

**JOINT MEETING OF THE SPORT FISHERIES ADVISORY COMMISSION AND TIDAL
FISHERIES ADVISORY COMMISSION**

October 10, 2007

Tawes State Office Building, C-1

Commissioners present:

David Dansberger – SFAC
Larry Simns – TFAC
Dr. Jim Gilford – SFAC
John Marple – SFAC

William Carrier, III – SFAC
Russell Dize – TFAC
Ed O'Brien – SFAC
Richard Webster – TFAC

Karen Oertel -- TFAC
Jack Brooks -- TFAC
Bill Woodfield -- TFAC

NRP Update:

Sgt. Beth McVeigh gave a handout of violations that were of interest to the Commissions. Most were run of the mill. Commissioner Dave Dansberger asked Sgt. McVeigh if the offenders with extensive records that were given citations on 09/04/07 had been dealt with. Sgt. McVeigh told him that she would check into it and report back to the Commission.

Striped Bass:

Marty Gary, Fisheries Service, told the Commissioners that the annual Atlantic States Marine Fisheries Commission meeting would be held October 29 – November 1, 2007 at the Loewe's Hotel in Annapolis. The Striped Bass Management Board will meet on Wednesday, October 31st. Mr. Gary invited the Commissioners to attend all, or any part, of the meeting during that week.

Howard King, Director of the Fisheries Service, gave a presentation on the 2007 Maryland Spring Striped Bass Fishery. Maryland had a target of 30,000 migrant fish for the spring season. A slot limit was reviewed and approved by the Striped Bass Technical Committee to help stay within the target range. Maryland slightly exceeded the target limit; 35,588 was the total Maryland harvest of migrants for 2007. Without the slot limit, the 2006 harvest was over 63,000 migrants.

Rich Novotny asked Mr. King if the 2006 charter boat logbooks were compared to the 2007 logbooks; he felt that the charter numbers were down from 2006. Mr. King said the 2007 charter boat harvest was 60% of the 2006 spring harvest; the MRFS survey tracked about the same harvest numbers. Larry Simns asked if the recreational harvest was down as much as the charter boats. Mr. King said it was.

2008 Spring Striped Bass season – Mr. King told the Commissions that the Department intends to secure one fish over 28 inches until May 15th for 2008. He promised to send an agenda for the ASMFC meeting where this will be presented and invited the Commissioners to attend.

Regulations:

Gina Hunt, Fisheries Service, gave a short update on regulations. Commissioner Bill Carrier asked her what happened to the new Fine and Bond Schedule that the workgroup presented. Mr. King told him that it has not yet been returned from the judge. Until it is, the old schedule is still in effect.

Mrs. Hunt pointed out that the point suspension schedule is different; that regulation should be effective before the end of October.

Blue Crabs:

Lynn Fegley, Fisheries Service, gave a power point presentation of the CBSAC 2007 Blue Crab Advisory Report. In summary, there is a very low abundance of age 0 crabs, the rest of the stock is status quo. Mrs. Fegley showed slides that showed abundance being a predictor. She explained that according to the numbers, Maryland is in danger of overfishing the stock in 2008.

Commissioner Russel Dize said he didn't understand the "overfishing" line. He believes crabs have been harvested more by the skates (cow-nosed rays) than by humans. He feels someone needs to find some way to control this species. Commissioner Karen Oertel commented that the level of destruction the skates cause has already been documented in Virginia. Commissioner Dize insisted that this discussion does not need to be dropped; the Department and stakeholders should be working for a solution to this problem. He felt that a committee should be put together to find a solution; for instance, a bounty system.

He asked Mrs. Fegley if the rise in the salinity of the Bay has affected the crabs. She told him that there has been a shift of distribution in the Bay this year. Other than the drought, there is no other factors that would account for this.

Mrs. Fegley asked what is the timeframe that skates are harvesting crabs most? Both commissioner Dize and Commissioner Simns said mid May to early June seems to be when the skates are worse; right about the time of the first shed. Mrs. Fegley asked how many years this has been happening; both Commissioners agreed for 10 years, or so.

- Commissioner Karen Oertel made a motion to put together a committee to look in the skate issue and their impact on crabs and oysters. The committee would formulate a plan to eradicate the population.
- Commissioner Ed O'Brien seconded.
- Motion passed unanimously.

Commissioner Dansberger asked that all Power Point presentations be posted with the electronic minutes.

Yellow Perch:

Howard King gave a Power Point presentation on the Yellow Perch Conservation and Sustainability Act. This legislation passed unanimously in both the House and the Senate to make changes in the Yellow Perch fishery. The Fisheries staff helped Mr. King formulate a proposal. All Fisheries Management Plans (FMPs) are based on stock status and on sustaining stock status, not necessarily increasing abundance for harvest.

Management Objectives: 1) Increase the number of Yellow Perch ascending to spawning areas each year; 2) Equitably allocate harvest between recreational and commercial fishermen.

Rich Novotny asked Mr. King if the commercial fishermen could work the nets they are allowed to set by March 1st before March 15th. Mr. King told him that there is no harvest, or sale, of yellow perch before March 15th. Commissioner Simns argued that stopping the sale and harvest before the 15th kills the commercial fishery. He insisted that, in that case, spawning stock harvest should be stopped for both the recreational and commercial fisheries. The Department should look at closing the whole season, from March 1st to March 15th for everyone. He strongly felt that the current proposal is one-sided against the commercial fishery. Mr. King told him that there is no certainty this proposal will increase harvest; it simply allows the Yellow Perch to pass upstream without interception. Commissioner Simns commented that the Department is willing to put once sector out of business to "maybe" help the other sector. The Department should say "no possession at all" for that period to fix the inequity.

Commissioner Dave Dansberger wondered why the commercial nets are allowed to be set two weeks before harvest time. Mr. King explained that the Department did not want to limit the ability of the fyke netters to catch white perch and catfish. Fyke netters need a couple of weeks to set all of their nets, so they

are allowed to put them in prior to harvest date, but must release any yellow perch caught in the nets prior to that. The NRP started enforcing “no accumulation” of yellow perch in nets prior to sale date; this has shown a 50% decrease in commercial harvest since 2003.

Commissioner Jim Gilford, Chairman of the SFAC, pointed out that “fairness” is based upon personal perspectives. Hook and line recreational fishermen do not catch nearly the number of yellow perch the commercial fishermen do. He stated that he felt the SFAC would support this proposal. Commissioner Dansberger, also of the SFAC, commented that the SFAC always votes against any proposal that allows a yellow perch commercial fishery. Commissioner Oertel agreed with Commissioner Simms that eliminating all fishing is the only equitable way and would certainly increase the number of fish.

Commission Dize told Mr. King that he feels the Department is using catch logs to target commercial high catch times and cut them out. Mr. Novotny felt the Bill instructed the Department to give the recreational fishermen more catch, but felt the proposal was fair.

A spirited discussion followed between advocates of commercial and recreational stakeholders.

Mr. King reiterated that although the proposal reallocates the harvest, it does not take all of the commercial harvest. The basis of the proposal is not to increase stock, but to allow more fish to pass nets to get upstream to increase the recreational harvest. The minimum size limit will go from 9 inches to 8 ½ inches. The FMP will begin November 2007. He assured the Commissions that the Department is not taking the impact on commercial fishing lightly; they realize it will affect commercial fishermen’s income. He asked Commissioner Simms what percentage of shift he would consider equitable. Commissioner Simms said one week closed for everybody, and see how that works. Mr. King agreed to put a sunset on the changes in one year. Rich Novotny said, on behalf of the MSSA, they are in full support of the Department’s plan.

Artificial Reefs:

Marty Gary gave a Power point presentation on the extraordinary events in Artificial Reefs that have taken place in the last 18 months. He gave handouts of maps with 21 deep water reef sites in the Bay, 7 sites in the Ocean and other sites for alternate material permitted through shellfish permits good through 2012.

Mr. Gary agreed to find boundaries for the “Trappe Creek” area for Commissioner Dize and report back at the next TFAC and SFAC meetings.

He told the Commissions that two public hearings are scheduled for approval of the “Gooses” reef site; he will notify the Commissions of the exact dates, times and locations.

A discussion followed on the Sharpes Island/Taylor’s Island site. Mr. Gary proposed moving the material a little east to avoid dropping it on the edge where it could roll off. Commissioner Simms asked that Mr. Gary not allow the material to be put out without an inspector on the boat. He also recommended that crabbers and fishermen be on site as witnesses to where the material is placed. Commissioner Dize felt that the “Gooses” would be the least controversial area.

The meeting was adjourned at 9:00 pm.