



Martin O'Malley, Governor
Anthony G. Brown, Lt. Governor
John R. Griffin, Secretary
Eric Schwaab, Deputy Secretary

Chairman Richie Gaines called the meeting to order at 6:00 pm.

Commissioners present:
Richie Gaines, Chairman
David B. Dansberger
Brenda Foster
John D. Marple
Edward O'Brien
Mark Sampson
William W. Carrier, Esq.

3 proxies
Brian Keen for Jim Smith
Ken Lewis for Diane R. Baynard
Bruno Vasta for William T. Windley Jr.

The Meeting Summary from the February SFAC/TFAC were approved.

NRP Update: Paul Hanyok

Lt. Paul Hanyok presented the Committee with an update from the Natural Resource Police. It had been 9 months since last report. Some of the major cases included the following issues:

- Striped Bass – closed season, after hours, illegal size, and miss-set gill nets.
- Crabbing – undersized, without license, before hours, theft of crab pots. On a positive note there were not a lot of female crab violations.
- Oysters – undersized, unlicensed, exceeding catch limits.
- Non-tidal – trout - keeping fish in designated catch & release areas, fishing during closed periods, catching above the limit.

Marty Gary from DNR proposed doing a press release to honor citizens who assisted in catching anglers keeping trout in catch & release areas.

Commissioners asked questions about the 'Catch a Poacher' program. Callers feel like their calls have been diminished or ignored. Officer Hanyok explained that Catch a Poacher has only 1 line that does not roll over to another line like other emergency calls. If another caller is on, it will give a busy signal. When a call is received, a special Catch a Poacher report is completed by dispatcher and must be given to an area office within 24hrs. The call must be investigated within 5 days. If it will take longer then 5 days to complete the investigation the officer submits a supplemental report until the investigation is completed. Results of the investigation go to board that determines if the reporting citizen will receive a reward.

A commissioner asked – what a person can do if an illegal act is going on right then?

The Catch a Poacher operator will dispatch the report immediately so an officer can respond immediately. If there is not an available officer close to location, the call will get dispatched to the area officer who can assign

someone to respond as soon as possible. The responding or investigating officer does not have direct contact with the citizen who is filing complaint.

A request for data regarding the number of calls received compared to the number of investigations made and action taken was made. If program is working well, DNR and NRP should re-advertised it.

A request was made for information on the status of a pending reciprocal agreement between VA and MD for Charter Boat license holders. The agreement would cause a VA license holder caught breaking a law in MD that would result in them losing their permit to fish in MD to also lose their VA license, and vice-versa.

Legislation and Regulations Update: Gina Hunt

Gina Hunt informed the Committee on 3 upcoming Crab Open Houses dealing with issues of latent crabbing effort. There will be no presentation or public speaking, but the open house style will offer a 7 hour time period to meet with DNR staff to discuss issues and options. DNR is no longer proposing to freeze any licenses.

Prior to the meeting, commissioners received a handout on regulatory and legislative updates. There were questions on either.

Inland Fisheries Update: Don Cosden

Don Cosden gave the Commission an update on recent inland fisheries activities. Welcomed new hire Joe Love, working on tidal large mouth bass.

There will be 5 open house style meetings on proposed Inland Regulations starting April 8th through May 9th. Spring stocking is going well. Recent rains may help us stock areas that had to be postponed due to low water levels.

River and Stream Health (Didymo/Whirling Disease) – Didymo is profuse in upper Gunpowder and getting further downstream than past years. It has not been seen in other locations. Wader wash stations are available, and are being used and not vandalized. There are no new updates on whirling disease, and no known incidents of it spreading. Fisheries will begin sampling for whirling disease again when water reaches 50 degrees. At the Bear Creek Hatchery, Fisheries is working to dry up the one area that has whirling disease spores, but it will still take a couple years to determine if it is completely gone.

Estuarine and Marine Update: Lynn Fegley

Lynn Fegley introduced new/transitioned DNR staff to the commission including Carrie Kennedy who has transitioned from Striped Bass Limited Entry Project Leader to leading the Coastal Bays Program; Matt Lawrence is the new Striped Bass Limited Entry Project Leader, Carrie DePalma, Angela Giuliano, and Jeff Horne are all new to the Striped Bass program.

License Sales:

Each year in March, Fisheries Service certifies recreational license numbers from previous years. So far this year we are up in item sales and overall revenues from last year by approximately 5%. Anglers could now purchase several short term licenses for less than an annual license. For tidal fishing sales, the 5 day license went up 14% while annual licenses went down by 14.7%. For non-tidal fishing sales of a 5 day license went up by 21% while annual licenses went down by 15%. Overall sales in both categories are down. Pleasure boat decals and boat registrations also went down. Recreational crabbing licenses went down as well. Commissioners received historical data on license sales from past five years. The overall trend is that recreational sales are going down significantly. This trend began even before license fees increased. Revenue

did go up overall this past year because of fee increases, but not as much as anticipated because item sales were down.

One commissioner believed drop in sales in 2008 probably had a lot to do with fuel prices.

The license fee increase will sunset June 30, 2010 without legislative action. The Task Force on Fisheries Management will be reviewing data from license sales to decide on what license structure to implement.

Commissioner Dansberger would like to know how many MD residents bought VA licenses. Since we have reciprocal agreement, they could use VA license here. Are we losing sales of our residents to VA?

Marty Gary discussed the DNR Marketing and Outreach Program and the areas that need to be focused on to help keep sales up. These areas include youth recruitment and retention and the lapsing phenomenon of people who decide for many factors whether or not they will participate in a certain season and can go back and forth over time.

We need to work on marketing Maryland Fishing opportunities. As the DNR data management system gets changed over to Compass, we will have a greater ability to get marketing materials to lapsed anglers.

Tom O'Connell reported that under the Task Force spending plan DNR is looking to hire a marketing and outreach position.

Numerous commissioners mentioned ideas to improve marketing and outreach including: working with MD tourism outlets to market fishing opportunities; forming a committee with members representing tidal, non-tidal, and coastal fishing, as well as the tourism board to figure out some campaigns to help market fishing; linking fishing opportunities to corporate events that are brought to Maryland; advertising fishing opportunities in news papers; online opportunities; getting the MD Tourism Department and MD Business and Economic Development Department to work with DNR.

One commissioner also brought up the issue of coastal licenses? Is DNR losing funding from a large amount of people fishing in Ocean City for free.

Marty is also continuing to work to get sponsors finalized for fishing tournament.

A commissioner asked if different fishing groups would help donate prizes to the fishing championship. The prizes will be smaller, but there will be more of them.

Marty asked the Committee if they would support using Special Funds revenue to ensure the Fishing Challenge can continue this year? Commissioner O'Brien agreed with the use of special funds if possible with subsequent approval from the rest of the commission.

Susquehanna Flats Catch & Release Fishery Temperature Thresholds:

Rudy Lukacovic presented results of a 1998 study to estimate mortality of catch & release fishing on striped bass on the Susquehanna Flats. As water temperature rises, mortality rates increase in zero salinity water.

DNR requested feedback from the Commission on season dates and whether or not there should be a policy to extend the season if water temperature has not reached 65 degrees.

Catch & Release opens April 18th. The following options were submitted to determine the close of the season.

Option 1 – close season as soon as water temperature reaches 60 degrees.

Option 2 – close season as soon as water temperature reaches 65 degrees.

Option 3 – close season on May 3rd regardless of temperature. No early closure or extension.

Option 4 – close season at May 3rd, with extension if water temperature is less than 65 degrees. No potential early closures. (this is the option used last year)

Option 5 – permanent season extension to May 15th. Highest risk of catch & release mortality. Water temperatures often reach 70 degrees.

Closing the season based on a temperature trigger would require a temperature probe and additional staff time. Fisheries staff is currently supporting option 3.

A commissioner advised that there is a problem with catch & release fishing. Fish are not being handled properly and are being killed for no benefit.

A motion was recommended and passed (unanimous) to support option 3.

A commissioner asked if there is data on the effect of spawning on female fish that are caught & released. Rudy advised that there is no data available because it is difficult to track a released female and watch her spawn in nature. It can't be reproduced in a lab setting because caught fish will not spawn without chemical induction.

A commissioner stated that more education on proper catch & release techniques is essential. Additional data is also needed on catch & release mortality cause by trolling. He recommended a restriction on number of lines, limited days before season opens, and forbidding bringing fish over the deck of the boat.

The Chairman would like a 1, 3, 6 month look ahead to track progress on the issue on the agenda of future meetings.

A commissioner stated the Commission needs to send a request to the Atlantic States Marine Fisheries Commission to do a study on what the VA fishery is doing regarding catch & release fishing that impacts MD fisheries.

Commissioner O'Brien wanted clarification of the position of the SFAC on catch and release that was discussed in April 6th meeting, and have the clarification accurately reflected in the meeting minutes. The Maryland Charter Boat Association is not against Catch and Release in the lawful sanctioned season on the Susquehanna Flats. Commissioner O'Brien indicated that the MCA thinks what has gotten way out of control is the catch and release before the season starts in March and April. This practice has taken off esp. in areas such as Sandy Point. This issue has been discussed in the past in the White Paper Committee, and in the Striped Bass Ad Hoc Group. He is not sure how the 'bait thing' got out of control, but it did and it was not monitored. The MCA are for catch and release, but not in an out of season context. Some charter boats are doing it (catch and release) too, but it has lessened this year due to peer pressure. The practice has picked up in last 2-3 years. ASMFC staffers and commissioners in the area are aware of it, and the Commission (SFAC) needs to make a statement saying that it is being evaluated to help keep the practice under control.

Chairman Gaines indicated for the record that a concern was brought to the table by several individuals, one of which was the Charter Boat Association, and was discussed at the April 9th meeting. All commissioners present at that meeting unanimously agreed with the concern and asked the department to look into options and come back with recommendations. It was expressed as a concern, not as an attempt to try to close, shut, or stop anything. The meeting summary needs to reflect this accurately for the public record.

MRIP & National Saltwater Angler Registry:

No questions on information given to out prior to meeting.

Commercial Crab Pot Buoys:

Issues being discussed currently include availability of a single paint that will adhere to all surfaces of the buoy and meet environmental standards, concern from NRP officers that limiting the variety of colors will reduce the color combinations possible, making it harder for officers to group the pots belonging to one individual from a distance requiring officers to pull each buoy top check identification, and visibility of buoys in all weather and light conditions.

A commissioner requested that highly visible colors be required on crab pot buoys stating that black, blue, and other dark colors are not visible during the day on the water.

A motion was made for the SFAC Commission to recommend a subcommittee with SFAC, TFAC and boating commission members to take up the issue of crab pot buoys. It was seconded and passed.

Planer Board Discussion:

The boat commission initially brought up the issue of planer boards as a traffic safety issue. Both private and charter boats are using planer boards. DNR currently lacks legislative authority to manage planer boards. Should DNR seek some sort of authority or put out an educational message to the public?

The commission did not feel a need to proceed with this issue.

River Herring Management:

Bob Sadzinski gave a presentation on the status of Atlantic coastal stocks of river herring to gain feedback from commissioners on possible future management options. The commissioners were asked if Maryland should join other coastal states in a moratorium on river herring to help pressure ocean watermen to better manage the species. The greatest cause of river herring mortality rate is ocean by-catch.

No motions made/no action taken.

Blue Crab Management Update:

Dredge data from winter dredge report and harvest data is being finalized, it should be ready in next 1-2 weeks.

New Business:

None – meeting adjourned at 8:57 p.m.

