

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

**May 14, 2009**

**Members Present**

Hon. Rick Robins (Chair)  
Hon. John McConaugha  
Ken Smith for Louis Whittaker  
Doug Jenkins  
Paige Hogge  
Joe Palmer  
Tom Powers  
John Freeman

**Public**

Dennis Dalheim  
Ken Diggs

**VIMS**

Rom Lipcius  
Mike Seebo

**Members Absent**

Jim Casey  
Pete Nixon  
Ronnie Jett  
Johnny Graham  
Daniel Dise  
H.M. Arnold  
Marshall Cox  
Chris Moore

**VMRC Staff**

Robert O'Reilly  
Jack Travelstead  
Joe Grist  
John Bull  
Mike Johnson  
Laura M. Lee  
Officer Richard Haynie  
Bethany Eden

**I. Introductions/Announcements**

Mr. Robins called the meeting to order at 6:20 pm and stated that a quorum was not present, but a few members arriving late might make a quorum. Mr. Moore arrived 10 minutes before the end of the meeting and did not participate in any votes.

**II. Approval of Minutes from March, 2009 Meeting**

There was not a vote to approve the minutes from the last meeting.

**III. Old Business**

Mr. Travelstead briefly reviewed the findings of the winter dredge survey and the management measures that have been advertised for the upcoming May Commission meeting. Mr. Travelstead told the committee that the early closure on the harvest of female crabs was considered to have the largest economic impact on hard crab potters and asked if the committee wanted to make any recommendations regarding changing that closure. Any changes would have to be risk averse.

Mr. Robins asked staff to look into interpolating appropriate bushel limits for the 105 and 140 hard crab pots.

Mr. Travelstead stated that would not be a problem. Staff has also received comments from crabbers wondering why the relationship for proposed bushel limits for the 210(300) and 350(500) hard crab pot categories were not linearly related to the 70(100) crab pot category. These bushel limits were calculated upon reported harvest and how they would relate to savings.

Mr. Robins asked about the possibility of rolling back the gear reductions to the previous year's levels due to concerns that the interim target for age 1+ crabs was attained, and the difficulty in enforcing the gear limits. Could a roll back to the previous years gear level's savings be accounted for by other measures?

Mr. Travelstead stated they can't place a number on the savings generated by pot reductions so it would be hard to compensate. They are an important measure, in the spring, to protect female crabs until the spawning season. If we kept the last ten days of November are closed to the harvest of female crabs, then we should be able to relax the pot limits.

Mr. Robins asked if bushel limits in the fall would achieve the savings necessary to offset the rollback in pot limits.

Mr. Travelstead responded that it would difficult to attain the same level of savings due to recoument from unfished pots. His preference is for a closed season.

Dr. McConaugha asked if there was a benefit to have the 30% reduction in the spring to allow more crabs to spawn then liberalize to 15% pot reductions later in the year after spawning starts.

Mr. Travelstead stated it was possible but compliance with crab pot limits is hard to enforce. We are not relying on that as a major tool for controlling harvest.

Mr. Robins asked Mr. Freeman which he would prefer: a ten day closed season at the end of November for female crabs or bushel limits in the fall.

Mr. Freeman said he would like to have the extra ten days to crab in November but bushel limits would hurt crabbers with the larger 350 pot rigs.

Mr. Dennis Dalheim (public) stated that if a bushel limits were to be imposed, then allow all of November to stay open to female harvest.

Mr. Robins asked Mr. Dalheim which option he would prefer: female bushel limits in the fall or a small season closure on the harvest of female crabs in November.

Mr. Dalheim responded he would rather have the early closure than the bushel limits. He would like to see the roll back to last years pot limits as well.

Mr. Ken Diggs (public) thought the bushel limits for the 210(300) pot license were unfair compared to the 70(100) pot license. He would rather have the early closure of the season for female crabs than have a bushel limit.

Mr. Palmer would like to see the extra 15% in pot limits in the summer and have a bushel limit on females instead of a closed season on female crabs.

Mr. Smith asked if staff would support rolling the pot limits back to last year's level and close the season early on female crabs.

Mr. Travelstead stated that staff would.

Mr. Freeman stated he would like to see a rollback to last year's pot limits and have a ten day closed season at the end of November.

Mr. Robins asked if the committee would agree to make that recommendation by consensus since there was not a quorum present.

There were no objections.

Mr. Travelstead asked the committee if we should reinstate the five pot recreational license because the regulation states that when the interim target is reached, for one year, then it should be re-instated.

Mr. Powers stated that there is a one bushel limit, whether the user has five pots, two pots or crabs by hand.

Mr. Travelstead stated that state code had been changed to allow the reimbursement of license fees in the event that a class of license has revoked by regulation.

Mr. Freeman stated that he preferred reinstating the five pot license with an open season of June 1 through September 15.

Mr. Robins asked if there were any objections.

There were no objections.

Mr. Travelstead stated that the committee favored requiring the agent to appear before Commission, when convicted of two conservation violations in a 12 month period, where he could lose their privilege to serve as an agent for one year. In addition, the licensee could be brought before the commission for a license revocation hearing.

Mr. Freeman noted that the possibility of the licensee having their license revoked should be put on the agent form.

Mr. Travelstead stated that the issue of having a deadline for filing an appeal being placed on the wait list was brought up at the last Commission meeting.

Mr. Jenkins asked about the status of the crab pot license buyback program.

Mr. Travelstead responded that Virginia still has not received any disaster relief monies from the federal government for crab disaster relief. Out of the original

\$10 million, \$3 million will be used for crab license buyback. Out of an additional \$5 million coming, a large portion will be used for crab license buyback. Every license holder will receive an application to bid their selling price, of their license, back to the state. This will be one time offer.

Mr. Powers how much of the \$15 million will be going to the VMRC budget.

Mr. Travelstead responded approximately \$19,000 will go to administrative costs, none will go to salary.

Mr. Travelstead stated that required use of turtle excluder rings was not placed on the agenda for the May meeting.

Dr. Lipcius stated that they are currently finishing up the report and that it should be given to VMRC in the next few days. The results will be presented at the next committee meeting.

Mr. Travelstead stated that this is a subject that needs further discussion by the committee after the results of the report are presented.

Dr. Lipcius stated that the VIMS recommendation will be the required use of the turtle excluder rings on all recreational crab pots.

Mr. Robins asked Dr. Lipcius if the distribution of diamond back terrapin will be included in the report.

Dr. Lipcius responded the report will include a section on their distribution.

Mr. Robins asked Dr. Lipcius to comment on availability and educating the public about these turtle excluder rings.

Dr. Lipcius stated that some disaster relief monies will be used for outreach.

Mr. Robins asked Dr. Lipcius what the time line for the report on the commercial sector's use of turtle excluder rings would be.

Dr. Lipcius responded that the report would not be ready until next year.

#### **IV. New Business**

Mr. Freeman stated he would like to see an emergency regulation that removes the rule on limiting the harvest of dark sponge crabs because it is hurting the resource.

Dr. Lipcius responded that VIMS had been in favor of allowing harvesters to keep dark sponge crabs.

Mr. O'Reilly stated that currently you can keep dark sponge crabs starting July 16<sup>th</sup> due to warmer waters limiting survival of culled sponge crabs.

Dr. McConaugha stated we do not have data on survival of sponge crabs harvested earlier in the year when water temperatures are cooler.

Dr. Lipcius stated they could conduct a study looking at survival during those earlier months.

Mr. Dalheim (public) stated that picking houses do not want to pick dark sponge crabs and that was given up by representatives of the picking houses as a trade-off. He felt that the dark sponge rule is an unfair burden on the harvester due to the subjective nature of how the rule is enforced. He feels that this rule should be repealed before the dark sponge crabs show up this year.

Mr. Robins stated that we will continue to discuss this at the committee level.

**V. Adjournment**

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