

**Virginia Marine Resources Commission**  
**Crab Management Advisory Committee (CMAC) Minutes**  
2600 Washington Avenue, Newport News, VA  
VMRC Commission Room, 4<sup>TH</sup> Floor  
Thursday March 1, 2018 – 6:00 P.M.

**ATTENDANCE**

Members Present

Hon. Ed Tankard  
Peter Nixon  
Mark Sanford  
James Hudgins  
Bernard Wayne Morris  
Donald Porter Sr.  
Chris Moore (via teleconference)

Members Absent

Kenneth Diggs  
Daniel Dise  
Johnny Graham  
Kevin Wade  
Tom Powers  
Viola West  
Ernest George  
Marshall Cox

VMRC Staff Present

Alex Aspinwall  
Sara Blachman  
Sydney Alhale  
Jill Ramsey  
Rob O'Reilly

Others Present

Dan Knott  
Doug Jenkins  
Jim DelBene  
Lynnee Squires  
Mike Seebo  
Gabrielle Saluta  
Michelle Squires  
Tim Wivell  
Scott Wivell  
Wade Blackwood  
Dr. Rom Lipcius

Minutes were recorded by Anna-Mai Christmas-Svajdenka.

**I. Introductions, announcements & approval of minutes**

The meeting was called to order at 6:04pm by Hon. Ed Tankard. Only seven committee members were in attendance, no quorum was reached, and minutes from the April 2016, February 2017, and May 2017 meetings could not be approved. Chief Rob O'Reilly gave an introduction of the issues to be addressed and mentioned that changes to regulations to determine the crab bushel amounts would not be voted on by the Commission until May or possibly June if necessary. Hon. Ed Tankard confirmed that the upcoming season would run from July 5, 2018 to July 4, 2019.

**II. New Business**

**1. Blue Crab Harvest Update from the 2017 Season**

Chief O'Reilly gave a brief review of the 2017 Commercial Blue Crab harvest and how it related to the type of crab gear fished, particularly hard crab pots and peeler pots. He showed that since 2008 with the removal of the crab dredge, watermen have primarily moved to using crab pots as their main gear. Mr. Peter Nixon wanted a clarification on

how we determine the pounds of peelers caught, when the watermen report in number. Chief O'Reilly stated that Virginia Marine Resource Commission (VMRC) uses conversions in the database to determine the pounds and that those conversions are static with nearly five peelers per pound.

Chief O'Reilly went on to show how the amount of pounds harvested correlated to the number of trips taken each year (the effort by each waterman) and concluded that VMRC does not have accurate information on the number of pots fished as most watermen report the number of pots they are licensed for rather than the actual number fished. From the information reported by watermen, he stated that the data showed a slight relationship between pounds caught and the effort produced. Chief O'Reilly mentioned that it is important to look at our crab harvest in relation to the Spring and Fall seasons as the harvest numbers vary between them and can affect the price. Mr. James Hudgins verified that the number of people who reported their crab pot catch in 2017 was 791 to account for the 22,022,055 pounds caught. Chief O'Reilly explained that the best way to look at the data was to focus on only the actual harvest days not the number of pots they are licensed for. Mr. Nixon wanted to know if staff could provide information on the number of trips taken by each harvester during a season. Chief O'Reilly stated that the information was acquired for a previous meeting to determine the waiting list for the different crab licenses and will be presented at the next meeting.

Chief O'Reilly showed that, though the months with the highest harvest fluctuated, 18% to 23% of the harvest was determined in the Spring months, which was heavily affected by the abundance of female Blue Crab spawning-age crabs. This corroborates the information from the bay-wide winter crab dredge survey, showing that female crabs control the Spring harvest. Chief O'Reilly stated that at the next meeting, staff would see if there is a correlation between the number of juveniles found in the Winter dredge survey and the late Summer or Fall harvests. This data will play an important role in adjusting bushel limits. In reference to the committee's question about the increased number of pots in the Virginia Waters, Chief O'Reilly presented information showing the stagnant number of pots from 2008 to Present. Mr. Nixon wanted to know if there was a great deal of underreporting pot numbers by watermen. Chief O'Reilly agreed, stating that most harvesters felt it was more important to report the accurate pounds harvested versus the number of pots used. Chief O'Reilly displayed a trend in crab pot license eligibility, sale, and activity, showing that the number of active licenses was much lower than the number sold.

In regards to peeler pots, there was a strong correlation between number of trips each year (the effort by each waterman) and the pounds harvested. Chief O'Reilly showed the commercial peeler pot annual effort (catch per unit effort) from 1994 to 2017 and stated that the data needed refinement and will be made clearer at the next meeting. Then Chief O'Reilly presented the trend in peeler pot license eligibility, sale, and activity, showing that the number of license that were active was also much lower than the number sold. Mr. Mark Sanford wanted to know the number of inactive harvesters who sell their license. Chief O'Reilly stated that staff will provide the exact information at the next meeting, but as he recalled, there has been a downward trend, with the introduction of crab agents. Mr. Nixon pointed out the financial difficulty of crabbing with the current bushel limits. He mentioned that staff should realize that one's ability to catch the bushel limit differs from one end of the bay to the next and VMRC should consider having separate bushel limits between males and females. Chief O'Reilly suggested that staff will look at the catch report for harvesters who

consistently work in the same location in the nine different Virginia water systems over a period of two to three years.

**2. Initiate a discussion of possible management responses to the late April-early May results of the 2017 – 2018 Bay-wide Winter Crab Dredge Survey**

Chief O'Reilly presented the number of crab pots in the main stem of the Chesapeake Bay separated into the four quadrants: Southwest, Southeast, Northeast and Northwest. With the upcoming Winter crab dredge survey, Chief O'Reilly stated that from a previous discussion during this meeting, the committee could look at both the correlations between the abundance of female spawning-age crabs and juvenile crabs from the bay-wide survey and the following Spring and the Fall harvests to determine the bushel limits for the upcoming season. Chief O'Reilly stressed the importance of having a full committee and the role they could play in establishing a new bushel limit. The present committee members agreed.

**III. Old Business:**

**1. Continue discussion on sanctuary areas, including portions of Areas 3 or 4 where the sanctuaries could be trimmed and pushing back the closing date of Area 2 from May 9 to May 16.**

Chief O'Reilly presented the closure dates pertaining to the current Blue Crab sanctuary areas and the interest in two new proposals. The first proposal called to move the closure date from May 9, 2018 to May 16, 2018 for Areas 2, 3, and 4. The second proposal discussed opening small sections of sanctuary Areas 3 and 4 along the coast. Dr. Rom Lipcius came forward in favor of the date change but stated that the crabs found in Areas 3 and 4 along the coast are spawning at the time, which is why it would be problematic to open sections in those areas along the coast in Virginia Beach to harvest. Mr. Nixon was concerned for the crabbers from Lynnhaven River, Broad Bay, and Linkhorn Bay being crowded into one small area, and the complaints from the residents. Dr. Lipcius suggested a one to two year pilot program on the coast to detect any effect on the stock with the catch per unit effort. Mr. Nixon and Mr. Stanford both agreed that this change would not create an increase in effort and should help decrease the irritation of the residents. Dr. Lipcius ended by saying he would be comfortable with the suggestion to change the closure to commercial crabbing Areas 2, 3, and 4 from May 9, 2018 to May 16, 2018. He continued to say that he would support a pilot project that allowed no closure in part of Area 4 (wanted all) for a year to assess effort change in Lynnhaven and Area 4. Chief O'Reilly agreed with the closure date change.

**2. Discussion of options to address ghost pot problem, including tending requirements and biodegradable panels for crab and peeler pots**

Ms. Sara Blachman presented on the ghost pot (derelict pot) problem in Virginia tidal waters and the potential solutions to help deal with this problem: biodegradable escape panels (Polyhydroxyalkanoate (PHA) panels or common alternatives like untreated cotton, hemp, sisal, or jute twine, non-stainless uncoated ferrous wire, or soft wood lath) and Blue Crab pot tending requirements. Over a four-year period, 32,000 ghost pots were removed from Virginia waters in a program set up by The Center for Coastal Resources Management (CCRM) at the Virginia Institute of Marine (VIMS). New York, New Jersey, Florida, and Texas have escape panel regulations specific to their Blue Crab fishery. There were regulatory changes proposed in 2011 to address Blue Crab pot

tending requirements, making it unlawful for any person to set any commercial crab or peeler pot, and not tend that pot for more than five consecutive days after it has been set. Mr. Hudgins showed concern for the price, size, and longevity of the panels. Chief O'Reilly stepped forward to introduce Mr. Wade Blackwood from Mobjack Binnacle Products, maker of the panels, who further explained the production and the importance of the panels. Both Mr. Hudgins and Mr. Donald Porter Sr. stated that they did not think ghost pots were a major problem and felt that there was an exaggeration of the number of pots lost every year.

The committee showed concern for the validity of the report by CCRM that produced the number of ghost pots collected. Dr. Lipcius stated that The Chesapeake Bay Stock Assessment Committee (CBSAC) was writing a response to discuss the validity of the effect the number of ghost pots has on the mortality of the Blue Crab population, according to the report by CCRM. Mr. Tim Wivell, a waterman, came forward to explain the low number of pots he found while participating in the ghost pot removal program. Mr. Nixon confirmed Mr. Tim Wivell's observation that crabs dislike foul pots, explaining the low number of dead crabs found in the ghost pots. Mr. Tim Wivell and Mr. Scott Wivell stated that most of what they collected consisted of pot fragments and very few intact pots. Mr. Hudgins questioned if the ghost pot problem was higher in certain areas. Mr. Tim Wivell replied in the well-travelled areas. Mr. Doug Jenkins, another waterman, stated that he lost only 16 out of 700 pots and he believes that ghost pots are more beneficial as they provide protection to small crabs.

Chief O'Reilly stated that the current, and previous, administration believe that there is a ghost pot problem. Mr. Sanford addressed the issue with watermen leaving pots in the Lynnhaven River. Mr. Nixon mentioned having a similar issue. Both agreed that having a pot tending regulation would be beneficial. Chief O'Reilly stated that for the next meeting, he would determine why the pot tending regulation made it to the Commission but was not finalized. Mr. Hudgins requested that VMRC look into alternative panels than the ones discussed at the meeting. Ms. Blachman confirmed that she would present the map detailing the areas where the ghost pots were found. Mr. Porter Sr. wanted to know if anyone received an incentive from VIMS to collect more ghost pots. The watermen collectively stated no.

Mr. Blackwood believed that human impact with the ghost pots plays a major role in the Blue Crab population while Mr. Nixon believed that the natural crab predators had a bigger impact. Mr. Nixon agreed that he is willing to try Mr. Blackwood's products for a season to test the financial and physical feasibility. He agrees that something needs to be done but would like the waterman to be able to test the products and have a say in the decisions. Dr. Lipcius asked to further discuss the panel and ghost pot issue after CBSAC releases their evaluation of the report by CCRM. Mr. Hudgins noted that Mr. Blackwood might want to pay attention to the color of the panels to deter predation. Mr. Blackwood suggested that CCRM should present at the next meeting.

### **3. CMAC members input on additional items for this or a following meeting.**

Several members expressed concern with the lack of member attendance and suggested adjusting the CMAC board members. Chief O'Reilly suggested that staff wait and get the report back for CBSAC and the investigators before making any further decisions on the ghost pot issue. The next meeting is to be scheduled in the first week in May 2018 after the bay-wide Winter dredge survey.

#### **IV. Adjournment**

The meeting was adjourned at 7:50pm by Hon. Ed Tankard.