

**Virginia Marine Resources Commission
Crab Management Advisory Committee Meeting
VMRC Conference Room**

March 11, 2010

Members Present

Hon. Rick Robins (Chair)
Hon. John McConaugha
Daniel Dise
Gerald Parks for Doug Jenkins
Paige Hogge
Joe Palmer
Ken Smith for Louis Whittaker
H.M. Arnold
Chris Moore
Ty Farrington
Johnny Graham

Public

Dirk Sanford
Ken Diggs Jr.
Tim Wivell
Charles Gregory
Mark Wallace
Danielle McCulloch
Roger Parks
Eugene Pruitt

VIMS

Rom Lipcius
Mike Seebo
Kirk Havens
Diane Tulipani

Members Absent

Jim Casey
Pete Nixon
Ronnie Jett
Tom Powers
Marshall Cox

VMRC Staff

Robert O'Reilly
Jack Travelstead
Mike Johnson
Laura M. Lee

I. Introductions/Announcements

Mr. Robins called the meeting to order at 6:05 pm and stated that a quorum was present. Mr. Robins added two VMIS items to the agenda, as New Business, regarding the crab dredge survey and the efforts of BRD use education.

II. Approval of Minutes from February, 2010 Meeting

Minutes approved by consent.

III. Issue Identified by Committee members for Discussion

Mr. Travelstead started by introducing measures that had been identified by committee members as subjects that the committee should discuss. He added that VMRC has been receiving phone calls about an additional issue, lowering the spring bushel limit. This issue has been brought up almost every spring but this committee has shown no interest in changing the regulation.

Mr. Smith asked who had been calling about lowering the spring bushel limits.

Mr. Travelstead responded that a couple of watermen did; one was from Tangier and one was from the Middle Peninsula.

Mr. Travelstead stated that staff does not have a position yet on the other three items identified by the committee because the crab dredge survey numbers will not be out until this committee meeting in April. If we have good numbers again this year that will make two years, however we would like to see three before we start liberalizing regulations. Two important things we will be looking for will be the abundance of age 1+ crabs and recruitment. During the discussion of these items if there is support for making a change what will the committee be willing to give up to maintain conservation equivalency.

a. Black sponge rule

Mr. Travelstead stated that VMRC realizes that this is the least favorite rule of the three listed due to culling times and subjectivity for enforcement. The problem with eliminating

this rule has to do with increased fecundity for crabs that spawn early in the year, based upon studies done by Dr. McConaugha.

Dr. McConaugha stated that eggs produced early in the year are more robust in terms of yolk mass and size which could indicate increased survival of larvae.

Mr. Travelstead stated that currently the dark sponge rule is in effect until July 15.

Mr. Robins stated that determining conservation equivalency is difficult when making changes because some of these items are hard to quantify. He asked Mr. Travelstead to comment on the scale of protection these items offer after the initial discussions of the agenda items.

Mr. Smith asked if we know how many black sponge crabs die during the culling process.

Mr. Travelstead stated that Dr. Lipcius has done studies on that and had presented that data to the committee.

Dr. Lipcius stated there was little mortality in May and June with high mortality in July, August and early September.

b. Blue crab sanctuary

Mr. Travelstead stated that there had been discussions with Dan Dise about the Blue Crab Sanctuary off Tangier Island over the last few years. The sanctuary comes close to Tangier Island and impacts Tangier crabbers in the early part of their season. Mr. Dise has suggested that we redraw the boundaries for the northern part of the sanctuary.

Mr. Dise stated that the lower part of the Bay get to start two weeks earlier than people on the Tangier area and they just want to be able to catch their fair share of the crabs. He would like to see the sanctuary start, north of line drawn east from the Mouth of the Rappahannock River, on May 15.

Mr. Travelstead stated that Dr. Lipcius has conducted studies of crab abundances in the Sanctuary and the northern part of the sanctuary does contain a large number of female crabs during the early part of the season. In terms of conservation equivalency making this change in the boundary will require large concessions.

c. Lower bay (original) Sanctuary Season

Mr. Travelstead stated that changing the dates of the Lower Bay Historical Sanctuary was introduced by Joe Palmer. Currently the date of the start of the Lower Bay Sanctuary is May 1 although that had been June 1 the year before. Mr. Palmer proposal is start the Lower Bay Sanctuary May 15. He further stated that keeping this area open two weeks longer may attract more crabbers to work that area, removing more female crabs.

Mr. Palmer replied that he thought that the only people who would work the area would be people who normally work the area anyway. The dates for the area were changed as part of the 34% reduction. Due to the license buyback possibly reducing the catch by 7.5%, would this be enough conservation equivalency to move the Lower Sanctuary date to May 15?

Mr. Travelstead responded that not every license bought back was an active license. Also, most of the regulations VMRC put in place were meant to protect female crabs from harvest in the fall and winter so they could spawn the following spring. Unfortunately most of the proposals that have been made would improve the catch of females in the spring.

Mr. O'Reilly stated that some studies indicate May can be a good month for spawning.

Dr. McConaugha stated that earlier studies saw sponge crabs in late May, however, all adult female crabs have the potential to spawn in the spring.

Dr. Lipcius stated that we are trying to protect females that are spawning for the first time from harvest in the spring.

Mr. Travelstead asked the committee if these are the kinds of changes the committee is interested in making, which ones do you prefer and what are you willing to give up to maintain conservation equivalency.

Mr. Robins stated that in summary it is hard to roll back some of the measures VMRC instituted while still trying to protect the spring spawning females, and yet we have some indications that the winter dredge survey may be positive. The committee should look at these proposals and see which ones have the broadest benefit to the fishery. He asked Mr. Palmer how many crabbers operate in the Lower Bay Sanctuary.

Mr. Palmer replied he was not sure but the majority of them were present at the meeting tonight.

Mr. Robins said that it would be good for the committee to discuss what would be good tradeoffs for changes to crab harvest regulations.

Mr. Smith stated that Mr. Palmer had a good idea that the crab license buyback was already providing a measure of conservation equivalency to make some liberalizing changes. He then asked Mr. Travelstead how he could say the buyback provided a benefit to the fishery but then not give anything back to the crabbers for its conservation value.

Mr. Travelstead stated that one way we could look at the value of the conservation would be to look at the average harvest of the people whose licenses were bought back.

Mr. Robins stated there is still of question of effort and catch in the fishery, which may result in recoument of catch in areas where there is gear saturation. He stated it would be helpful to have catch data from the Lower Sanctuary to give a sense of the benefit.

Mr. Smith sated that we should look at state code to make sure the regulations we are making follow those laws, specifically regarding optimal yield.

Mr. Palmer stated that since the committee will next meet in April any changes that we do recommend can not be made in time to help.

Mr. Travelstead stated the Commission might be able to use an emergency action at the April meeting.

Mr. Robins stated that you would either have to advertise a range of options at the March meeting or take an emergency action in April.

Mr. Graham stated that with the black sponge rule he wasn't sure if we ever assigned a value to the black sponge rule when it was enacted in 1996. Recent study results show we were not helping as much as we intended. He asked if we were ever given any credit for the black sponge rule.

Mr. O'Reilly responded that there was not any credit amount assigned to it in 1996, but in the 2000 to 2001 time period when peeler crab pot rules were changed staff did try to calculate a benefit for the black sponge rule. But unless staff did an egg per recruit approach we couldn't really look at harvest.

Mr. Graham stated that putting back black sponges in the water has not done anything to help the recovery of blue crabs. He feels it puts an unfair burden on a lot of different user groups and feels like it is time, after we define whatever changes we need to make, to do away with this rule and let people keep what they catch. It was wrongfully taken away to begin with because there was no real benefit and there should not be any give in terms of conservation equivalency.

Mr. Dise stated that for the first two weeks of March crabs are not available to crab potters around Tangier in the sounds. He would like to see the dates of the sanctuary, north of the mouth of the Rappahannock River, pushed back two weeks to account for this lag compared to the southern parts of the Bay. VMRC could even start the crabbing season on April 1 north of that line.

Mr. Robins asked Mr. Dise how many boats he thought would come and work those areas.

Mr. Dise responded not many because the Tangier fleet has been cut in half. You might get one or two big riggers but off the top of his head he doesn't know.

Mr. Graham asked Mr. Travelstead and Mr. Dise about changing the September 15 date for the Sanctuary to September 1.

Mr. Dise responded there are no crabs in the deeper water then. Crabber around Tangier would prefer to have the first two weeks of May.

Mr. Robins asked for comments from the committee about changing the spring the bushel limit.

Mr. Moore asked about savings if the bushel limits were changed.

Mr. O'Reilly replied recoument would make that difficult.

Mr. Graham stated that the market dictates how much product can be moved and that the bushel limits should be removed.

Mr. Dise agreed; bushel limits hurt the better crabbers.

Mr. Farrington asked what is the time frame for the first spawn in the spring.

Dr. McConaugha replied we start seeing a lot of sponge crabs in the last part of May into June, but it is temperature dependant.

Mr. Farrington replied that we should remove the black sponge rule after those dates. How long does it take from the time to sponge first appears to when they rub the sponge off.

Dr. McConaugha replied usually about two weeks. However the time frame of when the sponge first occurs varies through out the population.

Mr. Farrington stated he would like to see a date of June 1 for removing the black sponge rule.

Mr. Graham stated he would like to see June 1 as well. The hardships on the industry caused by the black sponge rule are too great for what he feels is too little reward for the crab population.

Mr. Farrington stated he supports a start date of May 15 for the entire Crab Sanctuary and a June 1 date for dropping the black sponge rule.

Mr. Smith asked if that was a motion.

Mr. Robins stated that we can discuss making motions but we will have more information at next meeting to put these ideas into a better context.

Mr. Smith stated he would like to take a vote to see where the committee stands.

Mr. Robins stated he would like to see the committee prioritize the ideas put forward and then finalize a recommendation at the April meeting. That could be a motion if the committee had reached the end of their discussion on the benefits of the ideas proposed.

Mr. Farrington offered a draft motion of dropping of the black sponge rule on June 1 and starting the closure of entire Bay Crab Sanctuary May 15. He felt that once the black sponge crabs showed up in early May, in the southern parts of the Bay, people would quit crabbing in the sanctuary area anyway.

Mr. Robins asked if he had any tradeoffs for conservation equivalency.

Mr. Palmer seconded the draft motion.

Mr. Sanford asked if there were any credit for the Ocean Crab sanctuary.

Mr. Travelstead replied that when we changed the date of the black sponge rule to July 15 the Ocean Crab Sanctuary was created as a conservation give back.

Mr. Diggs supports the motion.

Mr. Robins asked for a vote on the draft motion. The motion passed eight to zero with three abstentions.

Mr. Travelstead stated a date for the April meeting should not be set until we know when the crab dredge survey results will be ready.

Mr. Smith asked for data regarding the license buyback in terms of conservation.

Dr. Lipcius stated he would like to go back and look at the data for spring culling mortality of sponge crabs to get idea for date changes. Protecting the first spawn of the season is important.

Mr. Robins asked Dr. Lipcius to provide density of female crabs in the sanctuary for the dates in question.

Mr. Farrington asked if there was any difference in adult female crab culling mortality: clean, orange sponge or dark sponge.

Dr. Lipcius responded that was no difference in culling mortality.

Mr. Farrington asked why we are keying in on black sponge crabs.

Mr. Robins stated that the committee will be looking into changing the dates for black sponge crabs.

IV. New Business

Mr. Mike Seebo made a brief statement about the completion of the VIMS field work for the Blue Crab Winter Dredge Survey and that the data will be sent to Maryland DNR for analysis. The data will be compiled with Maryland's dredge survey data and presented to this committee as soon as possible. He indicated that the data he was about to present was raw data for the lower half of the Bay only. The raw data showed that the total amount of crabs caught in the 2009/2010 survey were at least double the amount from last season's survey. The number of number of age-0 crabs in the western shore sampling stratas were more than double the amount in the 2008/2009 survey. The number of age 1+ blue crabs were more abundant in western shore tributaries in for the 2009/2010 survey than the 2008/2009 survey.

Mr. Robins asked when the final data would be ready for presentation to the committee.

Mr. Seebo said the approximate turnaround time is 3 to 4 weeks after Maryland receives the data.

Mr. Dise asked if VIMS could have an open boat tour at Tangier Island next winter.

Mr. Seebo responded that they could. He then cautioned the committee that the survey numbers presented to the committee were raw numbers and represented only the Virginia portion of the Blue Crab Dredge Survey, from the lower bay, and that the Maryland data could lower the estimates of Virginia's raw numbers.

Ms. Diane Tulipani gave the committee a brief presentation on the education initiative for the voluntary use of BRD's in recreational crab pots.

Dr. McConaugha said the Virginia Aquarium will be having an expo in April and that might be a good forum for VIMS to do a presentation for BRD use.

Ms. Hogge asked if there were terrapin abundance estimates for past years.

Ms. Tulipani stated that information is lacking.

Ms. Hogge stated that she felt the larger populations of diamondback terrapins were actually in areas north of where VIMS did their surveys and the VIMS abundance estimates were thus incorrect.

Mr. Kirk Havens gave a presentation on the marine debris program being coordinated through VIMS. There is a webpage on the VIMS/CCRM website detailing the program. To date, for the 2009/2010 season, almost 9,000 pots have been removed. Annual loss of crab pots is estimated to be between ten and twenty percent of pots set. One way to prevent these pots from continuing to catch crabs and other animals would be to put a cull ring panel that would degrade over time and allow animals to escape from the upper chamber. Dr. Havens provided an example of a degradable panel to the committee.

Mr. Smith stated that he believes these ghost pots provide habitat not only for oysters but other organisms as well. He also asked if Dr. Havens was aware of anybody abusing this program.

Mr. Havens replied that he did not know specifically of anyone abusing the program. The amount of pots recovered by the fisherman was not an indication of success; rather the amount of area scanned with the sonar was more important.

Mr. Smith believes the sonar should belong to the fishermen and not the state because federal monies were used.

Mr. Graham said that it appears more pots were collected this year than last.

Mr. Havens said that is true because of an earlier start this year compared to last year as well as eight more participants this season.

Mr. Graham asked how many ghost pots are from one year's accumulation.

Mr. Havens responded that about ten to twenty percent of what is deployed is lost every year.

Mr. Farrington stated he will be part of a survey for the new degradable cull ring panel and he has discovered that the cull ring panels can not be plastic dipped like the way a lot of crabbers do their pots as routine maintenance.

V. Adjournment

The meeting was adjourned at 8:00 PM. No date for the next meeting was given.