

Virginia Marine Resources Commission
Crab Management Advisory Committee (CMAC) Minutes
380 Fenwick Road, Fort Monroe, VA
Monday October 5, 2020 – 4:00 P.M.

ATTENDANCE

Members Present

Hon. Ed Tankard
Mark Sanford
James Hudgins
Bernard Wayne Morris
Tye Burns
Chris Moore
Tom Powers
Peter Nixon

Members Absent

Donald Porter Sr.
Kenneth Diggs
Daniel Dise
Ernest George
Johnny Graham
Marshall Cox

VMRC Staff Present

Pat Geer
Adam Kenyon
Shanna Madsen
Alexa Kretsch
Somers Smott
Olivia Phillips
Lewis Gillingham

Others Present

Rom Lipcius (VIMS)
Kirk Havens (VIMS)
Madeline Reinsel (VIMS)
Michael Seebo (VIMS)
Daniel Stanhope (VIMS)
Daniel Knott
Alex Schneider
Daniel Knott
Jim Murray

Minutes were prepared by Olivia Phillips.

I. Introductions; announcements

Due to the COVID-19 office closure, this meeting was conducted via electronic communication means (Webex). The Hon. Ed Tankard called the meeting of the Crab Management Advisory Committee to order at 4:08pm.

II. Approval of minutes from the February 19, 2020 meeting.

The minutes from the February 2020 and May 2020 meetings were approved by consensus.

III. New Business

1. 2020 Season

Ms. Alexa Kretsch provided a review of the preliminary 2020 blue crab harvest. Ms. Kretsch explained that, due to COVID-19, many harvesters are behind on reporting, and thus the data may not be representative of true harvest in 2020. Following Ms. Kretsch's presentation, the committee discussed possible adjustments to management measures for the 2020 blue crab season. Mr. Mark Sanford asked if staff would recommend an extension of the crab pot season into December. Ms. Kretsch explained that when the season was extended into December in 2012, 2013, and 2016 December harvest only made up, on average, 0.4% of the annual harvest. As such, staff is not concerned that a season extension would have a large impact on overall 2020 harvest, especially considering the negative effect of COVID-19 on blue crab harvest and markets in the spring. Ms. Kretsch said staff would not recommend extending the season past December 20, which is the latest the season has remained open in recent years. Mr. Sanford explained that he, and many others, were unable to sell crabs in March which certainly affected his business, and therefore, supports a season extension until December 20. As December 20 is a Sunday, Mr. Sanford amended his recommendation to December 19. Mr. Tye Burns and Mr. JC Hudgins also expressed support for a December extension, citing the poor market in March. Dr. Rom Lipcius, of VIMS, said it was not unreasonable to extend the season, given that the stable status of the stock (abundance of adult males and females was above average). Mr. Chris Moore asked the committee what bushel limits they should recommend for the extended December season. Ms. Kretsch told the committee that they could recommend bushel limits be the same as in November or be the low bushel limits of March and that the Commission could vote on either of those options. **Mr. Sanford made a motion to extend the season to December 19th and maintain the November bushel limits into the extended December season. Mr. Pete Nixon seconded this, and the motion passed unanimously.**

2. TEDs in recreational pots

Ms. Kretsch explained that there are concerns with the current Monterey Seafood Watch rating of "Avoid" for the Virginia blue crab pot fishery, citing that some processors have trouble selling Virginia blue crab because of the rating. Recently, the Virginia blue crab pot fishery rating was downgraded from "good alternative" to "avoid" because of concerns for Virginia's management of diamondback terrapin bycatch. As a result, staff is proposing a required plastic or wire terrapin excluder device (TED) in all recreational crab pots, which would include both unlicensed 2-pot crabbers and 5-pot licensees. This item is set to go before the Commission in December and, if approved, be effective in March 2021.

Mr. Tom Powers opposed this measure, suggesting it would be difficult to educate all recreational crab potters, that it would be challenging to enforce, and that it is unfair to require recreational users to use TEDs without also requiring TEDs for commercial crabbers. Ms. Kretsch and Chief Pat Geer explained that gear

interaction with diamondback terrapin is largely a recreational issue due to their placement off docks and near shallow marshes, and that interaction with commercial pots rarely occurs. Mr. Burns, Mr. Sanford, and Mr. Nixon echoed similar sentiments. They further explained that commercial harvesters check their pots regularly (i.e., daily), while recreational potters often let their pots set for days or weeks at a time. As such, it is more likely that recreational pots would interact with diamondback terrapin, and thus, the best measure would be to require only recreational pots to have TEDs. Mr. Powers expressed his opposition to this measure, again, citing issues with education, enforcement, and equal access to the resource (between sectors). Mr. Powers expressed concern that including TEDs on recreational pots would drastically reduce the quantity and number of large blue crabs available to recreational potters. Ms. Kretsch explained that no study has shown a significant difference in blue crab size as a function of TEDs.

Dr. Lipcius (VIMS) explained that a study conducted in Virginia over two years at 16 sites yielded thousands of pot sets and a bycatch of only three terrapins, proving the overall effectiveness of the TEDs. He explained that most terrapin interaction occurs in shallow waters, such as those at the end of a dock or pier. Therefore, recreational crabbers that set pots at the end of their dock or pier are most likely to encounter terrapins, and should therefore be the users required to use TEDs. Mr. Sanford asked staff about the dimensions of the TEDs, and Ms. Kretsch explained that staff is proposing TEDs that are 1 ¾" by 4 ¾" because these are used in Maryland and Delaware and show the highest exclusion of terrapin. Mr. Burns and Mr. Nixon expressed concern about any potential for TEDs to be implemented in the commercial fishery, and Mr. Powers again expressed his opposition to such a measure and suggested that we educate recreational potters about shorter soak times rather than implementing mandatory TEDs.

Two members of the members of the public spoke. Ms. Madeleine Reinsel (W&M) explained that there are resources available to the public that show that TEDs will not have significantly negative effects on recreational pot harvest of blue crabs. Mr. Daniel Knott, a commercial crabber, discussed his experience participating in a TED study, conducted by Dr. Randy Chambers (W&M), in which he set pots in prime terrapin habitat. He explained that he harvested more crabs from pots without TEDs than from pots with TEDs. However, he also explained that, as a commercial harvester, he knows where to set pots to avoid terrapin, and explained that, in his experience, most recreational pots are set in prime terrapin habitat. He supports recreational use of TEDs, but not commercial use of TEDs.

Mr. Sanford asked staff what Virginia needed to do to have Monterey Bay Seafood Watch revise the rating for the Virginia blue crab pot fishery. Ms. Kretsch explained that other states with mandatory TED implementation in recreational pots were rated "good alternative", which is why staff has proposed a similar measure for Virginia. Chief Geer explained that in addition to the Monterey Bay Seafood Watch rating, Virginia must uphold certain conservation measures, including reducing gear interaction with species of concern such as diamondback terrapin.

Mr. Chris Moore provided support for the use of TEDs in recreational pots, and suggested further research for the potential use of TEDs in commercial pots. Mr. Ed Tankard echoed Mr. Moore's sentiments, stating that recreational users want to be good stewards of the resource and thus, he does not see the use of TEDs as a bad thing from the recreational perspective.

3. Potential research into degradable materials for escape panels

Ms. Kretsch explained that staff is looking into a new cooperative study, to be conducted in 2021, that will test a variety of degradable materials to allow escapement from derelict or abandoned pots. She said it would be modeled after a study conducted in North Carolina in 2005, in which commercial harvesters tested materials and recorded how long each material lasted, how well it worked, how many crab and other species were left after the panels failed, how long each panel took to fix once broken, and how the material worked in daily operation. She explained that the goals of the study would be to find materials for escape panels that are feasible and practical in the commercial fishery. She assured the committee that staff would be working closely with commercial harvesters, and asked the committee if any of them would be interested in participating in such a study, if anyone already uses the materials, and if they could provide any information about how certain materials have worked for them in the past.

Mr. Nixon asked how many participants would be included in the study. Ms. Kretsch stated that staff are still in the preliminary stages of study-development, as such, those details have not yet been determined. Mr. Nixon asked how long the materials should last, and Ms. Kretsch answered that the materials should last no more than one year. Mr. Kirk Havens (VIMS) explained that one of the most important pieces of information from the 2005 North Carolina study was that watermen were concerned about ease of replacement because they did not want to have to stop their work (e.g., take gloves off) to fix the escape panels while they fished. Mr. Sanford asked what the cost of the panels would be, and Ms. Kretsch explained that the goal would be to work with only materials that can be found in a local hardware store as long as they meet certain requirements. Mr. Hudgins and Mr. Burns explained that they had used some of the proposed materials before and experienced issues when pressure washing their gear. Ms. Kretsch assured them that, that is the type of feedback staff would like to incorporate into the study, and encouraged the committee to reach out to their constituents for potential participants and feedback.

IV. Old Business

Mandatory online harvest reporting transition

Deputy Chief Adam Kenyon reminded the committee that staff plans to transition mandatory harvest reporting from paper reporting to online reporting. He explained that VMRC has had the online reporting system in place since 2009, but unfortunately, it is not used by many harvesters. He further explained that of about 850

active crabbers, only 106 report their harvest online. Deputy Chief Kenyon explained that the oyster fishery will be going online only in January 2021, and the blue crab fishery will follow, likely sometime later next year. He asked the committee to ask their constituents to provide feedback so that implementation of online only reporting can be successful in the blue crab fishery.

V. Adjournment

The meeting was adjourned at 6:27 pm by Hon. Ed Tankard.