

**Virginia Marine Resources Commission**  
**Crab Management Advisory Committee (CMAC) Minutes**  
2600 Washington Avenue, Newport News, VA  
VMRC Commission Room, 4<sup>TH</sup> Floor  
Wednesday, May 17th, 2017 – 6:00 P.M.

**ATTENDANCE**

Members Present

Hon. Lynn Kellum  
Hon. Ed Tankard  
Chris Moore  
J.C. Hudgins proxy for Ken Smith  
Mark Sanford  
Wayne Morris  
Tom Powers  
Peter Nixon

Members Absent

Kenneth Diggs  
Daniel Dise  
Johnny Graham  
Kevin Wade  
Donald Porter Sr.  
Viola West  
Marshall Cox

VMRC Staff Present

Joe Cimino  
Rob O'Reilly  
Alex Aspinwall  
Megan Wood  
Katie May Laumann

Others Present

Dr. Rom Lipcius  
Lynnee Squires  
Charlie Gregory  
Tim Wivell  
Scott Wivell  
Ty Farrington  
Lisa Rose  
  
Zack Gregory  
Michelle Squires  
Kristen Bachand

Minutes were recorded by Katie May Laumann.

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

The meeting was called to order at 6:03pm by Hon. Lynn Kellum. Only eight committee members were in attendance, no quorum was reached, and minutes from the April 2016 and May 2017 meetings could not be approved. Chief O'Reilly gave an introduction of the issues to be addressed, and mentioned that changes to regulations would not be voted on by the Commission until June. He reminded the Committee that the blue crab regulatory season runs from July 5 to July 4. He noted that the Winter Dredge Survey results, which were presented at the meeting, had been distributed to Committee members prior to the meeting.

**II. New Business**

- 1. 2016-2017 Winter Dredge Survey: a report; discussion on any regulation changes for the July 5, 2017 through July 4, 2018 commercial crab harvesting season**

Mr. Cimino presented the results of the Winter Dredge Survey (WDS). Total blue crab abundance was relatively steady but low from 1998 through 2008. The low population size was likely due to overfishing. Management targets in those years differed from targets currently used to manage the fishery. Since 2008, there has been more year-to-year variation in total abundance, which may be driven by juvenile or female abundance. Current abundance levels represent a decrease from the 2016 WDS results, with the population at a similar level to that in 2010 and 2011. The survey indicated that the adult female population is 31% higher than last year, and that it is the highest population size in history of survey. Juvenile abundance exhibits significant year-to-year variability, having peaked in 2012 followed by a subsequent decrease in 2013 and increases through 2016. The current juvenile abundance is significantly reduced from previous years, and is within the fifth lowest level in the time series. The male blue crab population has increased in the last couple of years. Concern among Committee members was expressed about the low juvenile abundance.

The Committee asked whether distribution of juvenile crabs and locations surveyed by the WDS introduce error into juvenile crab estimates. Dr. Lipcius and Mr. Cimino indicated that the Survey does not operate in waters shallower than six feet, and due to the migratory nature of blue crabs this could indeed introduce variability into estimates. Abundance estimates do take error into account. Mr. Powers asked if the error introduced by these challenges would be the same from year to year. Dr. Lipcius indicated that this has not been tested, and funding would be required to test this.

Additional questions from the Committee and the public included whether the survey can be used to accurately estimate future abundances. Mr. Cimino addressed these questions, indicating that juvenile abundances are an indication of future spawning potential. Dr. Lipcius noted that there is a strong relationship between juvenile abundance and future harvest, but other natural factors contribute to the relationships between juvenile abundance and future adult estimates. He emphasized this by saying that science can only explain about 50% of what happens in nature.

Mr. Cimino explained that the Chesapeake Bay jurisdictions are managing with a target of 215 million female crabs. Mr. Hudgins suggested that management should be focused on an exploitation rate, on which bushel and crab pot limits could be based. Chief O'Reilly noted that challenges surrounding this approach include a lack of data regarding the recreational fishery. Mr. Moore asked how a recreational harvest estimate might be obtained. Mr. O'Reilly cited a recent study that used a tagging approach that we could employ. Dockside surveys, which have been used in the past, would be difficult as licenses are not required for recreational harvest, and many people crab off of private piers. He indicated that law enforcement might be able to provide an estimate of how much of recreational crabbing occurs, but that private piers would not factor into this estimate.

Mr. Nixon asked if estimates from the WDS survey comparing Maryland to Virginia could be made available, but Mr. O'Reilly indicated that those numbers are not available. He stated that Maryland does have higher harvest levels than Virginia.

Mr. Nixon noted that regulations including the blue crab sanctuary have a negative economic impact on commercial fishermen and expressed the opinion that economics should play a stronger role in management decisions. Mr. Hudgins expressed the opinion that the crab pot limits should be increased, and argued that as long as there are bushel limits, increasing crab pot limits would not increase removal from the fishery. Chief O'Reilly responded that that's been proposed in the past, but that staff has also heard numerous complaints of illegal amounts of pots being set. The Committee agreed that more research would need to be done, and that staff should look into frequency at which crabbers meet their bushel limits before presenting this opinion to the Commission. If people are currently meeting their bushel limits, this would not add stress to the crab population, but if they are not it could increase removals from the stock. Mr. Powers indicated that he would only support the suggestion if data show that it would not increase harvest. Mr. Moore agreed with Mr. Powers, saying that caution needs to be used when making this type of recommendation. He asked for data on the reported catch over the last 10 years, and if the number of licensees has remained consistent over that time period. Mrs. Kellum asked that these data be emailed to the Committee once they are compiled, and Chief O'Reilly said it would be possible to send the data by mid-June. Mr. Nixon indicated that the current number of crab pots in the water are already causing conflicts among crabbers and complaints from homeowners, in the river systems. There was some concern among the public that after March 15, the price of crabs drops so increasing the season in that direction would not benefit crabbers economically. Mr. Nixon agreed that economic concerns should be taken into account.

Mrs. Kellum noted that because a public hearing would occur before the Commission in June, the Committee should develop recommendations for blue crab management for the coming season. Committee members present agreed to recommend an open season of March 7 through December 10 for crab pots, with no change for peeler pots.

### **III. Old Business:**

#### **1. Continue discussion of issues surrounding blue crab sanctuary prohibitions**

Dr. Megan Wood presented the locations and seasons of sanctuary closures. Mr. Sanford expressed that Lynnhaven crabbers cannot work in their area after it closes and that they must travel to other areas to crab, which puts an undue burden on the crabbers. He asked that the areas or closure dates be modified to change this. Dr. Wood stated that the areas cannot be changed, but the closure dates can.

Mr. Sanford requested an extended season in Area 2, to last from May 16 through September 15 or June 1 through September 15. Mr. Sanford and Mr. Nixon stated

that this would alleviate pressure and crowding issues in the Lynnhaven area. An alternative would be opening Area 4. Dr. Lipcius indicated that this would not put undue stress on the crab population according to the WDS. The Committee discussed different landmarks that could be used to determine what portion of Area 4 would be open, determining that the demarcation line could be either at 45th street or no further north than 60<sup>th</sup> St. This has been discussed in the past, but the City of Virginia Beach opposed it, so someone would need to discuss it with the City representatives.

Mr. Moore indicated that it would be better to discuss specific options for a new Area 2 season and for the portion of Area 4 to be open and present them to the Commission in September or October.

Chief O'Reilly indicated that he would ask the Commission when they want to review these issues.

A member of the public, Mr. Farrington, asked that the Committee consider recommending that the dredge fishery be reopened, and asked staff opinion on this. Chief O'Reilly indicated that staff would be opposed to this at this time due to the very low juvenile crab abundance estimate.

Mr. Sanford brought up the issue that fish pound netters cannot keep incidentally taken blue crabs. Dr. Wood explained that fish pound nets are not legal gear for crabbing; the only legal gears are crab pounds, pots, scrapes, traps, trotlines, and dip nets. Mr. Sanford asked how fishermen using fish pound nets can ask to be legally able to keep incidentally taken blue crabs. Chief O'Reilly said that the first steps would be for those individuals to bring this up at a Commission meeting and that data would need to be gathered.

#### **IV. Adjournment**

The meeting adjourned at 8:16 p.m.