

Tonight we are requesting public  
comment on the new proposed  
regulation:

“Blue Crab Latent Effort &  
Housekeeping”

# Proposed Regulation Includes

- A requirement that those who have an ‘inactive’ LCC license make a choice about what they do with their license.
- A provision that lowers the target number of LCC licenses under the limited entry system.
- A provision that allows recreational anglers to use female peeler crabs as bait.

# A Brief History on the LCC proposal

- December 2008 - DNR proposed regulation to freeze inactive LCC licenses.
- January 2009 - Proposed regulation was withdrawn – more public outreach needed.
- April 2009, Fisheries Service held four open houses to explain the problem of latent effort and to **obtain public input on solutions to the problem.**

# What is the Problem with Inactive LCC's?

- Scientists say we can safely take 46% of the crab population each year.
- Female bushel limits for commercial watermen are set to make sure we achieve the 46% target.
- We are likely to go over the target when we do not know how many folks will crab in any given year.
- The more potential crabbers there are, the more likely we are to go over target.
- Currently, **697** LCC crabbers, who have not crabbled in years, could begin crabbing or transfer their licenses to someone who will begin crabbing.

# Public Input informed us:

- The license represents cultural heritage.
- The license provides an economic safety net in case of job loss.
- It would be fair for DNR to buy the license back.
- Offer people a choice of how to handle their licenses.

# Based on public input, DNR has formed a strategy to reduce inactive LCC's:

- Buy back licenses for \$2,260. Open to all LCC license holders until \$3 million budget is exhausted.
- If you have an **inactive** LCC and chose not to sell your license, DNR is has proposed a regulation that will provide **inactive** LCC holders with a choice of how to handle their license.
- **Active** LCC holders will not be impacted by any new regulation, but you may chose to sell.
- **All LCC holders** were sent a letter identifying their license as active or inactive on July 8, 2009.

# How does DNR define ‘Active’ and ‘Inactive’?

If You Have Done this:	LCC is:	Because:
Reported harvest in 2004 - 2007	<b>ACTIVE</b>	You have reported crabbing activity during one or more of these years.
Reported harvest in 2008 and your reports were received before January 31, 2009	<b>ACTIVE</b>	You reported crabbing in 2008 AND returned your harvest reports during the month of January. The legal deadline for returning reports was January 2, 2009. DNR extended this deadline to January 31, 2009 to ensure ample time for reports to be filed.
Obtained your LCC license in a business transfer between August 1, 2006 and July 8, 2009.	<b>ACTIVE</b>	To receive a business transfer an individual has to have worked on the water (mate) for two years. This activity indicates intent to engage in a commercial business even though commercial activity has not taken place in the last 2 years under the newly acquired license.
Can provide documentation of active military service during the time period between January 1, 2004 and December 31, 2008.	<b>ACTIVE</b>	If you do not have harvest history because you were in active military service during between 2004 and present, you're license is considered active.
Obtained your LCC license through the DNR apprenticeship program.	<b>ACTIVE</b>	To receive a license through the apprenticeship program an individual has to have worked on the water (mate) for at least 150 days (1200 hours). This activity indicates intent to engage in a commercial business even though commercial activity has not taken place in the last 2 years under the newly acquired license.
<b>Reported no harvest in 2004 – 2007 and did not file reports for 2008 BEFORE January 31, 2009</b>	<b>INACTIVE</b>	You reported no harvest since April 1, 2004. If you were reporting harvest for 2008, your reports were received <b>AFTER</b> the extended filing deadline of January 31, 2009.

DNR is seeking public input on the following regulatory proposal for **inactive** LCC license holders:

**DNR would require inactive LCC holders to permanently chose between these two options:**

- **Continue crabbing**, but be limited to a male-only harvest. LCC license will be transferable only to family or to a beneficiary. License remains male-only forever.
- OR**
- **Freeze license** until population reaches and sustains a healthy population size (to be determined by CBSAC scientists). No renewal fees while the LCC is frozen. License retains full transferability and will re-activate to full LCC potential.

# How will this Work?

# Timeline if Regulation is Approved:

- **Early February – Regulations are scheduled to be effective**
  - ❖ **All LCC Holders (Active and Latent)** will receive a letter from the Department providing the details regarding the implementation of the regulations
  - ❖ **ACTIVE LCC Holders** – Will be issued a replacement Commercial License Card which will identify them as active:  
**(Limited Crab Catcher – ACTIVE)**  
**This replacement card is your NEW license card for 2010.**
  - ❖ **INACTIVE LCC Holders** – Will be sent a **Declaration Form**. You will be required to complete and return this form by **March 15<sup>th</sup>, 2010**. Instructions will be included in a letter sent with this form.

# Declaration Form

- All **inactive** LCC holders will be required to select one of the following options:

**MALE ONLY**



**OR**

**FROZEN**



- New License Cards will be sent prior to April 1<sup>st</sup>
- Failure to complete this form by March 15<sup>th</sup>, 2010 will result in the license automatically defaulting to a FROZEN license.
- The license issued in August 2009 is no longer valid.

# Reduction in the Target Number of LCC Licenses

The purpose of this is to ensure that LCC licenses that have been purchased by the Department through the Buyback Program will not be reissued and effort will increase.

- Currently, the target number of LCC licenses is set at 4,032.
- The proposed regulation will reduce this target to 3,318- the current number of licensees This reflects a reduction by the number of licenses bought back, plus the number of licenses that were available.
- The proposed regulation will also allow for future adjustments based on results of the ongoing Buyback program.

# Provision for Anglers to Use Female Peelers as Bait

- A recreational angler may purchase female peeler crabs to use as bait for fishing, but they **MUST** have a receipt of purchase.
- A recreational angler using a female peeler as bait may not engage in crabbing while fishing.

# Timeline for Proposing and Adopting Regulation:

- Public comment accepted (in writing) through January 4, 2010.
- January 19, 2010: regulation adopted.
- Regulation Effective on February 8, 2010.

# Where can I submit comment?

- View proposal online:  
<http://www.dnr.state.md.us/fisheries/regulations/proposedregulations.asp>
- Email: [fisheriespubliccomment@dnr.state.md.us](mailto:fisheriespubliccomment@dnr.state.md.us)
- Fax: 410-260-8310

- By Mail:

Fisheries Regulations

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