

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

April 19, 2010

Members Present

Members

Absent

Hon. Rick Robins (Chair)

Hon. John McConaugha

Daniel Dise

Doug Jenkins

Paige Hogge

Joe Palmer

Tom Powers

Ken Smith for Louis Whittaker

Pete Nixon

Chris Moore

Ty Farrington

Jim Casey

Johnny Graham

Ronnie Jett

H.M. Arnold

Marshall Cox

Public

Eugene Pruitt

Ken Diggs Jr.

Roger Parks

VMRC Staff

Robert O'Reilly

Jack Travelstead

Mike Johnson

Laura M. Lee

Joe Grist

I. Introductions/Announcements

Mr. Robins called the meeting to order at 6:00 PM. Previous meeting minutes were approved by consent. He also noted that a quorum was not currently present but expected that there would be one soon.

II. Presentation of Bay-wide Winter Dredge Survey Results

Mr. Travelstead presented results of the Winter Dredge Survey. He told the committee that total crab numbers are up. Age 1+ crabs have increased in numbers and are above the 200 million interim target number for the second straight year. The 200 million number is an interim number and may change

once the latest stock assessment is finished. The number of juvenile crabs has increased also to an abundance that is the highest in many years.

Mr. Jenkins asked what size constitutes a juvenile crab.

Mr. O'Reilly responded that a crab less than 2.4 inches is considered an age-0 crab.

Mr. Travelstead presented harvest data for crabs, for Virginia, but cautioned that the data is preliminary due to issues with harvester data entry. The removal rate was below the target rate and overall harvest of crabs was up for the Bay, most of which was in Virginia.

III. Continued discussion of 2010 management measures

a. Dark sponge crab protection rule

Mr. Travelstead stated that Dr. Lipcius was unable to attend tonight's meeting to present data regarding dark sponge crabs because of illness. Dr. Lipcius did indicate that he could support moving the black sponge possession date back to July 1st.

Mr. O'Reilly stated that he had talked to Dr. Lipcius since the last meeting, and he had some serious concerns about changing the dates of the sanctuary. Dr. Lipcius wanted to know what kind of mitigation there would be for relaxing the sponge crab regulation.

Mr. Nixon asked Mr. Travelstead when VMRC instituted the black sponge rule, and Mr. O'Reilly responded it was in 1996.

Mr. Nixon stated that since the black sponge rule was instituted the crab population numbers have been decreasing until recently. He wanted to know why this committee was discussing retaining it since it appears to be ineffective.

Mr. Travelstead responded that Dr. Lipcius' data showed the survival of the sponge crabs in July and August was very low, so there is no need to prevent their harvest during these months.

Mr. Nixon stated that this regulation, due to its subjectivity, has caused a lot of problems in the fishery, and because of its apparent lack of success in protecting crabs from overharvest, this rule should be removed.

Mr. Travelstead responded that we do not know for sure which measures have produced the success.

Mr. Nixon responded he was sure that it wasn't the dark sponge rule that helped the fishery improve these last two years.

Mr. Travelstead responded that without that measure the crab fishery could have been much worse in the years leading up to the changes made two years ago.

Mr. Robins added that the exploitation rates for those years were higher than the target.

Mr. Powers stated since the dark sponge rule was created there have been other measures relating to deep water sanctuaries that are meant to protect dark sponge crabs. He would support moving the dates for the dark sponge rule to an earlier date.

Mr. Robins noted that a quorum was now present.

Mr. Farrington asked is there was any data that proved the dark sponge rule was doing any good at all.

Mr. Travelstead stated there were no data that any single regulation was responsible for this recovery, but the sum total of all of the regulations enacted have improved the fishery.

Mr. Farrington stated that looking at historical crab population numbers it does not appear that the dark sponge rule helped.

Mr. Travelstead responded that the dark sponge rule may have prevented the crab population from being even lower during those years. Data from researchers indicate that the eggs produced during May and June may be the most viable and thus the most important to the population.

Mr. Farrington stated that the best regulation, in his opinion, was the larger cull ring which has improved the quality of his catch. Also, the sanctuary protects large numbers of sponge crabs so he doesn't see the need to protect them outside the sanctuary.

Dr. McConaugha stated there is no way to prove if the black sponge rule has helped the fishery, but the number of eggs that are produced is important for the population, especially for the early spawns due to the better fitness of the eggs for survival. His opinion is that moving it to July 1 this year and revisiting it next year was a good course of action.

Mr. Robins stated that looking at the regulations from when the population was low, it can not be determined which regulations were not helping. The black sponge rule was identified by this committee as one they would like to see modified, and he asked for recommendations by the committee for the commission.

Mr. Farrington stated he hasn't seen any benefits since the black sponge crab regulation came into effect. Mr. Farrington made a motion to change the start date to June 1 for the black sponge rule. The motion was seconded by Ken Smith.

Mr. Robins asked for discussion on the motion.

Mr. Nixon stated that as things improved, some of the more onerous regulations would be relaxed. He doesn't feel there will be a difference in the crab population, if you remove the black sponge rule completely.

Mr. Jenkins asked when the black sponge rule was created.

Mr. Travelstead replied it was in 1996.

The motion to move the date for the black sponge rule to June 1 passed six to zero, with three abstentions.

b. Closed season dates of blue crab sanctuary

Mr. Travelstead stated that at the last meeting there was a request from Mr. Dise that the blue crab sanctuary dates be changed to allow crab harvesting, in the first two weeks in May, from a line north of the Rappahannock River. The committee discussed changing the dates, for southern areas of the crab sanctuary, and also changing the dates, for all of the sanctuary, to allow crab harvest in those areas, for the first two weeks in May. Mr. Travelstead stated that Dr. Lipcius would not support any of those ideas because of the loss of spawning potential. We have only one good year of recruitment, and he feels the sanctuary is an important part of the protection plan. He went on to state that Mr. Palmer's idea that a change in the dates would be offset by the license buyback from last year is problematic because this would allow people to harvest female crabs preparing to spawn, and that may affect the fishery more adversely. Also, of the licenses that were bought back, only a small percentage harvested from the sanctuary area.

Mr. Palmer stated that two years ago when the part of the sanctuary that was still regulated by state code was still open to crab harvest there was still an increase in the crab population numbers. Also, this year, crabs were not being caught in sanctuary waters, until early to mid April.

Mr. Travelstead responded that he is not comfortable, with changing sanctuary dates, because we are still in a recovery period and the interim target numbers for the crab population level could change.

Mr. Dise thinks the current dates for the sanctuary are unfair, for people working in its northern areas.

Mr. Powers asked if the Commission could hear this as an emergency measure, at the April meeting, and recommended that any motion include this option for the Commission.

Mr. Robins replied that he can not predict how the Commission would respond to that kind of request. He asked the committee for their opinion on this issue.

Mr. Dise replied that he thought the committee had already made a motion to change the dates for all of the sanctuary.

Mr. Travelstead answered that they had passed a motion for all of the sanctuary to have the dates changed to May 15. He asked Mr. Dise how long it would take for them to pull their crab pots up.

Mr. Dise responded that he thought he could get them up in two days, maybe three.

Mr. Nixon made a motion that the sanctuary date be changed to May 15 for an area north of a demarcation, to be determined by the Commission, but somewhere in the vicinity of the mouth of the Rappahannock River. The motion was seconded by Doug Jenkins.

Mr. Palmer made a substitute motion that all of the sanctuary has the start date changed to May 15. The motion was seconded by Ken Smith.

Mr. Farrington stated he would like to see a southern area with the start date changed to May 15 as well. This would leave a middle area that would still start May 1.

Mr. O'Reilly stated there is evidence that there are a lot of female crabs in that northern area, with a spawning potential that is just as great as other areas of the bay.

Mr. Dise reiterated that the people in his area just want to be able fish the same length of time that people to the south are able to because of water temperatures.

Mr. Nixon stated that if we keep that northern area closed you are going to see a migration of people working in the southern areas when the northern areas are not producing due to cold water temperatures.

The substitute motion, to amend, failed three to five, with two abstentions.

Mr Robins asked for discussion on the main motion to start the sanctuary on May 15 north of a line, at the Commission's discretion, close to the Rappahannock River.

The motion passed seven to zero, with three abstentions.

c. Other

Mr. Travelstead stated that Mr. Powers had contacted him regarding the five pot recreational license, specifically lengthening the season and changing the closed day from Sunday to Wednesday.

Mr. Powers stated that changing the day would benefit people because most of them have Sunday off, and it would allow them to use the license when they are recreating. He would like to see the start date changed to May 1 for the recreational five crab pot license and the close date be November 1.

Mr. Travelstead stated that restricting recreational five pot crabbing license use on Sundays had more to do with the concern of poaching because the commercial guys are not out there on Sunday. As for a day off during the week, the idea was that the recreational license rule should match the commercial rule with six days of crabbing a week.

Mr. Powers noted that there is no restriction on people being able to use two crab pots per person, as described in state code. He doesn't understand how you can enforce the five pot crab license when you can still fish the two pot exemption.

Mr. Powers made the motion to change the Five Pot Recreational License closure day from Sunday to Wednesday. There was not a second to the motion.

Mr. Smith asked about the harvest of blue crabs from Chesapeake Bay and tributaries and all tidal waters of Virginia. Do these include Maryland?

Mr. Travelstead referred him to another table that showed bay-wide harvest.

Mr. Smith asked if the dredge survey measured the size and sex of all crabs that they catch.

Mr. Travelstead responded that he thought they did, but they may sub-sample where the catch is large.

Mr. Smith asked what the percentage of recruits, in Maryland, is female.

Mr. Travelstead responded that Dr. Lipcius should probably answer that question.

Mr. Smith stated that Maryland harvested roughly three times more peelers than Virginia in harvest data, when he could find it, for previous years. Maryland has the option to purchase up four times as many peeler pots as Virginia harvesters can. He basically wants to know how many female peelers are taken by Maryland harvesters before they have the chance to move south to spawn. He feels Virginia took the brunt of the 34% reduction in the harvest of female crabs, and Maryland is deriving a benefit from this reduction due to the increased number of peeler pots they can fish.

Mr. Travelstead stated that he felt that Dr. Lipcius could answer that question better.

Mr. Smith asked what the savings were from the crab dredge fishery, he thought it was seven or eight percent.

Mr. O'Reilly responded it was thirteen percent.

Mr. Smith stated that the press releases that were being printed by the newspapers made it sound like the suspension of the crab dredge fishery was responsible for the increased numbers of crabs in survey results. Actually there were a host of regulations that accomplished this recovery.

Mr. Travelstead said he was not aware of anything in the press release, from VMRC, that stated that the suspension of the dredge fishery was the sole reason for the recovery.

Mr. Smith asked if anybody approved these press releases.

Mr. Travelstead responded that the Governor's office, Steve Bowman and he all look at the press releases before they are sent out.

Mr. Smith asked if he could see a copy of the press release.

Mr. Grist stated a copy of the press release is on the website.

Mr. Smith stated the papers are portraying that the suspension of the dredge fishery is the main reason why the crabs have recovered.

Mr. Travelstead stated that the suspension as the primary reason for the crab recovery was not in the press release.

Mr. Robins stated that once the press release leaves VMRC nobody can control what the press does with it.

Mr. Nixon said that the dredge fishery felt was insinuated in the article by the Virginian Pilot and was based upon a quote by Dr. Lipcius.

Mr. Robins asked if there any other business to come before the committee or any public comment.

IV. Next Meeting

A date for the next meeting was not determined.

V. Adjournment

Meeting adjourned at 7:17 PM.