

CRAB ADVISORY COMMITTEE REPORT

April 26, 2017

PRFC Office, Colonial Beach, VA

Members Present

Robert A. Boarman – Chairman, (MD)
Elgin H. Nininger – Vice Chair, (VA)
James B. Berthe – (MD)
Dean E. Bowie – (MD)
Mark G. Hunter – (VA)
Arthur L. Loving (VA)
John B. Morris, Jr. – (MD)
Bruno Vasta – (MD)

PRFC Commissioners

None

Support Staff Present

Sgt. Jim Satterfield – VMRC Law Enf.
Martin Gary – PRFC Executive Secretary
Becky Butler – Staff
Cathy Friend – Staff

Members Absent

George W. Smith – (VA)

Press

None

Others Present:

Sammy Dorough, Lance Lumpkins, Bobby Lumpkins, Geryl Blackwell and others who did not sign the guest book.

Chairman Boarman noted that the meeting is being recorded and asked that there are no outbursts, no profanity, to keep control and everyone will get a chance to talk. He thanked everyone for attending tonight's meeting.

2016/2017 Winter Crab Dredge Survey Results

Mr. Gary advised this survey started in 1990 and is a future indicator of abundance. This survey showed the 4th lowest on record in terms of age 0 crabs at 12.77. That will be something to consider for future discussions. Total abundance bottomed out in 2013, but since then the trend has been increasing. However, there was a slight decline in the total abundance for this survey. The study showed the right environmental conditions were not in place to produce a good spawn. In regards to age 1+ males there was a slight drop but the age 1+ females increased. This is the highest mature female abundance since the survey started. Even with the low level of age 0 crabs, we felt this was really good news. We are well above the target, and way above the threshold. The low winter kill of 3% was welcome, given the low level of juvenile abundance. This number has been much higher in previous years. The good news is we have a lot of females out there.

These statements were taken from the press release issued by VMRC: The results of the 2017 winter dredge survey show the total population of blue crabs in the Chesapeake Bay fell a bit, by 18 percent, due to a decline in the number of juvenile crabs, but remains at the 11th highest level ever recorded by the winter dredge survey.

This year's female spawning stock increased by 31 percent, from 194 million to 254 million crabs, which surpassed the scientifically recommended target of 215 million spawning female crabs and remains well above the minimum safe threshold of 70 million crabs.

2016 crab Harvest Report

Mr. Gary presented the harvest numbers for 2016. He stated each month exceeded the three years prior in harvest. April exceeded the 19 year long term average. Chairman Boarman noted that this contributed to the number of pots being set and fished. It doubled as well and shows there were more boats working at that time. Mr. Gary continued to review the harvest numbers for each month. Overall, the season ended with 79,301 bushels of hard crabs, 16,046 pounds of peelers and 1,203 pounds of soft crabs being harvested. The harvest numbers for December were not included in the final crab harvest report. The season was extended to December 10th and 233 bushels of hard crabs were harvested. At the March Commission meeting, the Commission adopted the 2017 crab season which reverted back to the standard April through November season.

Discussion of possible 2017/2018 Crab Management Responses

Chairman Boarman advised the take away here is the juvenile survey is way low but the female survey is way high. What do we do, stay at status quo, change the bushel limits or come up with another option?

Mr. Gary explained the jurisdictions have held a couple of conference calls to talk about this data. The first reaction is there is a good amount of age +1 population of crabs even when you include the slight drop off of males. It is predicted to be a good start to the season, but may drop off during the summer or early fall. It has not been fully discussed at this point. The Chesapeake Bay Stock Assessment Committee (CBSAC) may come in with some recommendations. They are currently analyzing the data and their report will be released in late June. We know that crab reproduction can be highly variable based on environmental conditions. The thought is something will need to be done, but at this point none of the advisory committees within the jurisdictions have met yet. Additional feed back will be received after they have met. He noted that the Commission will take the stance of regulatory consistency, once we know what Maryland and Virginia are doing. There's nothing that says the Commission has to do that. Virginia may possibly consider an earlier season closure, and a later spring opening. Maryland will possibly consider the season length, and female bushel limits. Again, they have not met. Mr. Gary suggested that the committee discuss the tools that we have at our disposal (female bushel limits and the season dates). There will be a regrouping of the three jurisdictions and decisions will be made later towards the end of May or the first part of June. He stated the committee could go through the options tonight and schedule a teleconference once more information is available from the states.

Mr. Gary reviewed the bushel limits for last season. He noted the bushel limits are 14 bu. for a 300 pot license, 19 bu. for a 400 pot license and 24 bu. for a 500 pot license. The management cycle runs from July 1st to June 30th each year. There are 416 crab pot licenses (332 – 300 pot, 13 – 400 pot and 16 – 500 pot). According to the numbers, the 2016 bushel limits were reached

33 times (300 pot), 5 times (400 pot) and 16 times (500 pot) during the crab season.

The committee agreed to wait to see what Maryland and Virginia do and to have a teleconference once the information is available.

Mr. Gary stated he would see about using a teleconference and webinar and to send any documentation to the committee and the public.

Vice-chairman Nininger stated it's a scary thought to think of restricting the crab pot fishery any further.

Discussion of Licensing/Residency Requirements

The person who had an issue with this was not able to attend the meeting. Therefore, the committee did not discuss this item.

Discussion of Commercial Crab Licenses Under Corporation/Business Designation & Designated Crabber

Mr. Gary explained in 1995 the crab fishery went to limited entry and there is a regulation that implies that there's a desired target of fleet capacity of 400 licenses (shares) in the fishery. Currently there are 416 crab pot licenses. The concern is that some licenses are being consolidated by individuals who hold a personal license and also a business. The tradition of the fishery is one person/one license/one boat. A license under a business name has to have a designated crabber to work the license. There have been some complaints on who should be eligible to be a designated crabber. Currently there are no regulations or guidelines that define who a designated crabber should be. He stated it isn't a conservation or a management issue for the crabs. This is a concern of a person holding more than one license by way of individual, company and/or multiple companies.

Chairman Boarman asked the committee for discussion and they chose to make no comments at this time.

Mr. Gary stated there is a related issue of who should be a designated crabber. Anyone can be listed as a designated crabber, because there is no regulation prohibiting that. There are individuals who hold a personal license and a license(s) under a business name who have listed themselves as the designated crabber. This allows one person to crab two licenses however, they must abide by crabbing from the boat that is listed on the license.

Becky Butler advised there are 15 or so crab licenses in a company name.

Lance Lumpkins stated he owns an individual license and several licenses under different businesses that he owns. He feels he's helped people out by having them work for him because they can't afford to buy the license, the gear and the boat themselves. He felt a person couldn't make a living owning one 300 pot license, and that owning two would allow you to work each license every other day.

Becky Butler explained that the Commission is not trying to get rid of the designated crabber, staff is trying to create a regulation for it. It needs to be defined and have guideline of who can be a designated crabber. Currently anyone can be a designated crabber and the license holder can change that person on a daily basis if they choose to. There are no guidelines to follow, and no tracking as to who is working the license. Lance Lumpkins agrees with that, and said that would make it easier on staff in the office.

Becky Butler also noted that staff needs to find out how the industry feels for an individual holding a crab license and being a designated crabber for a license in their business name. This is where staff is starting from scratch to create a regulation for a designated crabber and the Crab Advisory Committee is the first step to defining that.

Chairman Boarman stated this seems like a job for the Legal Officer.

Sammy Dorough stated a person who owns an individual license and a business license and has themselves listed as the designated crabber, they still have to crab from two different rigs. He said the two licenses on one boat permit is not allowed if you have a license in a business name so he doesn't see an issue with it.

Chairman Boarman stated that's how it's supposed to work, but is not sure that's how it's working. When we hit the limited entry status and created the natural person and person, we didn't foresee this issue becoming a problem. He felt the advice of the legal officer was needed because this could potentially become a big issue and it needs to be handled correctly.

Lance Lumpkins stated maybe the committee needs to get back to how many licenses a person should be allowed to hold.

Chairman Boarman stated it's a bit early to discuss all of this and it has to be digested and thought about.

Robert Lumpkins stated licenses are put in business names to protect what you have. He stated he understands what Becky is trying to do. He stated in Maryland you can change a name on a license twice a year and that's all they should be changed. Maybe that's something to consider when making the guidelines for a designated crabber. He stated this is also a concern with individuals who transfer their licenses over to other individuals so they can use the license. It's complicated and it needs to be simplified.

Mr. Gary stated there are a couple of factors here, one is the legal component, two is the administrative component, and the third one is how will it work best for everyone? He suggested working with legal council, and report back possibly during the summer.

Chairman Boarman tabled this issue until staff could talk with Mr. Mayo and will report back at a future meeting.

BCAC Vacancy

Chairman Boarman announced there is a vacancy for a Virginia lower river peeler potter. It's been vacant since 2015. The committee was asked if they knew of anyone to nominate for the position. It was noted that there are not that many peeler potters and it's been difficult to find someone. He asked if it was possible to change it from a peeler potter to a hard crab potter. Becky Butler explained the Membership and Procedures call for 2 hard crab potters, 1 peeler potter and 1 crabber-at-large for the commercial representation. She advised there is another vacancy that became vacant tonight for a Virginia upper river hard crab potter. That position was filled by George Smith who has missed three consecutive meeting and is not longer on the committee.

Mr. Gary stated this becomes problematic because the committee is down two members on the Virginia side. Chairman Boarman asked Mr. Loving if he knew of anyone in that area to fill the position. Mr. Loving stated there are not that many crabbers in that area, but he would think about it. Mr. Gary felt if it suited the committee he could reach out to legal council and the Commission to see if the requirement for the type of position could be changed and see if we can fill the position.

Becky Butler felt the Membership and Procedures would need to be presented to the Commission for their consideration.

Chairman Boarman agreed and asked staff to start working on that.

Election of Chairman and Vice-chairman

A motion was made by John Morris, seconded by Bruno Vasta to have Robert Boarman continue to serve as Chairman of the Crab Advisory Committee. The motion passed unanimously.

A motion was made by Arthur Loving, seconded by John Morris to have Elgin Nininger continue to serve as Vice-chairman of the Crab Advisory Committee. The motion passed unanimously.

New Business

CPID Tags

Sammy Dorough asked if everyone received their CPID tags on time. Mr. Gary explained staff ordered differently this renewal season and that seemed to help. Hopefully there won't be any issue in the future.

Electronic Reporting

Sammy Dorough asked when the Commission was going to allow electronic or daily reporting by calling into the office. Mr. Gary stated the Commission has had a couple of people attend meeting to present on this issue. He would like to make it simpler on the watermen and staff, he's all for it. Chairman Boarman asked for this issue to be placed on the next agenda.

Lance Lumpkins felt calling in worked well when Lower Cedar Point was opened.

The meeting adjourned at 7:15 p.m.

Respectfully submitted,

Robert A. Boarman, Chairman