

Virginia Marine Resources Commission
Crab Management Advisory Committee (CMAC) Minutes
380 Fenwick Road, Fort Monroe, VA
Monday, May 23, 2022 – 4:00 P.M.

ATTENDANCE

Members Present

Hon. Ed Tankard
Mark Sanford
James Hudgins
Bernard Wayne Morris
Tye Burns
Chris Moore
Ernest George
Marshall Cox
Tom Powers
Peter Nixon
Johnny Graham

VMRC Staff Present

Pat Geer
Adam Kenyon
Shanna Madsen
Alexa Galván
Somers Smott
Joshua McGilly
Lewis Gillingham
Jill Ramsey
Jennifer Farmer
Andrew Button

Members Absent

Daniel Dise
Donald Porter Sr.
Kenneth Diggs

Others Present

Rom Lipcius (VIMS)
Michael Seebo (VIMS)
Alex Schneioh (VIMS)
Lynnee Morris
Wayne Morris
Chris Ludford
Dan Halland
Will Bransom
Chris Moor
Scott Wiuell
Tim Wivell
Rich Murray
Andrew Stith

Minutes were prepared by Joshua McGilly.

I. Introductions; announcements

Started at 4:05. Alexa started by addressing the committee to approve the meetings

II. Approval of minutes from the June 2, 2021 meeting.

The minutes from the June 2021 meeting were approved by consensus.

III. New Business

1. Review the preliminary 2021/2022 Chesapeake Bay Winter Crab Dredge Survey results and preliminary 2021 Virginia harvest data.

Mrs. Alexa Galvan started with discussing the 2022 winter dredge results collected by VIMS and Maryland DNR and both male and female abundance decreased for 2022 compared to 2021. Adult female abundance is currently down (39 %) but is still above the threshold but below the target. Ms. Alex Schneioh from VIMS began presenting her graph showing the average catch for mature females from the 2021 VIMS summer trawl survey in the main stem of the Bay, crab density was measured in abundance per meter square. Mrs. Galvan continued her presentation after Ms. Schneioh and referenced the previous CMAC meeting and the VIMS trawl. Dr. Rom Lipcius began presenting his work looking at the abundance of crabs from the dredge survey comparing two different years depicted in a phase diagram. Dr. Lipcius discussed the early 1990's with higher crab abundance until the decline which was possibly due to an environmental event leading to lower F1 numbers. This decline in F1 was followed by high fishing pressure taking place within the Chesapeake Bay. In the mid to late 1990's overfishing of blue crabs started due to these two issues. Dr. Lipcius's 2022 data is right outside the overfishing red area of the graph but another bad year could lower the abundance and overfishing will be occurring. Dr. Lipcius then discussed the same type of graph but for juvenile crabs (age 0) and ended with a graph comparing juvenile to female (1+) abundance. Comparing the 2022 juvenile data to the mature female data it suggests that abundance would be 114 crabs but there can be variability in this and the abundance can be higher or lower. Dr. Lipcius then discussed the same graph as Ms. Schneioh, and mentioned that the dredge survey during May of 2022 has only collected 2 mature female so far. Dr. Lipcius discussed the idea that juvenile crabs may be "hit pretty hard" while moving from areas they are as juveniles to sanctuary areas in the main stem of the Bay and large congregations of crabs are being targeted and fishing is targeting the immature females before reaching sanctuary areas.

Mr. James Hudgins asked if there is any way to look at larval production outside the Bay. Dr. Lipcius explained that studying larval offshore is very expensive and hard to do, there was a program set up to examine this but was later stopped. Mr. Tom Powers had an observation regarding the die off of eel grass in the Bay in 1990 and it causing issues with settlement of juvenile crabs not being able to settle in the grass. Dr. Lipcius answered and referenced his previous work looking at this idea and there was no correlation between eel grass and settlement of juvenile crabs; marsh and red algae was determined to be as good of a settlement area. Dr. Lipcius also discussed other areas along the Atlantic Coast and in the Gulf of Mexico that do not have eel grass and they still have good recruitment numbers. Mr. Powers also brought up the second span of the Chesapeake Bay Bridge Tunnel and if it could cause issues with juveniles reentering the Bay. Dr. Lipcius talked about the numbers of females and juveniles in the 1990's and talked about something that may be environmental causing low numbers of age 0 and 1. Mr. Hudgins asked about the summer trawl and if any surveying outside the Chesapeake Bay Bridge Tunnel took place. Dr. Lipcius discussed a study that had taken place before in this area outside the Bay mouth and there was small numbers of mature females found. VIMS no longer surveys in this area of the Bay. Dr. Lipcius also mentioned that tagging done at VIMS also shows little evidence of mature females moving outside the Bay. Mr. Chris Moore asked about relationship between adult females and juveniles. Dr. Lipcius mentioned his previous publication showing a significant stock recruitment relationship between females and juveniles, this is the reason why management focuses on females. Mr. Marshall Cox asked what measures VMRC and VIMS may have to discuss at this. Dr. Lipcius explained that this meeting is the beginning of any discussion and will further discuss this problem with Mrs. Galvan and Chief Pat Greer. Mr. Peter Nixon asked when sanctuaries were formed within the Bay, Dr. Lipcius answered that they were formed in 2001 and 2002. Mr. Powers brought up the second span of the bridge was done in 1995. Mr. Moore asked if there are any geographic trends with crabs Dr. Lipcius has seen. Dr. Lipcius mentioned he has created plots with data from last year (2021) and there's usually high abundance of mature females in different areas of the Bay (Off Cape Henry, main stem of the Chesapeake Bay around the Rappahannock River, within the York River, and Mobjack Bay) and this information has

been used to recommend where Baltimore district corps of engineers should not drop dredge spoils. Mr. Hudgins brought up the crabbing in Mobjack Bay and it being poor overall and not agreeing with what Dr. Lipcius mentioned about pockets of crabs. Dr. Lipcius used Mr. Hudgins comment to talk about limiting the influx of crabbers coming in and fishing areas that others are catching in. Mr. Cox talked about how they have tried to stop the influx of Maryland crabbers from coming and fishing in Virginia portions of the Bay. Dr. Lipcius mentioned that crabs from Maryland that move down do not move back up to Maryland. Mr. Cox asked why the female crabs come down into the Virginia portion of the Bay. Dr. Lipcius talked about the dead zone in the middle of the Bay and it causing the crabs to move down after August when the water has cooled down. Mr. Cox talked about the differences in the fishery he has discussed with other crabbers in the Bay. Mr. Powers brought up “our crabs” that are from Maryland and Virginia and that they are mature females. Dr. Lipcius answered and brought up that these mature females are the ones that come down and stay in Virginia’s portions of the Bay.

Mrs. Galvan began talking about the 2021 Bay wide harvest (does not include seaside landings) which included catches from Virginia, Potomac River, and Maryland. Mrs. Galvan mentioned Maryland has a delay in reporting and their numbers will likely increase once all their data has been submitted. Mrs. Galvan presented graphs showing Maryland and Virginia’s female harvest from 2008 to 2021 and again talked about Maryland being lower possibly to reporting lag. Mrs. Galvan discussed a graph showing the same information but for male abundance. Mrs. Galvan discussed adult female and male exploitation rates which are both below the target levels. Mrs. Galvan showed a graph comparing juvenile abundance and Bay wide harvest, when both of these are graphed the lines trend similarly. Mrs. Galvan discussed the 2021 VA harvest, with 18,280,116 crabs caught with a value of 35,452,724 dollars caught by 855 harvesters. CPUE compared to trips and CPUE generally is increasing but has decreased the past two years. Mrs. Galvan discussed the number of crabbers that fished certain ranges of days within the season, most crabbers fished between 25 and 50 days during the season. Mrs. Galvan discussed harvest rates in millions of pounds by month with April being the highest harvest month and being around the average

harvest rate for 2011 to 2021. All other months from March through November had being below the average harvest rate for the same month. Mrs. Galvan also showed graphs and discussed the breakdown of the number of eligible licenses, how many have been sold, and how many are active for the hard crab and peeler crab fishery. Both fisheries have high numbers of latent licenses that are not currently be used but are owned.

2. Discussion of possible management responses.

Mrs. Galvan moved to the “next steps” portion of her presentation and mentioned presenting the same information to the Commission on 5/25/22 and feels there’s a need for another CMAC meeting in about 2 weeks. A CMAC meeting will also be taking place in fall of 2022. Mr. Nixon asked about the adult female harvest, and wanted to know how peeler crabs are counted for before they are taken out as hard crabs and how do we account for the number of peelers being harvested. Mr. Adam Kenyon answered and talked about this possible “hole” in reporting and how some people are reporting the peelers they sold not necessarily what they pulled out of the pot. Mr. Nixon asked if there is a breakdown between landings for males and females of peeler crabs. Mr. Kenyon explained that it is assumed that the peeler crab landings are a 50/50 split between males and females. Mr. Hudgins asked to see hard pot license graph again and asked if the line for eligible licenses included those on the waiting list. Mrs. Galvan answered that it does not include the waiting list but it is the group of people that could go to a licensing agent and get their license. Mr. Hudgins also asked about multiple licensed people on a boat at the same time. Mrs. Galvan answered that the limit is still the largest number of allowable catch on a single license per day. Mr. Hudgins mentioned that multiple licensed crabbers will fish together because it is finically lucrative. Mr. Hudgins also asked if VMRC knows how many Marylanders have licenses in Virginia. Mr. Powers suggested at the next meeting instead of showing a graph of eligible licenses that VMRC shows information about the number of pots. Mr. Johnny Graham asked why the thresholds are at different levels for males and females for the graphs discussing exploitation rates. Mrs. Galvan mentioned it was due to the differences between sexes. Mr. Powers added that one is threshold suggestive and one is

mandatory. Mr. Ed Tankard brought up “possible management ideas”. Mrs. Galvan moved onto the potential measures slide and mentioned that there are no measures to present to the committee right now but talked about things wanted to be changed for this year and next year. Measures for 2022 included, “decreasing bushel limit, season reduction, recreational 5 pot season reduction, sponge crab dates” and for 2023 measures included “agent, transfers, pot tagging, define a bushel basket, peeler pot bushel limit”. Mrs. Galvan discussed the 2023 measures a bit more in depth about each idea. Mrs. Galvan discussed the pot tagging program in depth and how it currently is set up in the Potomac River with the number of tags being given to each crabber.

Mrs. Galvan began taking questions about the 2022 measures. Mr. Sanford asked about a setting up a season for out of state crabbers, this was mainly focused on fisherman from Maryland. Mr. Sanford claims that some Maryland crabbers coming to fish in Virginia are no longer eligible to fish in Maryland. Mr. Kenyon talked about agreements with Maryland and how any license changes would have to be applied to all licenses not just the own trying to be changed. Mr. Kenyon also mentioned that there cannot be any type of discrimination against fishermen from other states, but they can be charged a different fee compared to instate fishermen. A question about agents from other states was asked and Mr. Kenyon mentioned that they are a small number of the total pool of agents. Mr. Hudgins commented on decreasing the bushel limit and talked about the 15 percent bushel limit already present. Mr. Hudgins also mentioned people not being able to catch their limit currently and brought up ideas of starting the season later and cutting out March. Mr. Kenyon asked the committee if eliminating March and November for all parts of the Bay was an idea the committee liked and brought up the idea that if nothing can be restricted then management is difficult. Mr. Cox brought up the idea that the past 20 years this idea has been discussed and that closing January through March does next to nothing because the fishery is based on water temperature. Mr. Kenyon mentioned that these previous ideas have been discussed but being pushed off. Mr. Hudgins brought up the lack of penalties for breaking rules, like having a cull ring closed. Mr. Cox talked about pot tags and how crabbers change their buoys during the year. Mr. Hudgins talked

about law enforcement and the issues of cull rings. Mr. Powers stated he was the only recreational crabber on the committee and wants a number comparing the effort of recreational crabbers compared to commercial crabbers. Mr. Powers also brought up the number of eligible pots and talked about the buyback program previously done and how originally you needed to be out of the industry for a set number of years but crabbers were not held to that agreement and were allowed back in the fishery sooner. Mr. Powers wants to try to limit the amount of gear in the water. Mr. Kenyon talked about the ideas presented for 2022 and 2023 and how dealing with transfers could be a good option but it has to be linked to an active fisherman like what is done with commercial oyster fishing. Mr. Powers does not agree that “one in one out” is the proper answer. Mr. Powers also asked about agents and how VMRC can break state code and transfer a license and allow an agent to fish in place of a commercial license holder. Several members discussed with Mr. Powers that agents is not a break of code because the agent has to be holding the owners commercial information and it is not there’s to keep. Mr. Tye Burns asked how much of a difference getting rid of the agent would actually make. Mr. Kenyon mentioned that transferring is a more permanent thing and agent is a limited thing.

Mr. Kenyon brought up the time spent already and that there is about 30 to 40 minutes left and wants to shift the talk to measures that can be further discussed and presented to the committee in two weeks. Mr. Ernest George talked about limiting the amount of time to fish your gear and everyone should be fishing in the same window of time. Mr. Kenyon talked about a plot showing the bushel limit and how many people had reached their limits. Mr. Powers asked about who would be funding pot tags if they are put into place. Mrs. Galvan and Mr. Kenyon talked about PRFC’s current set up of their program and the 75 dollar tag fee they charge. Mrs. Galvan talks about season reduction and asked the committee about closing harvest of females and the committee mentioned they would rather a total closure than just female. Mr. Kenyon talked to the committee about closing the fishing entirely instead of closing for just females. Mr. George brought up the movement of people to oysters when not being able to fish for crabs. Mr. Hudgins asked what else can be done to an already restricted fishery. Mr. Graham talked about his

relationship with Louisiana crabbers and selling their crabs in his store during the winter. Mr. Graham discussed how he continued purchasing crabs from Louisiana and how he would have had no crabs if he hadn't continued this practice. Mr. Graham said Virginia's crab availability is low and customers would rather buy Louisiana crabs due to the size compared to Virginia crabs. Mr. Graham also mentioned the quality of the Virginia stock being lower and setting up management needs to be set up to conserve the population and the quality of the local crabs. Mr. Graham discussed that protecting males and juveniles like protecting sponge crab needs to be done to fix the problem and development of laws that can be enforced needs to be done. Mr. Cox brought up that he doesn't like the cull rings on pots and how people started shifting to peeler pots and it may be because the crabs are small and it is probably because the stock of crabs are smaller. Mr. Cox feels these smaller crabs is because of selectively breeding linked to the cull ring. Dr. Lipcius answered this and how 10-15 years ago that cull rings seems to decrease the size of maturity of crabs, and smaller females are here because of the Mr. Sanford asked to clarify the movement and pressure of females. Dr. Lipcius mentioned that as the females are moving down they are getting culled from the Bay, and also discussed the measures Louisiana has taken to get their fishery to where it is and feels crabbers in Virginia would not want to take the same measures they had. Dr. Lipcius also moved to talk about the sanctuaries and the mortality is around 20 percent in the sanctuaries compared to outside them, he also mentioned an idea he had put forward previously to create a path for crabs to move through the Bay unpressured to reach the sanctuaries but Maryland disagreed with that plan.

Mrs. Galvan asked if sanctuaries and cull rings are something that the committee wants to add to the list to be further talked about. Mr. Nixon brought up size and the quality of Louisiana's crabs and began reading off information about Louisiana's regulations and pot information. Mr. Kenyon mentioned cull rings and sanctuary topics are good to be addressed in the fall and cannot be addressed for this year. Mr. Powers brought up the increasing size limit of peeler crabs and adult male crabs in the Potomac and the idea that they do this to increase the quality of their river's crab. Mr. Powers also talked about

increasing the shed size to increase the size and quality of crabs. Mrs. Galvan mentioned adjusting the bushel limits and closing the November fishery will not get us to the cuts needed. Mr. Graham asked if there is a target that looking to be reached, Mrs. Galvan explained that it is a 5 to 0 percent reduction. Mr. Tankard asked about the March fishery and Mr. Kenyon stated that there are already reduced bushel limits for March. Mr. Kenyon explained that they are looking for ideas that the committee may be on board with to reduce the harvest. Mr. Sanford stated that he does not agree with the percent of black sponge crabs that have eggs die after being taken out of the water. Mr. Graham asked if there is a limit on bushel limits on male crabs only. Mr. Kenyon talked about protecting females and it is the most effective way to manage the stock. Mr. Burns talked about fishing the creek and people moving around based on the opening and closing the sanctuary.

IV. Public Comment

Mrs. Galvan moved to public comment. Mr. Andrew Stith from Hampton, a recreational crabber, was the first to talk. Mr. Stith asked why there was no diversity in the fishery and how service member's returning can enter the industry and asked if hatcheries are a viable option to supply crabs. Chief Greer answered mentioning that this has been explored and it is not a viable option. Mr. Steth brought up that the public doesn't seem to know this information and it needs to be more available. Last thing he asked was why the crabbing industry can't raise money to be used for the industry.

Mr. Dan Holland from Suffolk, a recreational crabber, was the second to speak. He agrees and disagrees with the presentations but has personally seen low numbers of females in his pots. Mr. Holland does not fish his pots till July and by the end of the season he starts catching greater numbers of crabs but has to pull his pots. At the end of the recreational season he begins seeing commercial crabbers moving into the area he lives. He does not agree with the reduction to the 5 pot fishery but did mention that if it does need to be reduced to reduce the number of days in June and extend the season till the end of September.

Mr. Scott Wiuell, a commercial crabber, from Cape Charles was the last to speak. Mr. Wiuell discussed high landings in April and brought up the out of state crabbers leading to low year 1 crabs returning. He mentions reduced bushel limits in April like March to limit the inflow of Maryland crabbers. Mr. Wiuell stated that Maryland boats out of Cape Charles fished Mobjack Bay this past year where high numbers of crabs were known to be. Mr. Wiuell talked about these Maryland crabbers not being held to the same laws with cull rings closed or not present and large number of pots being used. Mr. Wiuell brought up out of state crabbers flooding the market with their crabs and would like a cut to the spring bushel limit because low prices are affecting him already. Mr. Cox added that Virginia should not be punished to get rid of Maryland and that these crabbers have too many pots in the water and their cull rings are closed but it is an enforcement issue. Dr. Lipcious discussed an alternative to reduce bushel limits and reduce the size of the sanctuaries to hopefully limit illegal crabbing and allow the crabs make it to the center of the sanctuary. Mr. Burns wanted to know the savings by cutting early in the year, Mr. Kenyon stated that could be answered at the next meeting, Mr. Cox said there is a lot of variability in the weather during the early and late parts of the season, Mr. Sanford said that crabbers are going to take a hit regardless but something needs to be done. Mrs. Galvan brought up that a range of years are combined and this is the data used to account for good and bad spring weather. Mr. Cox stated that VMRC has ideas that the crabbers don't often like but they are usually what is done, and working together works out better for the crabbers. Chief Greer got to the podium and talked about the timing of the meetings and how this meeting was supposed to just relay the winter dredge data and then after CBSAC (5/25/22) VMRC will have a better idea. Mr. Cox asked what will happen at the commission meeting, Chief Greer explained that all that will be presented will be winter dredge findings. Mr. Cox mentioned a few years back that the committee should get a print out of dredge findings before the meeting and the motion he had voted on was passed but the information is still not available before the meeting. Chief Greer talked about the press release being delayed and agreed that the committee should get information beforehand. Chief Greer talked about the delay caused by Maryland and their press release process. Mrs. Galvan also mentioned that talking with Maryland is to make sure the restrictions are fair between Maryland and Virginia. Dr.

Lipcius suggested bushel reductions in March, April, and May to allow the crabs to enter the sanctuaries and reduce the size of the sanctuaries to catch them in the outlying areas. Mr. Powers asked if the committee can receive the presentation through email the Friday before the presentation. Mrs. Galvan mentioned the press release had been sent to committee member on Thursday. Chief Greer mentioned that something can probably be sent pre meeting.

Mrs. Galvan mentioned that everyone has her personal office number and if there's any ideas that were not discussed that they should call her and discuss anything not mentioned at the meeting. Mrs. Galvan asked about the next meeting if June 6th or June 8th works for the committee and it was agreed to meet on Wednesday June 8th starting at 4.

V. Adjournment

Meeting adjourned at 6:23 PM.