn, but most of the female crabs remain in the Chesapeake Bay. Chairman Boarman asked Dr. Miller if there was any information on this year's winter crab dredge survey. Dr. Miller stated the survey is not yet complete for him to provide adequate information. Results of the survey should be ready in late March or early April. John Morris, Jr. asked Dr. Miller what studies have been conducted on the distribution of crabs in the Chesapeake Bay. Dr. Miller stated there are two studies, one is the tagging study he talked about earlier and the other is an electronic backpack that is placed on the crab that can be traced by GPS.

Paul Springer questioned where the jurisdictional lines were for Area 1. Mr. Carpenter stated they are from St. Clements Island across to Hollis Marsh and down to the mouth of the river. Mr. Springer asked if the 30ft. depth restriction applied to areas above St. Clements. Mr. Carpenter stated that it applied to the entire river plus an area between St. Clements Island and Ragged Point, where there is no water greater than 30ft., in the main channel.

James Berthe felt there were larger crabs in the fall in the deeper waters. In shallow water and on hard bottom, we catch sooks (females). With the 30ft. depth restriction, it forced watermen to target and catch female crabs.

John Morris stated Virginia has the timing of their sanctuary going out when the Potomac River is putting depth restrictions into effect. He felt it didn't make a difference what depth of water he crabs in if he's limited to 11 bushels of female crabs.

A motion was made by James Berthe, seconded by John Morris and passed with 7 in favor and 3 against to recommend changing the crab pot depth restriction season to June 15th through September 15th.

Reg. VII, Sec. 1(d) – Peeler Trap

Mr. Carpenter explained that a number of years ago a regulation, pertaining to peeler traps, was passed stating that the gear must be removed 30 days after the last day of fishing or by October 31, whichever comes first. The Commission, last year, established an Order for the peeler season as May 1st to the end of June. To make the Regulation consistent with the Order, staff would recommend changing the regulation to read ... the last day of the season, in stead of October 31st. It's more of a technical matter than anything else.

A motion was made by George Smith, seconded by Elgin Nininger and passed unanimously to recommend the clerical changes as presented.

Order 2007-13 – Two Crab Pot Licenses on One Boat

Chairman Boarman stated this Order expired at the end of the year. It has been in effect for a few years and verified there have been no violations against the permits issued.

Several audience members spoke in favor of the permit and felt that it was a way to work together and save on expenses at the same time.

John Morris felt the Order should be reviewed in terms of not being able to obtain a permit if there has been any crab pot violations within the past 2 years. He felt a crabber with violations can still work their license on their own and should be able to obtain the permit regardless of previous violations.

A motion was made by George Smith, seconded by James Berthe and passed unanimously to recommend adopting the Order, as it was, for two years and the Crab Advisory Committee will review the Order as it expires.

Free 2 ½” Cull Ring Program Update

Mrs. Cosby updated the committee on the Commission’s free 2 ½” cull ring program. The Commission purchased 2 ½” diameter cull rings and provided them, in lots of 25 to each crabber, at no charge during the renewal season. This is an effort to help crabbers deal with the increase in the minimum crab size limit of 5 ¼”, starting April 1st. So far the Commission has provided cull rings to about 150 crabbers (about one-third of the licenses) who have agreed to use them in their pots. They were advised the Commission would be contacting them to see how the cull rings were working. At this time the Commission has some cull rings left over that can be purchased for .12¢ each. Chairman Boarman stated this was a voluntary program.

Topics of Discussion

Mr. Carpenter explained the committee needs to think about how to achieve whatever percentage reduction that may be called for as the result of this winter’s survey. We only achieved a 26% reduction last year when the target was 34%. He stated the new target this year could be more, less or the same depending on the results of the winter crab dredge survey. He advised that anyone who would like to add additional item(s) to the list could call the office and speak with staff.

After a brief discussion between the committee and audience members a general list was compiled to include the following.

- Previous BBCAC tables for review
- Larger Cull Ring Sizes
- Review of Peeler Season
- Review of Female Season (possible total closure and broken down by areas)
- Crab Pot Reductions
- Seasonal Closures
- Bushel Limits (female crabs)

Chairman Boarman requested that staff put a package of options together with the percent savings for the committee to review, as well as the Maryland and Virginia proposals. He asked that we also re-examine the proposals from last year.

Committee Membership Vacancies

Chairman Boarman announced five members' terms would expire on March 31, 2009. Dean Bowie, John Morris, Jr., George W. Smith and Arthur L. Loving all stated they would be willing to serve another term. Charles Clift stated he would serve on a temporary basis until a replacement could be found for his position, which is a Virginia recreational crabber.

Election of Chairman and Vice-chairman

The committee voted (unanimously) to re-elect Mr. Robert A. Boarman as Chairman and Mr. Elgin Nininger as Vice-chairman.

The meeting adjourned at 7:25 p.m.

Respectfully Submitted:

Robert A. Boarman, Chairman