

Virginia Marine Resources Commission
Blue Crab Management Advisory Committee (CMAC) Meeting
2600 Washington Avenue, Newport News, VA
VMRC Commission Room, Fourth Floor
Thursday, December 04, 2014, 4:00 p.m.

ATTENDANCE

Members Present

Hon. Lynn Haynie (Chairman)
Hon. James Close (Vice Chairman)
Marshall Cox
Kenneth Diggs Jr.
Daniel Dise via telephone conference
Ernest L George
Doug Jenkins proxy G. Wayne France
Bernard W. Morris
Peter Nixon
Donald Porter Sr.
Mark Sanford
Ken Smith
Viola West

VMRC Staff Present

Rob O'Reilly
Joe Grist
Joe Cimino
Ande Ehlen
Samantha Hoover
Stephanie Iverson
Sally Roman

Members Absent

Johnny Graham
Chris Moore
Tom Powers
Kevin Wade

Others Present

Michael Lightfoot
Rom Lipcius (VIMS)
Beverly Ludford
Danielle McCulloch (VIMS)
Roger Parks
George C Pauls Jr.
Mike Seebo (VIMS)
Lynnie Squires
Michelle Squires
Timothy A. Wivell

A quorum was present with 13 members in attendance. Minutes were recorded by Samantha Hoover.

I. Introductions, announcements and approval of minutes from the November 3, 2014 meeting.

The meeting was called to order at 4:00pm by Honorable Ms. Lynn Haynie. The minutes from the November 3, 2014 meeting were approved by unanimous consent.

II. Effort-controls

The committee first discussed effort controls in the hard crab pot fishery. Mr. Peter Nixon stated that some people use different colored buoys in order to disguise the amount of gear they are using and that this issue is extremely difficult to enforce. Mr. Marshall Cox added that the committee needs to figure out a plan in order to streamline the crabbing regulations. He stated that the pot tagging program will not work because VMRC will not be able to get the funding and the even if they did, the harvesters will not be able to afford the cost of tags. Mr. Kenneth Diggs stated that a lot of pots get lost from tug boat traffic or are stolen in the area where he regularly crabs. He added that if we were to continue with the idea of a pot tagging program the

committee would need to address the issue of lost pots and tags. Mr. Cox stated that the penalty for being caught using too many pots should be greater in order to deter people from doing it in the first place. Mr. Rob O'Reilly added that the initial proposal from 2009 was to have an automatic additional ten percent issuance of additional tags, but this would not cover catastrophic loss. He stated that those cases would be looked at on a case by case occurrence for tag reissuance. He added that the lobster industry in Maine allows their tags to be purchased either through certified agents or directly through the agency and that Massachusetts has a similar plan.

Mr. Diggs stated that in the lower bay crabbers are scarce and that effort is not the true problem. He stated that the concentration of effort in some areas may be a problem, but high effort isn't everywhere. Ms. Viola West, Mr. Diggs, and Mr. Cox stated that they do not agree with a pot tagging system. Mr. Nixon stated that according to the hand-out provided by staff, effort in certain areas is a problem and effort has steadily been increasing. Mr. Cox agreed and added that it all depends on the geographic location on where effort is a problem and that effort is definitely a problem in certain areas. Mr. Nixon stated that the potential latent effort is also a major issue. Honorable Mr. James Close stated that when the crab dredge fishery closed, latent effort increased. He stated that latent effort should have been looked at back then. Mr. Doug Jenkins suggested that the harvesters could have certain buoy colors to identify their pots. Mr. Nixon agreed and added that the harvester could have to identify their buoy color(s) on their boat. Mr. Diggs stated that he did not agree with this idea.

Mr. Ken Smith asked if Virginia will have allocation in the future and if so, how it would be allocated. Mr. O'Reilly replied that the Bay watershed agreement stated that there has to be an evaluation of allocation among the three jurisdictions, by 2018. Mr. O'Reilly stated there is a potential for allocation in the future, but we have to wait and see what happens and see what mechanisms will be decided. He described how other fisheries are allocated and how quota management systems work. Mr. Smith recommended that if allocation is going to happen in the future then the committee needs to discuss effort now and get it under control.

III. Blue Crab Sanctuaries

The committee discussed the size and value of the blue crab sanctuary and the effect it has on the blue crab fishery. The majority of the discussion was on the shift of effort from the bay to rivers and tributaries caused by the blue crab sanctuary and the need to get pressure off blue crabs. Dr. Rom Lipcius stated that the review of the sanctuary from 2002 showed that it protects about 75% of the spawning stock during the spawning season. He noted that he does not think that 100% of the spawning stock needs to be protected, but they need to be protected as they come down through the bay. He would like for the committee to make some suggestions on changes to the sanctuary in order to balance the fishery to make it more economically productive. Mr. Nixon added that the fishery needs to get some of the pressure off the crabs, so that there can be a better product and a better profit. Mr. Diggs stated that the sanctuary is forcing people into smaller rivers and up to the upper part of the bay. Mr. Nixon added that the best sanctuary was back in the 1970s, when the kepone spill prevented harvest from the James River. Mr. Mark Sanford asked if staff has control over the boundaries of the sanctuary and the dates of closure. Mr. O'Reilly replied that the dates can be modified but the historical sanctuary cannot be changed without going to the general

assembly. Mr. Sanford suggested shutting down the sanctuary from the middle of the bay, from First Island downward, and then allow a 30 foot contour. Mr. Nixon suggested modifying back to the historical sanctuary with a year round closure. Dr. Lipcius stated that this is the time for the suggestions, because the Chesapeake Bay Stock Assessment Committee (CBSAC) is about to perform a stock assessment, and if the committee has ideas in place, VIMS can assess them during the stock assessment.

Mr. Jenkins stated that predation is the real problem. Mr. Close stated that he disagreed and noted there have always been other predators. Mr. Diggs stated that natural predation is not the issue; however foreign/introduced predators, like blue catfish, are a problem. Mr. Bernard Morris agreed that something needs to be done about the blue catfish. Mr. Diggs added that the little crabs are not making it to mature adults because they are getting eaten. He stated that the committee and staff have tried so many different regulations to help the crab population but none of them have worked. Dr. Lipcius added that the main focus for CMSAC is predation and habitat, and from an ecologist stand point, it is going to be hard to eradicate the blue catfish population. He stated that largest thing keeping the blue catfish industry down is that there is no market for them.

IV. Sponge-Crab regulations

The committee discussed the pros and cons of the current sponge crab regulations. Mr. O'Reilly briefly discussed the history behind the dark sponge crab regulations. Mr. Cox stated that during July, when the temperature is high on the vessels, he has seen the sponge crab's color change dramatically in a single day. Mr. Nixon added that the color chart is too subjective, and these regulations are hard for law enforcement to enforce. Mr. Diggs added that the removal of these regulations, would release the pressure on the other crabs in the upper bay.

Several members noted that an impregnated female crab is important at all stages. Dr. Lipcius agreed ecologically, they are equally as valuable. Mr. Jenkins asked if there is a peak time for the sponge. Mr. Cox and Mr. Nixon answered late June to early July. Mr. Jenkins asked if crabbers get any money for them, and Mr. Diggs responded 50-60 dollars per bushel. Dr. Lipcius stated that the sanctuary protects 75% of the females during the spawning season and that the females that are in the sanctuary are 8 times more likely to survive than a female outside of the sanctuary. However, of the mature females that had been protected by the sanctuary, only 6 to 8 percent survive to spawn again a second year. He stated that a spawning female can spawn two to three times a year in Virginia. In North Carolina, they can spawn up to 5 times a year, and in Florida it is even more. It is all dependent on water temperature. Mr. Close asked Dr. Dr. Lipcius how long it takes from the time the female crab busts out to the time she rubs off for the first time. Dr. Lipcius responded that it takes approximately 2 weeks and then the time that it takes her to re-cushion. He then stated that it takes about a month for her to re-cushion and that this is also dependent on temperature.

Mr. Nixon stated that the crabs go through a great deal of stress during the harvest process. Mr. Diggs added that sponge crabs are everywhere in the southern part of the bay from June onward, and the only way to avoid them is to move to the upper part of rivers or to the upper part of the bay. Mr. Close suggested shutting the entire crab fishery down for one week in the summer and enable the harvest of sponge crabs at

other times. He stated that this would allow the cushion females to rub off and would not discriminate between crab fisheries, or areas. He added that if there is going to be a certain closure time block, then there should be no gear in the water during that time. He stated that it needs to be fair. Mr. Nixon suggested the closure of the lower sanctuary and the opening of the upper sanctuary. Mr. Diggs suggested closing the sponge crab sanctuary a week earlier. Ms. West commented that there is a domino effect with some of these suggestions; if you take all the harvesters out of the business, it will hurt the picking houses because they have workers they have to pay regardless. She commented that the sanctuary is enough protection for the sponge crabs. Mr. George Pauls Jr., from the public, suggested the idea of narrowing the sanctuary and then having it closed year round and then get rid of the sponge regulations. Mr. Sanford stated that you cannot crab on the 30 foot contour from Virginia Beach all the way down to North Carolina. He reiterated his idea that he would like to see crabbing allowed in the 30 foot contour from Cape Henry all the way down to the Virginia line, in order to alleviate pressure from some of the areas like the Lynnhaven River.

V. Planning for next work-session.

Mr. O'Reilly stated that during the next meeting, the committee needs to discuss what the cost and benefits of their ideas are and that a planning phase needs to occur. He added that the industry is moving toward an August 1 to July 31 management time period which will overlap winter dredge survey results, so there will be two surveys to compare. Mr. Cox suggested a one or two year plan in regards to the any changes made to the sanctuary, that way the changes will be looked at for the cost and benefits from its outcome. The goal for next time is for the committee to give more details on potential plans for VIMS and VMRC staff to work on to figuring out savings.

VI. Adjournment

The meeting adjourned at 7:04pm.