



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

Summary of the joint Meeting of the Sport Fish and Tidal Fisheries Advisory
Commissions & Regulatory Scoping Meeting
Tuesday, February 17, 2009
Tawes State Office Building Cafeteria
Joint Commissions Meeting 5-6:30 PM
Regulatory Scoping Meeting 6:30-9 PM
Annapolis, MD 21401

Agenda

Fisheries Director Tom O'Connell started the meeting at 5:10 PM with a welcome to the joint commissions. Announcements included: Completion of the Oyster Advisory Commission Report, Task Force on Fisheries Management Report, Bills introduced into the legislature originating from the Fisheries Task Force, an upcoming public meeting on summer flounder management options on February 23rd in Ocean City, and an upcoming meeting of the Fisheries Task Force on March 24th.

Jonathan Kramer of Maryland Sea Grant provided an update on an Ecosystem Based Fisheries Management Plan process being developed for the Chesapeake Bay. Originated from a commitment from the Chesapeake Bay program and is funded by EPA and MD DNR through MD Sea Grant, which functions as organizers and facilitators of the effort. Involves fishery stakeholders and non fishery stakeholders. Geographically inclusive of the Bay watershed, including MD, VA and PA. Five species are being considered (striped bass, blue crabs, menhaden, oysters and alosines). five species teams and four quantitative ecosystems teams (Habitat Suitability, Stock Assessment, Socioeconomics and Food Web) have been formed. Over 60 participants have worked together in the last year. Stakeholder participation is encouraged and updates of the team's progress is available by email:

kramer@mdsg.umd.edu

or through the website:

<http://www.mdsg.umd.edu/programs/policy/ebfm/>

Gina Hunt provided an update on regulatory proposals and legislation. Public comment period for blue crabs has been extended through February 27th. Three

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Task Force bills were heard today and one lease law bill. A bill dealing with restitution emanating from the Task Force was released from the Governor's office today. A complete synopsis of proposed legislation may be found at:

<http://www.dnr.state.md.us/fisheries/regulations/proposedregulations.html#LegislativeUpdate>

DNR Fisheries Service Assistant Director for Inland Fisheries Don Cosden provided an update of inland fisheries activities. Didymo smapling in the Gunpowder has shown that the invasive organism is still present, but has not spread. Felt soles on waders are suspected of being a transport mechanism to spread Didymo. Wader manufacturers have discussed phasing out the sale of felt soled boots. DNR has discussed banning felt soled boots, but no action to do so has come forth yet. Two facilities have been shut down due to whirling disease. The disease has not been shown to have spread from areas where it was distributed in 2007. The Savage River dam needs \$6,000,000 in repairs. Stimulus funding is being pursued by MDE. The worse case scenario would be that funding is not acquired, and the lake would be drained and the tail water fishery could be severely impacted or lost.

DNR Fisheries Service Director Tom O'Connell provided an update of the proceedings from the Atlantic States Marine Fisheries Commission (ASMFC) Winter Meetings. Looking forward, and effort would be made to gather input from the commissioners and stakeholders to help the Maryland delegation better represent the stakeholders. A USF&WS investigation of Maryland's commercial striped bass fishery was a topic that was discussed. Maryland was proactive in those discussions, and as a result, the ASMFC Striped Bass Management Board agreed to wait until more facts were available at the May meeting before discussing in greater detail. North Carolina made a motion to increase commercial allocation, and this motion resulted in a tie vote. Maryland did not support the motion because the proposal had not been thoroughly vetted through the Technical Committee. The motion was a surprise to many on the Management Board, and it is expected to be brought up again at the May meeting. Summer flounder options for 2009 will include a reduction due to overages from 2008. 50% of the reduction must come from season closures. A new stock assessment will be available in 2011 for American Eel. Maryland's American eel population is doing better than many other locations along the coast. River Herring are not doing well coast wide, and management actions may come out of the May meeting. Menhaden are in the 4th year of a 5 year cycle for research. In early 2010, there will be enough information for the Management Board to put options on the table. NOAA received input from the individual states. A free registry will be provided in 2010, and a fee will be implemented in 2011 unless states can demonstrate compliance with their own systems and the NOAA model.

Several commissioners asked Director O'Connell questions regarding summer flounder harvest estimates and possible options for 2009. The options will be addressed in the scoping meeting that follows.

Lynn Fegley offered an update on blue crab management. The comment period on a proposal to freeze LCC licenses has been extended until the end of the month.

Preliminary harvest for 2008 for female crabs has been estimated to have resulted in a 25-31% reduction based upon an independent survey. Preliminary male harvest projections for 2008 was higher harvest compared to 2007. The real state of the blue crab population is based upon the winter dredge survey. Those numbers will be available in April. A derelict ghost pot retrieval program is tentatively scheduled for November of 2009. Diver Skip Zinck indicated that he sees a large number of ghost pots. He would like to see sport fishermen allowed to take pots they snag to a central repository at a location such as the boat launch at Sandy Point State Park.

10 minutes was available for new business and public comment. Commissioner Russell Dize introduced discussion on the size discrepancy between conch (channeled, lightning and knobbed whelk) landed in Virginia (5.5 inches) and Maryland (6 inches). The discrepancy results in Maryland watermen landing conch in Virginia ports. The Department replied that discussions were in progress to address the size difference by increasing the size to 6 inches in VA. By going to a 6 inch minimum size, the animals are allowed to spawn at least once. Harley Speir indicated that Delaware is increasing their minimum size to 6 inches.

Commissioner Johnny Marple asked if planer boards were an issue in the spring trophy fishery. Ed O'Brien commented that many more planer boards are used by the recreational sector. Gina Hunt mentioned the topics of planer boards was brought to the attention of the Department by the Boat Act Advisory Committee. They recommended the Department further research the use of planer boards to determine if there are problems with their use. Dave Dansberger indicated that excessive spreads can cause problems as can the colors. Flags to improve visibility would be helpful on the water. Marty Gary indicated that DNR staff will discuss internally and come back to the Commission with more information on the use of planer boards.

Joe Zinner from the Perry Hall Chapter of MSSA brought concerns regarding dark color crab pot buoys and strikes by recreational boaters in the upper bay/Middle River area. The strikes result in damage and associated repair costs to recreational boats and lost gear and ghost bycatch to commercial crabbers. Mr. Zinner proposed the use of brighter colors, such as orange or fluorescent green. Commissioner Larry Simns indicated that under certain conditions, dark colors are more visible. Mr. Simns also noted that the brighter paints do not prevent fouling and the buoys would need anti fouling paint. He suggested the boaters should follow the float free channels. The Department indicated they would research this topic and come back to the Commissions at a later date.

The meeting was adjourned at 6:30 PM, and a regulatory scoping meeting followed.