

**Virginia Marine Resources Commission**  
**Crab Management Advisory Committee (CMAC) Minutes**  
380 Fenwick Road, Fort Monroe, VA  
VMRC Commission Room,  
Tuesday May 7, 2019 – 6:00 P.M.

**ATTENDANCE**

Members Present

Hon. Ed Tankard  
Mark Sanford  
James Hudgins  
Bernard Wayne Morris  
Marshall Cox  
Ernest George  
Kenneth Diggs  
Peter Nixon  
Johnny Graham

Members Absent

Chris Moore  
Tom Powers  
Donald Porter Sr.

Others Present

Dan Knott  
Jim Delbene  
Rom Lipcius

VMRC Staff Present

Rob O'Reilly  
Pat Geer  
Alexa Kretsch  
Alex Aspinwall  
Ethan Simpson

Minutes were prepared by Ethan Simpson.

**I. Introductions; announcements**

The Hon. Ed Tankard called the meeting of the Crab Management Advisory Committee to order at 6:04pm.

**II. Approval of minutes from the March 5, 2019 meeting.**

The minutes from the March 2018 meeting were reviewed and approved unanimously.

**III. New Business**

**1. Review of the Chesapeake Bay Winter Crab Dredge Survey 2018/2019 preliminary results**

Mr. Patrick Geer began the review of the 2018/2019 Winter Crab Survey results with a brief discussion of the background of the survey. This information included how data is collected, organized, and analyzed to allow for the estimation of the total abundances of male, female, and juvenile crab in the Chesapeake Bay. Mr. Geer then continued to summarize the results of the survey for the committee. All size-specific and sex-specific abundance estimates were higher than their counterparts from the previous 2017/2018

survey. The estimate of spawning-age female abundance was the fifth highest estimate in the 30-years of this survey, while the estimate of spawning-age male abundance was the seventh highest for the 30-year survey. Mr. Geer presented this information graphically; mentioning that some of the high abundance estimates listed at the start of the survey (early to mid-90's) may be artifacts of survey design, in that a far greater amount of geographical stratification existed in those earlier years.

Spawning-age female crab abundance, one of two female crab-specific metrics of stock health, was above average for the 2018/2019 survey and only 11% below the target. Mr. Geer stressed that these spawning-age females will be spawning this late May or in July or August. Concerning exploitation rates, Mr. Geer informed the committee that the removal rate (exploitation rate) was slightly below the management triggers for both spawning-age male and spawning-age female crabs in 2018. With this in mind, the discussion turned towards the various factors that are not taken into consideration when estimating exploitation rate, such as: no estimation on dead discards, no representative estimates of the recreational harvest, and static adjustments (since 2012) in juvenile abundance associated with catchability of juvenile crabs by the dredge. Mr. Geer stressed that the goal of management should be to keep exploitation rates close to, but below the target to allow for the unknown impact of these factors.

Mr. Geer continued his presentation with updated harvest data from the previous year. He mentioned that Virginia harvested just over 21 million pounds of blue crab, nearly equal to the average of the last few years. He also noted an increased proportion of female blue crabs have been caught in Maryland in recent years and asked if the committee members may have any insight into this. Mr. Peter Nixon replied that seasonal market changes may favor the harvest of female crabs in Maryland during the fall months. Mr. Nixon also inquired if historical landings levels could be attained if harvest limits were increased. Mr. O'Reilly replied that effort has been reduced since those years, making it initially unlikely. Mr. Nixon clarified that he was not advocating for increasing harvest limits, as the industry lacks the infrastructure to process an amount of crabs that were harvested in historical times.

Mr. Marshall Cox asked for justification in the use of spawning-age female abundance as a reference point for stock health. Mr. O'Reilly replied that the female-only reference point has been shown to be equivalent to combined female and male reference points. Mr. Rom Lipcius agreed with this statement and added that female abundance has been shown to explain up to 50% of variance in total abundance, while there has been no evidence that such a relationship exists between males and total abundance. Mr. James Hudgins expressed concerns that the current threshold/target values of abundance may be slightly unattainable and should be revisited or adjusted moving forward. Mr. Lipcius noted that the management measures enacted in 2008 were designed to protect female crab, but it is possible that state by state quota allocations should be revisited as well to address the higher harvest pressure being put on male crabs. Mr.

Johnny Graham mirrored this concern, noting that the reduction in male crabs has led to increased pressure on female crab, negating past management efforts to protect said females.

Mr. Nixon inquired if the high levels of rainfall over the past year affected the abundance of either sex. Mr. Lipcius replied that he does intend to explore this possibility now that the entire data set is available. Mr. Kenneth Diggs also inquired on the impact of blue catfish predation on male crab populations. Mr. Geer stated that the Virginia Institute of Marine Science (VIMS) is currently conducting stomach content studies to determine this. Returning to the allocation discussion, Mr. Nixon felt that Virginia has been heavily contributing to the conservation efforts of this stock, but Maryland and North Carolina have been reaping the benefits. Mr. O'Reilly mentioned that the conversation of quota allocation came up four years ago, but was ultimately shelved when the conversation turned towards further limiting entry into the fishery. Mr. O'Reilly continued by stating that because of Maryland's early adoption of limited entry regulations, many of the changes that the committee would like to see would require a political solution.

## **2. Discussion of possible management responses**

Ms. Alexa Kretsch introduced the two management responses that were favored from the March 2019 CMAC meeting. These were the possibility of an increased season, with either spring or fall extensions, and possible adjustments to the fall bushel limits. Mr. Marshall Cox began by asking if the spring starting date could be eliminated or moved earlier into the year. Mr. O'Reilly replied that law enforcement requires an opening date to the season for enforcement and that past attempts at moving the spring start date forward have had negligible impacts on annual landings. Mr. Cox asked if Mr. O'Reilly would support an earlier start date, to which Mr. O'Reilly replied he would not and reminded the committee that when the season opened March 1 in 2012, the early harvest doubled (as did effort), but by May crabs were not abundant for harvest. Mr. O'Reilly took the opportunity to stress that the committee should be cautious in what they ask from the commission and that it would be prudent to look at the fishery as more than just an annual crop. Mr. Nixon inquired if a change in the end date of the season could be requested now and then altered later if the data suggests it should close earlier. Mr. O'Reilly said that this is possible but a later change would require an emergency regulation. Mr. Diggs asked for staff's view on adjusting bushel limits for the fall. Ms. Kretsch mentioned that only 2 to 5% of harvesters meet the current fall bushel limit, meaning that increasing this limit would have a minor effect on overall harvest. To focus these discussions moving forward, **Mr. Nixon made a motion to take all three options (Changing the spring opening date, fall end date, and/or the fall bushel limits) and vote on each individually to see if the committee would like to pursue them. Mr. Cox seconded this and the motion passed unanimously.** The committee voted not to pursue a change to the spring opening date, but to pursue a change in the fall closing date. Furthermore, the committee voted to pursue possible adjustments to the fall bushel limit.

**Mr. Johnny Graham then made a motion to extend the October bushel limit to the rest of the season, ending on November 30<sup>th</sup>. Mr. Diggs seconded this motion.** Mr. Mark Sanford felt that an extension to the fall closure date would be more valuable to the fishery, but that pursuing both would most likely fail approval from the commission. The Hon. Ed Tankard asked if including both changes in the request to the commission would be possible. Mr. O'Reilly replied that it is possible, but the commission is generally conservative with their changes. Mr. Sanford made a motion to amend the original motion to include a December 15<sup>th</sup> close date to the season, but Mr. Diggs did not accept those changes. **The original motion passed with five in favor, two opposed, and one abstention.** Mr. O'Reilly stated that he would convey the committee's intention with this request to the Commission at the next agency meeting, to include that some members would support a season change, if the stock conditions of 2019 persist.

Mr. Graham expressed concerns that Maryland harvesters could operate in VA waters, but VA harvesters could not operate in MD waters. Mr. O'Reilly stated again that because of Maryland's early action of enacting limited entry rules in 1979, which were strengthened in 1997, there was little that could be done by the VMRC. Hon. Ed Tankard agreed that this was primarily a political issue.

#### **IV. Old Business**

##### **1. Review of requested agent data**

Ms. Kretsch opened up the discussion of old business by highlighting the proportion of harvest from 2018 that was attributed to crab agents, which was 9.3%. Ms. Kretsch also displayed a detailed graph of where those individuals were fishing and a record of the number of purchased agent licenses over the past three years. The number of agents has decreased since 2016 from 123 to 111, with 8 to 9 of these individuals being from out of state during 2016-2018. Mr. Sanford expressed his concerns that any out of state individuals can act as agents, a sentiment that was mirrored by the majority of the committee. Hon. Ed Tankard inquired from Mr. O'Reilly what the committee could do to alleviate their concerns. Mr. O'Reilly replied that any action must start with a motion from the committee and from there the issue must be handled carefully and incrementally. Mr. James Hudgins then asked how any individual who has an agent may also work on the water in a different fishery. Mr. O'Reilly replied that this should not be the case, as an individual is required to surrender their license to their agent for that transaction to be valid. Mr. O'Reilly also suggested that this topic be discussed at a follow-up meeting, as it will likely take a long round of discussion to work out the details of their motion. Committee members will receive a poll to determine the next appropriate meeting time.

#### **V. Adjournment**

The meeting was adjourned at 8:03 pm by Hon. Ed Tankard.