

VIRGINIA MARINE RESOURCES COMMISSION
BLUE CRAB MANAGEMENT ADVISORY COMMITTEE MEETING
VMRC CONFERENCE ROOM
January 22, 2007

MEMBERS PRESENT

Hon. Rick Robins
Hon. John McConaugha
Chris Moore
Marshall Cox, Sr.
Pete Nixon
John Graham
Tom Powers
H.M. Arnold

VMRC Staff

Jack Travelstead
Joe Grist
Mike Johnson

PRFC Staff

A.C. Carpenter

MEMBERS ABSENT

Wayne Abbott
Billy Moore
William Abbott
Jeff Crockett
John Graham
Wade Harding
Woody Zember
Lesney Miller
Ronald Jett
Jim Casey
Paige Hogge
Louis Whittaker
John Freeman

VIMS Staff

Rom Lipcius

I. Announcements

Mr. Robins called the meeting to order at 7:00 PM and noted that a quorum was present.

II. Approval of the minutes from the October 16, 2006 meeting.

The CMAC voted to accept the minutes from the 16 October 2006 meeting.

III. Old Business

A. Status of Blue Crab Stock

Mr. Travelstead presented summary survey data from the Winter Dredge Survey, Virginia Trawl survey, Maryland Trawl Survey and Calvert Cliffs Pot Survey. Data from all of the surveys showed either no difference or a drop in crab abundances in relation to their target measurements (e.g. recruits, age-1 crabs and adult females). A decrease in abundance for age-1 crabs was noted by the Winter Dredge and Virginia Trawl surveys, and a decrease in female adult crab

abundances was indicated by the Virginia Trawl Survey. Mr. Travelstead also stated that for the 2005 Stock Assessment the abundance and exploitation rate ratio was within selected target levels. The data for 2006 has not been completely analyzed yet. Mr. Travelstead also noted that the number of active crabbers has been declining for the last three years for almost all permitted gear types.

Mr. Robins asked Mr. Travelstead that since this is a short-lived animal, why haven't we seen a rebound in abundances?

Mr. Travelstead responded in 2003 we started the 15% reduction in harvest effort and that reduction has helped; however we do not understand why recruitment and abundances are not recovering more quickly.

Dr. Lipcius responded that due to environmental changes, and their effects on crab abundances, we need to consider ecosystem-based approaches to management. Dr. Lipcius also noted that the 2005 stock assessment might be biased due to the large seagrass die-offs in shallow areas that occurred in 2005, and which caused juvenile crabs to move to areas where they were more easily sampled by the surveys. This would then impact estimates of abundance and exploitation rates.

B . Size limit increases for the Potomac River Tributaries

Mr. Grist presented the results of a public hearing held on November 6, 2006, at Colonial Beach on PRFC's proposal for size limit changes for blue crabs in Virginia's tributaries of the Potomac. Over 920 notices announcing the public informational hearing and the PRFC proposal were sent out to licensed Virginia and Potomac River harvesters and twenty-three individuals attended the hearing. Attendees were given a postcard sized questionnaire to answer, with the current Virginia blue crab regulations on one side and a series of questions pertaining to the PRFC proposal on the reverse. Overall the attendees disagreed on an increase in the size of hard crabs, agreed on the idea of no size limit for mature females, split 50/50 on a 3 1/2" size limit on peeler crabs, and agreed on no size limit for soft crabs.

Mr. Carpenter stated that the current size limits were made in response to the 15% reduction in exploitation a few years ago and they now want to change their size limits again due to the observation of increased sizes of harvested jimmies. These larger jimmies command a greater price at market and he feels that by changing the current restrictions they can increase the number of large jimmies harvested, thus optimizing the price harvesters get for their crabs.

Dr. McConaughy asked what the response was from Maryland. Mr. Carpenter responded they were waiting to see what Virginia did with the proposal.

Mr. Robins stated he attended the PRFC public meeting and that the harvesters were concerned as to the availability of the larger crabs for all areas of the Potomac and its tributaries.

Mr. Carpenter responded that larger crabs do show up in the lower part of the river later. He went on to state that there should be a sunset clause in the regulation in case the expected results don't materialize. The PRFC will have a meeting February 16 to decide what the size limits will be in the Potomac River.

Dr. Lipcius stated that while female crabs will leave the river for the lower Bay after mating, the males remain in the river and its tributaries.

After a short discussion about deferring the vote on the PRFC proposal, due to lack of participation at the public hearing, and to consider a general statewide increase in size limits instead, Mr. Robins stated that they should go ahead and consider the proposal before the committee. Mr. Nixon made a motion to recommend the PRFC proposal to the Commission and Dr. McConahaugh seconded the motion. The motion passed 4 to 2 with 1 abstention.

C. Black sponge crab protection versus additional spawning sanctuaries

Mr. Travelstead started the discussion by reminding the Committee that there was interest at the last CMAC meeting to repeal the black sponge rule and offset this ruling by extending the crab sanctuary to offshore Virginia Beach. This was because there were only a couple of people currently fishing in the area, outside of the dates currently set for the Crab Sanctuary, and that they did not want to instigate a fishery there by dropping the black sponge rule. There did not seem to be any support for including deep-water areas of Tangier and Pocomoke Sound.

Dr. McConaugha stated that that dark sponge crabs have had good survival rates being transported from NC to VA for spawning purposes.

Dr. Lipcius provided additional data and a handout of methods used in his study of dark sponge crab survival. His conclusions were that time in traps, especially in the summer months, leads to increased mortality.

Mr. Nixon pointed out that crab potters can't wait two days to fish their pots and expect to have live crabs in their pots like the way Dr. Lipcius did with his experiment.

Public comment:

Dirk Sanford stated that there used to be a fishery for crabs in that area. He is also worried people displaced from Virginia Beach will move to Lynnhaven where it is already crowded. Proposed to close the area as a sanctuary starting August 15.

Mr. Robins indicated that in order for the Commission to vote in favor of lifting the black sponge rule then something will need to be done to protect the sponge crabs in other ways.

There was a short discussion of the potential for cities passing legislation to stop commercial fishing in areas of their jurisdiction. Mr. Travelstead stated that there is no state legislation bill in review about this issue at this time.

Commissioner Robins placed the matter before the committee for a decision.

Mr. Cox motioned to repeal the black sponge law.

Mr. Nixon seconded the motion.

Mr. Travelstead stated that staff could not support the motion to repeal the black sponge law without including some kind of conservation measure. Mr. Travelstead also stated that closing the area off of Virginia Beach for August and September might be enough.

Mr. Nixon made a substitute motion to repeal the dark sponge rule and to accept closure off of Virginia Beach from June 1 through September 15.

Motion seconded by Mr. Moore.

Vote to make the substitute motion the main motion passed 4 to 2 with 1 abstention.

New main motion passed 4 to 1 with 2 abstentions.

IV. New Business

A. Season changes for Crab Pots and Crab Dredging

Mr. Travelstead started the discussion by stating that staff has had contact with several fishermen on ways to help the crabbing industry including creating upriver sanctuaries, increasing size limits and changing dates of seasons. Current start date for crab potting is April 1 and crab dredging is December 1. Many fishermen, including Tangier harvesters, are against changing the season for dredging.

Mr. Robins asked what percentage of dredgers also uses crab pots.

Mr. Travelstead responded that a high percentage of dredgers also crab pot, with about 35 active dredgers at any one time. Mr. Grist added that some days the crab dredge survey has shown over 40 crab dredges working in a single day.

Mr. Powers expressed concern that lengthening the crabbing season, when crabs are at low abundances, is not conservation oriented.

Mr. Robins stated that these changes would occur at the beginning or end of the season where large numbers would not be harvested but may command higher sale prices.

Mr. Travelstead stated that this change in opening would merely spread the catch out over a longer period and wouldn't change the overall number of crabs harvested. By doing this prices may be more stable at higher levels.

Mr. Robins asked which of the proposed date changes would have the greatest economic impact.

Mr. Nixon responded that moving the crab pot season up to March 15 would be the most beneficial of the suggestions.

Mr. Travelstead recommended leaving the December date alone because December is traditionally the best month for crab dredgers and we would match Maryland's crab season opening in March.

Mr. Robins asked if having a bushel limit in place for the early opening would make this proposal conservation neutral.

Mr. Travelstead responded that we already have spring bushel limit and this would be in place for the new opening period and they could recommend a lower limit to reflect the earlier season.

Mr. Graham stated bushel limits don't work as we are at a disadvantage with other states that don't have limits.

Mr. Travelstead stated this matter would have to go before the Commission as an emergency regulation for it to have any effect.

Mr. Robins asked staff to look at landings data for an earlier season in March versus a later season in December. He also asked if the Committee was ready to make a recommendation to the Commission.

Mr. Graham stated that he would like to see the season elongated to help maintain the price of crab meat and prevent price spikes and dips.

Mr. Nixon motioned to move the start date for crab potting to March 15, keep the dredge closing date the same and keep the December 1 date the same for both fisheries.

Mr. Cox seconds the motion.

Dr. Lipcius indicated that he can't state what the VIMS position will be yet, but the exploitation rate is higher in the summer months and the pot fishery responds with higher exploitation rates when abundances drop.

Mr. Powers feels that other agenda items to be discussed later will have compensatory value for making this rule change.

Mr. Robins called for a vote and the motion passed 6 to 0 with 1 abstention.

B. Statewide increases in minimum size limits and cull rings

Mr. Travelstead stated that there were no specific staff proposals at this time but that this was a general discussion topic for possible future action and staff would provide any requested data by the committee. Mr. Travelstead started by describing the success the PRFC has had with their larger minimum size limits and providing their harvesters with greater economic benefits. Mr. Travelstead stated that he would like to maximize Virginia harvester's benefits as well protect blue crab stocks.

Mr. Robins asked Dr. McConaugha if we could model what would happen to blue crab stock if we went to a larger size limit.

Dr. McConaugha responded it would help crab reproduction if we had larger males, provide more economic benefit and it could be modeled.

Mr. Robins suggested this could be a good first step for staff.

Mr. Nixon stated that there is a shortage of jimmie crabs in the lower bay to bait his peeler pots from James River to Lynnhaven. He went on to state the ones that are there are caught up very quickly and there is very little enforcement for size limits on jimmies in these areas. Mr. Nixon stated that effort has moved further up creeks to catch the big crabs in those areas and these areas have had their abundances reduced.

Mr. Robins requested data for displacement of effort from the Bay up into the tributaries.

Mr. Travelstead said the staff could try to address this.

Mr. Powers stated mature female crabs are getting smaller and wanted to know if it would be effective thing to do by raising peeler crab size limits.

Mr. Travelstead stated we have lower size limits on peeler crabs than Maryland and Potomac River.

C. Upriver sanctuaries to protect male blue crabs

Mr. Robins stated that he thought other states have used upriver sanctuaries before.

Mr. Travelstead stated other states have used these before but the drawback to this would be with the Virginia Blue Crab Sanctuary already in place we would be reducing the area where people can crab to even smaller areas. Mr. Travelstead stated that a better plan of attack might be a smaller size limit.

Mr. Nixon stated these areas were not traditionally harvested but that is changing with people targeting these crabs up into the headwaters of creeks. Mr. Nixon stated we need these crabs for reproductive purposes and they should be protected.

Dr. Lipcius stated we have never focused on these male crabs in the past and that recent data could be starting to show signs of having sperm limitation for the stock. Dr. Lipcius said he would check with colleagues at NC State University and the Smithsonian on the work they have been doing with this issue.

Mr. Cox stated shoreline development and shoreline hardening are causing loss of habitat for these crabs.

Dr. Lipcius says that loss of habitat and food sources such as clams and worms in these developed areas is an issue that needs to be addressed.

Mr. Cox stated he would like to see mandatory reporting data on male blue crabs for the last several years.

Mr. Travelstead said staff would provide that data.

Mr. Nixon has environmental data with his landings and prices for last 20 years.

D. Use of agents, multiple licensess per vessel.

Mr. Travelstead stated that we can not get the data on agent and multiple license from the mandatory reporting database but feels that this is occurring with harvesters fishing pots attached to each of those licenses.

Mr. Nixon would like to make a suggestion of a minimum of 3-5 years between transfers of a license to reduce effort.

Mr. Robins stated we don't know the degree of how much this happens but it is circumventing our efforts on controlling harvest effort.

Mr. Powers agrees that the use of agents is a good thing in hardship situations, which should be considered on a case by case basis.

Mr. Travelstead stated that we could look at requiring the licensee to be on the boat and that we recognize that hardship situations require that someone be able to act as your agent.

Mr. Nixon stated that the licensee needs to be on this boat in this limited entry fishery and to prevent placing the license in the mate's name, a minimum period of time between transfers will help prevent this.

Mr. Travelstead stated we could look at time between transfers in the databases.

Mr. Robins suggested that since crab pot limits are hard to enforce, staff should look at a range of remedies such as tying the permit to the boat and operator.

Mr. Nixon asked if this something we could administer after the start of the season.

Mr. Travelstead stated we could implement a regulation anytime they want to.

Mr. Powers stated this should be a hardship issue for illness or as an apprentice and if we wait too long to address this the excuse from harvesters will be they have geared up for those multiple licenses.

Mr. Robins thanked the committee members for their input and asked that staff look into the data requests for the next meeting.

V. Next meeting date

To be determined.

VI. Adjournment

Meeting adjourned at 9:57 PM.