

***Maryland DNR***  
***Summer Meeting of the Tidal Fisheries***  
***Advisory Commission Meeting (TFAC)***

*Thursday,*  
*July 20, 2017*

***Held at the***  
Maryland Department of Natural Resources  
Tawes State Office Building  
Annapolis, Maryland

***Audio Associates***  
***301-577-5882***

*Maryland DNR  
Tidal Fisheries Advisory Commission Meeting*

Thursday, July 20, 2017

**TFAC Members Present:**

William Rice, Chair  
Robert Moochie Gilmer, Vice Chair

James Blackwell  
Robert Brown  
Lee Roy Carson, III  
Rachel Dean  
Herman Dize  
Ken Jeffries  
William Scerbo, Jr.  
Gail Sindorf  
David Sutherland  
William Wilkins

**TFAC Members Absent:**

Steven Lay  
Charles Richard Manley  
Aubrey Vincent

**Maryland DNR Fisheries Service**

Linda Barker  
Jacob Holtz  
Lt. Tim Grove  
David Blazer  
Sgt. Randy Bowman

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KEYNOTE: "---" indicates inaudible in the transcript.

A F T E R N O O N S E S S I O N

(3:00 p.m.)

*Call to Order*

*by William Rice, Chair, TFAC*

MR. RICE: Thank everybody for coming. I don't know if we were dedicated to make it to this meeting today but we knew there was good air conditioning -- well thank goodness that we are here. Dave, would you like to lead off the meeting with any announcements that you had.

MR. BLAZER: Yes. Just one or two quick announcements. Again, thank everybody for being here. You know that the terms for sport fish and tidal fish, several members expired on June 30. We have not heard any news about re-appointments or replacements. So we appreciate you continuing. You are on until you are re-appointed or replaced. So we appreciate your continued involvement.

We are still waiting to hear from the appointments office about the make up of the committee. I am sure you guys are familiar with this. We go through this periodically. But again thank you all for continuing to stay engaged. One note that I don't think we put on the agenda, there was supposed to be a sturgeon critical habitat designation webinar that I think we sent to the commission members through the sport fish whole implementation team that was scheduled for Monday. That webinar has been put off, I think until August 17. There was

1 a court hearing and it was kind of an injunction -- excuse my  
2 legal knowledge, Jacob is not here so I am okay with that.

3 I think there was a delay in implementing any of the  
4 critical habitat designation plans so that has been put off  
5 for this time. And NOAA wanted to wait a little bit longer  
6 under they had more information about everything that is going  
7 on. So that webinar, if you planned on being on that on  
8 Monday, is canceled. We did just get a cancellation notice  
9 this morning. I don't know if it has gotten to you all but we  
10 will make sure that gets to you if you were interested.

11 With that also, we had the -- if folks on this  
12 committee are interested in that goal implementation team, the  
13 Bay Program -- we call it the SFGIT Sport Fish or Sustainable  
14 Fisheries Goal Implementation Team, I know some of you are on  
15 that but periodically we send you notice about activities that  
16 they are doing. If you would like to be on that notification  
17 list for those meetings, let us know. You know that is really  
18 the Goal Implementation Team is really part of the Chesapeake  
19 Bay Program. It has Maryland, Virginia and PRFC. This is the  
20 effort to kind of collaborate on Chesapeake Bay Restoration.

21 The Sustaining Fisheries GIT focuses on fisheries  
22 issues. But there is a Water Quality GIT, there is a Habitat  
23 GIT, there is other aspects of the Chesapeake Bay Restoration  
24 that will engage. So like Pennsylvania and New York,  
25 Delaware, West Virginia are all involved in those efforts on

1 the other GITs but it was predominately fisheries. It is just  
2 us local in Maryland and Virginia and PRFC.

3 I think Robert T. is listed on that group and Billy,  
4 I think you are on there as well. So but if you are  
5 interested in that, let us know and we will make sure you get  
6 those notices of those meetings as well. Also we put out a  
7 request for work group members for the cownose ray management  
8 plan. If anybody from this committee is interested in being  
9 part of that work group -- that is to help kind of establish  
10 what we need to be doing and what we need to be thinking and  
11 looking at for the fisheries management plan for cownose rays.

12 So if you are interested in participating in that  
13 workgroup please Paul or myself know and we will see who we  
14 can get on there. We are not planning on convening that group  
15 until the weather breaks a little bit maybe in the fall.  
16 October sometime. But we appreciate members of the tidal fish  
17 commission to participate in that as well. So. And I think  
18 that is it --

19 MR. RICE: Is that all in your comment period?

20 MR. BLAZER: That is all in my comment, yes.

21 MR. RICE: I was going to talk a little bit about  
22 the blue cat meeting this morning but I see way down here on  
23 the agenda, we got it on the agenda, so I will hold it until  
24 then. So Dave, if you can catch your breath and move into the  
25 oyster advisory update.

1 MR. BLAZER: Sure.

2 ***Oyster Advisory Update***

3 ***Dave Blazer, MD DNR***

4 MR. BLAZER: That is pretty short as well. The  
5 oyster advisory committee met in -- ten days ago, I guess July  
6 10. At the meeting, there was some discussion about some of  
7 the restoration efforts in Harris Creek, the use of  
8 alternative substrates and the debate continues on those  
9 issues. And just some of the activities related to oysters in  
10 general. There will not be a meeting in August of the oyster  
11 advisory committee. They are going to take that month off.  
12 They do plan on meeting in September. September 11, I  
13 believe.

14 And that agenda has yet to be formulated but most of  
15 the original tasks that the secretary set out have kind of  
16 been accomplished as far as like looking at the next two  
17 tributaries for restoration. The committee has debated about  
18 that -- the secretary basically has most of the information  
19 that he needs to make a decision or recommendation. Tried  
20 Avon and the other restoration efforts and some of the ideas  
21 for rotational harvest, a lot of that has kind of been  
22 deliberated and discussed.

23 So we do have a couple of issues. Other issues that  
24 kind of came up during the deliberations that are what we call  
25 on the parking lot. That we will come back and talk a little

1 bit about in September. But beyond that, we will have to find  
2 other things in oyster management to continue to talk about.  
3 But we know we are going to have September and beyond that, we  
4 will have to let the oyster advisory committee kind of talk  
5 about future meetings and sequence and stuff. Robert T.

6 MR. BROWN: Hey could you give us a little update on  
7 the closure book in Noose(sic) Bottom?

8 MR. BLAZER: Yes. I think I had that later on --

9 MR. BROWN: Okay, we will get it later on -- later  
10 on will be fine.

11 MR. BLAZER: Yes.

12 MR. RICE: Anybody have any further questions?  
13 Troy?

14 MR. WILKINS: How about an update on the permit for  
15 Man o War? I wasn't able to --

16 MR. BLAZER: Yes, I am sorry, thank you Troy for  
17 reminding me about that. The Man O War update -- we heard  
18 back from the corps, there are several parts to the permit  
19 that the corps is considering. You have essential fish  
20 habitat, you have endangered species, and then kind of a lot  
21 of other things associated with the activity of the dredging  
22 and so forth.

23 The corps shared with us, the National Marine  
24 Fishery Service concerns from endangered species and essential  
25 fish habitat. And sent us a letter and said basically these

1 are the things that are being talked about and how would you  
2 handle these if we put these types of conditions on this  
3 permit, could you be able to handle this or how would you  
4 handle those as we go forward.

5           So there has been exchange between the federal  
6 agencies and looking at their responsibilities for the permit  
7 issuance. They are sharing that information with us. I think  
8 we plan on replying to that letter. And we have got to talk  
9 internally if -- see if most of those things that they have  
10 listed as issues or conditions that we will be able to live  
11 with. So it is moving. We hope that we will hear something  
12 this summer.

13           MR. WILKINS: So for those dredging the ship  
14 channel, do they have to meet the same requirements that what  
15 you are talking about right there?

16           MR. BLAZER: Well, it is a little different to be  
17 honest with you. Dredging the ship channel is maintenance for  
18 what they have been doing. If they -- well for example,  
19 because I know -- because I was over there. If they want to  
20 dredge a new channel or go deeper or widen, yes, they would  
21 have to go through everything that we are going through.  
22 Because this is relatively a new dredging area.

23           So they would have to answer the same types of  
24 questions as they would go through. The dredging that they  
25 are doing, they are do every year in the maintenance channel.

1 They basically just kind of a schematic, you have the channel,  
2 I know it is not perfectly a box but they allow the  
3 maintenance dredging because that is sediment that kind of  
4 filters in and you are really just going in and cleaning it.  
5 But again if they wanted to take a 100 feet off of one side,  
6 they would have to go through this extensive permit  
7 application similar to what we do.

8           In fact, I can tell you that before I left the port  
9 two years ago, the port was considering widening because of  
10 the Panamac(sic) ships coming up, they are wider. The Panama  
11 Canal is expanding. So if our port stays the same, you can  
12 get one of those larger ships up into Baltimore at a time.  
13 The idea was well could they expand the shipping channel so  
14 that you can get one going out and one coming in at the same  
15 time?

16           Right now, you can't do that with these larger  
17 ships. So they started a process 3 or 4 years ago to start to  
18 look at that and the estimate that the corps gave us back was  
19 you are not going to get -- you are not going to see any  
20 dredging for at least 12-15 years. That is how long it takes  
21 to -- for the port to kind of go through that process. So  
22 does that answer your question?

23           MR. WILKINS: Yes, thank you.

24           MR. BLAZER: Okay. Yes, sir?

25           MR. SUTHERLAND: David, just a quick question. So

1 they didn't -- the recent dredging in that shipping channel  
2 did not cut in any edges?

3 MR. BLAZER: Right.

4 MR. SUTHERLAND: Okay.

5 MR. BLAZER: It is basically the maintenance  
6 dredging that they do every year. They kind of rotate around.

7 MR. JEFFRIES: And there is still time to oppose all  
8 that too, right? For the Man O War?

9 MR. BLAZER: You know, they haven't made a decision  
10 and so --

11 MR. JEFFRIES: I know we have been to a bunch of a  
12 meetings --

13 MR. BLAZER: -- I guess until they make a  
14 decision -- yeah, but I don't know of any public hearing or  
15 public comments process that is designed for any additional  
16 comment. But I don't think you do.

17 MR. RICE: The policy program, Jacob?

18 MR. HOLTZ: Yes.

19 ***Policy Program***

20 ***Jacob Holtz, MD DNR***

21 MR. HOLTZ: How are you all doing today? All right.  
22 I will let Paul get set up here. So first we are going to do  
23 the regulatory and penalty update. As far as public notices  
24 that we have issued, that would be of interest to this group,  
25 we did the -- we set large coastal sharks catch limits, we

1 actually just updated that effective today. I went -- today  
2 it went from 3 to 36 sharks per day. We set the horseshoe  
3 crab fishery up for this year. There was a couple of com pool  
4 hook and line openings. We had a public hearing on emergency  
5 regulations for blue crabs. And we did the female catch  
6 limits for the rest of the year. That was the public notices  
7 that we did.

8           As far as regulations that have become effective,  
9 the regulation to establish a girth size for channeled whelk  
10 became effective this last quarter. And so that is just an  
11 alternative to the length for a channeled whelk that has its  
12 tip broken off.

13           Regulations that have been proposed and are  
14 following are the APA process. The striped bass regulation  
15 there shifts the declaration period from August 1 to September  
16 30 to instead, July 15 to September 15. So some of you all  
17 may have already started your striped bass declarations.  
18 Spiny dogfish, would modify -- that is currently open for  
19 public comment. I would modify the commercial fishery by  
20 reducing the minimum landing requirement for permit  
21 eligibility and changing the declaration period. Both of  
22 those were requested by the spiny dogfish workgroup.

23           Smoothhound sharks is also currently open for  
24 comment. These are implementing ASMFC requirements which  
25 include the catch composition. Requirements for if you are

1 going to be removing fins, the smoothhound sharks need to make  
2 a certain percentage of the catch that is being landed.

3           And then opening up on Friday, so tomorrow for  
4 public comment, that blue crabs -- those are the regulations  
5 that we tried to do emergency to let harvesters start an hour  
6 early on those three summer holidays and the days before that  
7 the legislature had passed. AELR did not hold a vote on those  
8 emergency regulations before the Fourth of July, so they were  
9 not effective on the Fourth of July or the day before.

10           And the chairman of AELR do not look like they are  
11 going to hold a vote on those emergency regulations meaning  
12 that the -- those regs won't -- the early start times probably  
13 won't be available on Labor Day or the day before Labor Day  
14 either. What is -- what you see here the proposed that are  
15 going to be open for comments starting tomorrow, when we tried  
16 to do the emergency, we submitted it both as an emergency and  
17 as a proposed regulation because the emergency expires after  
18 180 days. So we have to do the proposed on anyways.

19           So we submitted the proposed at the same time as the  
20 emergency. We will have to hold another hearing during that  
21 time period. During the public comment period and I believe  
22 that is scheduled for -- it is either next Wednesday or the  
23 Wednesday following that is on our calendar. But it is the  
24 same -- it is identical to the emergency regulation that we  
25 tried to get approved before. And then we updated the

1 suspension list both for the recreational and the commercial  
2 folks as well in June.

3 Did anybody have any questions on any of those  
4 regulations that are currently following the APA process?

5 (No Response)

6 All right, seeing none, I will go to scoping next.  
7 So the first thing on here, clams harvesting in the Chester  
8 River. We have dealt with Moochie and NRP a lot on this.  
9 What happened was there is a conflict in our regulations  
10 basically. When we established the oyster -- the oyster  
11 recovery areas back in the mid 90s, we had exempted out the  
12 Chester River Zone A from the clamming prohibition. So all of  
13 the other ORAs in Zone A which are the furthest up the river,  
14 clamming was prohibited.

15 But in Chester River, we said no we are going to  
16 allow clamming here. And so it was a very -- it was the only  
17 place in the whole ORA reg that we allowed clamming in a Zone  
18 A. When the sanctuary regs were written for oysters in 2010,  
19 all of the old sanctuaries just got called Section I  
20 sanctuaries. Basically old sanctuaries. And in doing that  
21 we somehow missed the fact that we treated this one section of  
22 the Chester River differently than all of the other places  
23 that we were putting into that old list.

24 And so in the what is called the Section I  
25 sanctuaries clamming is not allowed. Which is clearly a

1 conflict with the regulation of the ORA reg which says that  
2 you can clam in the Chester River ORA Zone A. So we have two  
3 regs saying opposite things which lead to some confusion with  
4 enforcement. We have ironed that out. We did not to prohibit  
5 clamming in that area when we did that reg in 2010. We didn't  
6 intend to change the clamming regime at all, it was just  
7 supposed to be an oyster thing.

8           So we are right now scoping the change to fix that  
9 in the regulation and currently we have talked about it with  
10 NRP and NRP knows that they should be enforcing that as a  
11 place where clamming is allowed. So we will be enforcing  
12 clamming regulations but they are not going to be enforcing  
13 the prohibition that they would otherwise enforce under the  
14 sanctuary regs. Does that make sense to everybody? Did I  
15 lose anybody? okay.

16           MR. GILMER: So it went back to being like it was?

17           MR.           : Right.

18           MR. HOLTZ: How it is supposed to be, exactly. Yes.  
19 So the plan for that is just to scope it on the website. Send  
20 it out through the e-mail list and through Facebook and  
21 Twitter unless you all wanted us to have larger discussions  
22 with any groups? Is that a good plan? Okay.

23           MR. WILKINS: Jacob, I am sure you still want I  
24 think Sara sent out a memo that NRP is going to be -- we are  
25 talking about --- paperwork, can we have something today that

1 says ---

2 MR. HOLTZ: Dave, can we forward them that memo that  
3 we put together and sent to NRP.

4 MR. BLAZER: I think George is going to go get it  
5 right now.

6 MR. GILMER: I mean, I talked to Jacob yesterday and  
7 I talked to Denny(sic) and they both said it was open. But I  
8 didn't go on the radio this morning and say "Go there" because  
9 I didn't have something in writing that says it was legally  
10 open.

11 MR. HOLTZ: You just want something on paper.

12 MR. BLAZER: Right, we will get you something.

13 MR. : Even though both sides had told me  
14 that it was. You know I just -- I didn't want it to be a  
15 conflict and everybody say well Moochie said we could go  
16 there.

17 MR. HOLTZ: All right, if George can't find it, I  
18 will forward that e-mail to you, Dave and we can get it out.

19 MR. BLAZER: No problem.

20 MR. HOLTZ: Next two things, fishery and management  
21 plans. This would be incorporating these two FMPs by  
22 reference. It is just a -- it is a process to make them a  
23 source of legal -- be able to regulate under the Fishery  
24 Management Plan. We already manage these species through  
25 that. So tidal black bass was signed and effective last year.

1 And then Spanish Mackerel somehow was completed in 1994 and it  
2 was never incorporated. So we are just planning on  
3 incorporating those by reference. Again scoping on the  
4 website, e-mail, Facebook, Twitter.

5           The next thing on the list is a more of a  
6 recreational although it could affect charter folks also. It  
7 is really just a clarification as far as what a stinger hook  
8 is. And the catch and release in the striped bass fishery in  
9 the spring time, you are not allowed to use stinger hooks. We  
10 thought we were pretty clear when we wrote it that a stinger  
11 hook would be a hook that trails the lure but the people have  
12 said -- looked at it sideways and said well couldn't that be  
13 the second hook on a crank bait.

14           You know, crank bait will have a treble hook on the  
15 middle and a treble hook on the tail. And so we are just  
16 going to make it very, very clear, it is a hook on the back of  
17 something that is not intended to be there. So usually what  
18 it will be is you know, a short little piece of line with a  
19 hook at the end, would be a stinger hook.

20           Again we would be scoping on the website, e-mail,  
21 Facebook, Twitter on this. Anybody thought we needed to do  
22 more?

23           (No Response)

24           Moving on, Jonah crabs, these are all changes made  
25 by ASMFC that we are going to be making on the state side as

1 well. The changes would eliminate the requirement for the  
2 claw landing permit currently and eliminate the qualification  
3 for the claw landing permit. Right now, you needed to have  
4 showed harvest of Jonah crabs, prior to this whole regulatory  
5 regime being put into place in order to be able to land just  
6 claws, which is a pretty common practice in the fishery. We  
7 are just going to make -- so there has been a lot of issues  
8 with that as far as people not being able to land claws and  
9 now they are going to be able to -- they will size limits  
10 change or eliminate a size limit.

11 Then additional by catch rules but there won't be  
12 any changes for harvesters who have Federally tagged lobster  
13 traps. Which is where a lot of that catch comes out of.  
14 Again scoping on the website, e-mail, Facebook and Twitter.  
15 Any questions on that?

16 (No Response)

17 So moving on, oysters. It is more of a housekeeping  
18 thing there. Just making it very clear that when a harvest  
19 reserve area has not been open, that you are not allowed to  
20 oyster out of there. It seems really obvious on its face.  
21 But apparently we have had questions about what is the status  
22 of that piece of ground if there is not a public notice that  
23 has opened it.

24 So we will just make a very clear statement that if  
25 it is not open by public notice, which is how we have been

1 managing those things, in consultation with the county oyster  
2 committees. So if there is not a public notice to open it  
3 then the area is closed.

4 MR. RICE: Rachel, you have a question?

5 MS. DEAN: Yes, I just want to stop for a minute.  
6 Dave, our county oyster committee had sent the department a  
7 letter. Would you like me to bring that up now or would you  
8 like me to bring it up as an additional agenda item or bring  
9 it up when we discuss the shellfish closer?

10 MR. BLAZER: Either way, you kind of brought it up,  
11 so fire away.

12 MS. DEAN: I kind of -- Jacob here, so I will try to  
13 make it as quick as possible. Usually our planning season for  
14 our county oyster committees April or May. But we start  
15 preparing a -- our plan that we all submit to the Department  
16 prior to that. Our county oyster committee was looking to  
17 plant oysters in the Patuxent. We proposed a site and sent it  
18 to the Department and the Department responded by telling us  
19 that was in the AEZ.

20 The AEZ is the Agriculture Enterprise Zone. There  
21 were very few established throughout the state. There are two  
22 right now on the Patuxent River. They were intended to  
23 expedite the leasing process as we were kind of going through  
24 the mess of how to get leases up and started. And my  
25 understanding is that the AEZ is a area bottom that is in the

1 Department's name. And then the idea was that somebody could  
2 come behind and then essentially sub lease. That was kind of  
3 where the hang up happened. Where it never really got off the  
4 ground because then the Department was kind of in that  
5 liability kind of issue. And if I say anything wrong,  
6 somebody stop me.

7           So it never got off the group and really it never  
8 needed to because eventually leases kind of took off and we  
9 did get the process moving and the ball rolling. What that  
10 has left is Calvert Count with two AEZ zones that although  
11 they are in public fishery and we are able to harvest on them  
12 right now because they are part of the public fishery or  
13 acting as part of the public fishery, we cannot plan them as a  
14 county.

15           So what we have requested is that the Department  
16 declassify them as AEZ, return them to the public shellfish  
17 area so that we can then continue to plan them and continue to  
18 harvest them although we already are. So I really don't want  
19 to see this kicked over to the OAC. I kind of like it to  
20 happen a little bit faster. If that means that I need to  
21 request that it be on the next meeting's agenda, then on the  
22 record I would like to say that I want it on the agenda.

23           I know that it is going to the aquaculture division  
24 and we are kind of waiting for them to respond through the  
25 aquaculture coordinating counsel but I am -- like things to

1 move very quickly and they are not moving. I dropped the  
2 ball. I didn't follow up.

3 MR. BLAZER: Well -- and also Rachel, you deserve a  
4 response before and I know we talked about it in house, I  
5 can't because -- since Carl is down in Crisfield today and  
6 they are -- a couple of days actually, we will get you a  
7 response and if we need to bring that back on the agenda, if  
8 there is issues, we will get back to you and figure out how we  
9 can --

10 MS. DEAN: Is there a regulatory issue?

11 MR. HOLTZ: It would be a reg issue.

12 MS. DEAN: Regulatory --

13 MR. BLAZER: It would be regulatory but we also --

14 MS. DEAN: -- not ---

15 MR. HOLTZ: No.

16 MR. BLAZER: -- yes.

17 MS. DEAN: Okay, thank you.

18 MR. BLAZER: Okay. So thanks for bringing that up.

19 Did you have a question?

20 MR. SUTHERLAND: On issues like this, does body --  
21 should we make a motion and a recommendation to support? On  
22 things like that?

23 MR. BLAZER: You can. But normally --

24 MR. SUTHERLAND: Does it have any value, I guess I  
25 am asking.

1 MR. BLAZER: It does. You know, my only  
2 recommendation is to wait until we get all of the information  
3 and then we can present it if it is something quick and easy  
4 for us to solve with out having you know, a long drawn out  
5 process which I think maybe this is something that could  
6 happen. But we just have to check with the -- our folks and I  
7 think we will be all right.

8 MR. BLACKWELL: So just so that I am clear about it,  
9 there is one up near Brooms Island, right?

10 MS. DEAN: Two. One north, one south.

11 MR. BLACKWELL: And so was the AEZ zone established  
12 on top of PFSAs?

13 MS. DEAN: The AEZ -- my understanding was the AEZ  
14 was prior to the sanctuaries. So it didn't get wrapped into  
15 the sanctuary issue but it was already established as we  
16 started to get on the horse about leases. So PSFAs came post  
17 but it was already a harvested bar.

18 MR. BLACKWELL: So it was already a work bar?

19 MS. DEAN: Yes.

20 MR. BLACKWELL: Is that what you --

21 MS. DEAN: I know it was a work bar. Now is there  
22 legal something that says it is a PSFA not until it was  
23 designed as a PSFA but it always had been an area that was  
24 worked.

25 MR. BLAZER: And that is the information -- we have

1 to go back and look and see what the history was so that is  
2 why I don't think we need to make a motion. Let us get some  
3 information and we will come back --

4 MS. DEAN: And they are actually cut out right now  
5 of the PSFAs.

6 MR. BLACKWELL: Has anybody subleased those?

7 MS. DEAN: No. I think it was caught up in the --  
8 the Department's legal people said don't do this is my  
9 understanding. So.

10 MR. HOLTZ: Can we run the next --

11 MR. BLAZER: You satisfied?

12 MS. DEAN: Yes.

13 MR. BLAZER: All right.

14 MS. DEAN: As long as it is on --

15 MR. HOLTZ: Next, there is a number of things for  
16 striped bass. The first group of them are one commercial and  
17 two recreational things that we have been doing by public  
18 notice the last couple of years that we just like to actually  
19 put into regulations so then everybody is on the same page and  
20 not wondering if it is going to happen again.

21 So that would be extending the pound net fishery  
22 through the end of the year. We have been doing that for the  
23 last couple of years by public notice. We have been adding  
24 the month of December. It would put the trophy size limit to  
25 35 inches which right now in regulation if you look at it, it

1 is still the slot limit from the first year of the reduction.

2           We -- the second year of reduction, we did it public  
3 notice. And then we were hoping that the reduction would  
4 somehow get shifted somehow that we wouldn't -- that we would  
5 be able to take -- to reduce that size limit. That didn't  
6 happen. It looks like we are going to have to wait at least  
7 two years if I am understanding right to -- until there is  
8 going to be another change. So just to make it easy for  
9 everybody when they get their regs book, it will have the size  
10 in there.

11           Instead of saying, go look at the website because we  
12 are not sure what ASMFC is going to do. And then similarly on  
13 the Atlantic side. Make the change that we have been making  
14 in the public notice. Put those into regulation also. So  
15 that is those first three. And again, we -- it is just -- our  
16 plan right now is just to scope it on the website. E-mail,  
17 Facebook and Twitter, unless we needed to discuss it more? Or  
18 in other forums.

19           Then the last two which span the next two pages,  
20 were discussed at the striped bass work group on Monday. That  
21 both of these received unanimous approval as far as moving  
22 forward with scoping them goes. The first would be to require  
23 all striped bass permits, fished in the common pool fishery to  
24 have the minimum initial allocation associated with each  
25 permit.

1 Right now, an individual needs the minimum  
2 allocation but they could enter for instance, five permits.  
3 This change would require every permit that gets entered in  
4 the common pool to have the minimum allocation. And then the  
5 second would be to allow in-season transfers of less than all  
6 of an individual's remaining quota.

7 So right now if you are doing an in-season transfer,  
8 you have to transfer everything you have left in ITQ. So if I  
9 had 50 pounds left on transfer and 50 pounds left -- if I had  
10 5,000 pounds left on transfer and 5,000, I can't break off  
11 1,000 and give it to my partner. So this would allow -- an  
12 in-season transfer. What the work groups still want to  
13 discuss a little more is the finer points of how -- where is  
14 the cut off as far as you know, so for instance, Virginia  
15 requires you to do at least a 1,000 pounds. If you are going  
16 to transfer less than 1,000 pounds because you have 750 pounds  
17 left, then you have to transfer everything you have.

18 So they still want to discuss that a little further  
19 but as far as going forward with at least discussing the idea  
20 and getting people's opinions, they thought that we should at  
21 least start that process so that way we can move a little  
22 quicker once there is more clarity there. Buddy you had a  
23 question?

24 MR. CARSON: 10,000 pounds should be 500 --  
25 Virginia's minimum is 500.

1           MR. HOLTZ: Okay. I know that the striped bass  
2 workgroup is going to meet again in September, I think. Is  
3 that right Gary? Okay. And so I think that is when they  
4 wanted to make a more defined recommendation, so we should  
5 definitely discuss that with them then. But did anybody have  
6 any other questions as far as scoping goes? We are going to  
7 scope it on the website, e-mail, Facebook, Twitter, obviously.  
8 Discuss that second one further with the striped bass  
9 workgroup to get an official recommendation. But that first  
10 one was the recommendation of the workgroup but if anybody  
11 wanted to discuss that further, we would love your input.

12           MR. JEFFRIES: What is the reason behind a limit on  
13 how much you can transfer? Who cares? There is so few people  
14 in the fishery, if I want to give Troy 5 pounds, what is the  
15 problem? Why do I have to give him all of it?

16           MR. HOLTZ: Lynn did you want to --

17           MS. FEGLEY: Yes, you can give him all of it, the  
18 question is what is the minimum amount that we want to -- do  
19 you want to come in and transfer 2 pounds?

20           MR. JEFFRIES: What is the difference?

21           MS. FEGLEY: Well, it is for the workgroup to  
22 discuss. I think that is -- there are some potential issues  
23 there. So the workgroup just needs to decide how they want to  
24 go forward.

25           MR. BLAZER: You know I think part of it is

1 administratively if you have 500 pounds and you want to split  
2 it 500 ways to 500 different people, that is a lot of work, a  
3 lot of effort. Is that really efficient? Is that going to  
4 help the watermen in the fishery the way it is kind of set up?  
5 So I think those are some of the discussions that kind of need  
6 to take place and that is -- is there a minimum threshold that  
7 you want to set or --

8 MR. JEFFRIES: I can see a minimum but I don't  
9 understand the reason behind why it has to be all of it.

10 MR. HOLTZ: Which I think is what they are still  
11 trying to --

12 MR. : ---

13 MR. HOLTZ: -- yes.

14 MR. BLAZER: So I think that is a discussion, that  
15 is where we kind of need some of the finer points on this.

16 MR. RICE: Well, this is a work in progress and we  
17 discussed it in length Monday night and I think we discussed  
18 it again and bring it back to this group for final  
19 recommendation.

20 MR. HOLTZ: And then the last thing on there is a  
21 adding a delayed harvest area for trout. But we don't need to  
22 get too far into that here unless you really wanted to. Again  
23 it will be scoping on the website, e-mail, Facebook and  
24 Twitter.

25 The next thing that was on my agenda would be just

1 an update for the penalty workgroup. We met last week from  
2 this commission, Robert T. and Bill Scerbo sat in as well as  
3 Donald Sutherland, Ed Fleming and Val Lynch from Sport Fish.  
4 It was a really good discussion and we really appreciated all  
5 of your input.

6 I don't have a summary of that together for you  
7 right now but I will have it shortly and I will send that out  
8 to the commission. As far as any major changes, I don't think  
9 there is a whole lot of -- as far as major changes go but  
10 there are some minor things that will highlight when I get  
11 that all out to you. Bill did you want to discuss anything?  
12 Or are we good there? Robert T. you good there too?

13 (No Response)

14 All right. And then the very last thing -- the very  
15 last bullet that I had was the -- the licensed beneficiary  
16 discussion on time frame. So what this is in the Natural  
17 Resource Article 4701, that is the statute that lays out the  
18 tidal fish license. You are only allowed to designate a  
19 beneficiary at the time of renewal, is one of the provisions  
20 in the stature. We ran into a couple issues this past year  
21 where folks wanted to change their beneficiary for whatever  
22 reason during the year and we weren't able to because the law  
23 says that you only allowed to do it at renewal.

24 It doesn't seem very fair to me. Or to any of us I  
25 don't think because beneficiary designations are a pretty

1 important designation. If you are to die at any point during  
2 the year, your license is going to that person. So if that  
3 person has passed away themselves or you have had a falling  
4 out or they have moved away and no longer have any use for a  
5 license, whatever the case may be, you are not able to change  
6 that until next year's renewal period.

7           So what we are coming to you to discuss about that  
8 was to get your input as far as trying to seek a legislative  
9 change to make it easier to change that beneficiary  
10 designation. And I would imagine that emotional support if  
11 that was something that you wanted to see happen, that would  
12 be a helpful thing as well. So does anybody need further  
13 explanation of that or has -- anybody would like to discuss  
14 it?

15           MR. RICE: No, it is pretty cut and dry. Moochie?

16           MR. GILMER: I think you ought to be able to change  
17 it you know -- because you never know what circumstances are  
18 going to occur during the year. So you know --

19           MR.                   : Make a motion, Moochie.

20           MS. SINDORF: Make a motion, Moochie.

21           (MOTION)

22           MR. GILMER: Okay, I will make a motion that it can  
23 be changed any time during the year.

24           MR. HOLTZ: Okay, so for the Department to seek a  
25 legislative change to make it so that you can change the

1 beneficiary designation at any point during the year?

2 MR. GILMER: Yes.

3 MR. : Once or --

4 MR. : I think it is any time in the year.

5 If you -- like my insurance policy and my 401K and all of  
6 those things that I have beneficiaries on, I can change it any  
7 time as many times as I want. You know, so I think it is  
8 just, they just need my signature and my verification that I  
9 am the one doing the changing. So I think we are just looking  
10 for consistency like the insurance companies and all of those  
11 other folks have.

12 MR. RICE: Well, Robert T. did you second the  
13 motion?

14 MR. BROWN: I second the motion.

15 MR. RICE: I thought I saw your hand go up. Any  
16 further discussion? Seeing none, all those in favor say aye.

17 (Chorus of "Aye")

18 MR. RICE: Opposed?

19 (No Response)

20 MR. RICE: Those who abstain. It looks like to me  
21 it is unanimous. Thank you.

22 MR. HOLTZ: Al right, unless anybody had anything  
23 else for me that wraps my presentation up. Thanks very much.

24 MR. RICE: Thank you, Jacob.

25 MR. GILMER: I think just want thank the Department

1 for the work on the clam thing and I know everybody put a lot  
2 of time into and a lot of phone calls were made and working  
3 with NRP and all that. I just want to thank everybody.

4 MR. HOLTZ: Sure thing.

5 MR. BLAZER: We appreciate your patience, as well.  
6 It is something that we have to work through to try to make  
7 sure that we -- you know, it gets to where it needs to be.

8 MR. GILMER: Right. I knew and like I said, I  
9 talked to Denny the other day and I talked to Jacob but  
10 without you know -- I wanted to make sure it was official. I  
11 either wanted an e-mail or a piece of paper in my hand from  
12 the Department that says this is --

13 MR. RICE: All right, well evidently Steve, you must  
14 have peeked at the agenda.

15 MR. VILNIT: I must have.

16 MR. RICE: If you would lead us into what you have  
17 for us on the marketing opportunities of the striped bass, I  
18 would appreciate it.

19 ***Striped Bass Marketing Opportunities***

20 ***Steve Vilnit, J. J. McDonnell & Company, Inc.***

21 MR. VILNIT: Sure. I know most of you at this  
22 point. I am Steve Vilnit, I was a former marketing director  
23 for DNR for a number of years and I am now over at J.J.  
24 McDonnell Seafood Company. I just want to talk to you a  
25 little bit about marketing opportunities and what we can do to

1 get a higher price on striped bass.

2 (Slide)

3 I think one of the biggest things that we can do is  
4 paying attention to the other seasons and the other states.  
5 Rhode Island, Massachusetts, New York, Virginia and the  
6 Potomac River are pretty much your main competition we will  
7 call it here in terms of fighting for the fish in the market.  
8 Staying away from this early season of the June/July with  
9 Rhode Island and Massachusetts and New York is typically the  
10 best idea because there is a lot of competition there.

11 Chefs typically want those larger fish that those  
12 New England states are providing. So you are going to get  
13 less dollars for your fish during that time period. What we  
14 have noticed with this quota system is that most people aren't  
15 fishing at this time of year. And that is smart. This is not  
16 time, A, the water is hot. You are not catching a lot of  
17 fish. You can go for crabs and you can go for other things.

18 But just the main thing is you are competing with  
19 these fish out of New England and those are catching high  
20 dollars right now. I mean, those fish are \$5.50, \$5.75 a  
21 pound right now out of New England. And again when those  
22 large fish are available out of those northern states, most  
23 people will not buy those 2 to 4, 3 to 5, 5 to 8 pound fish  
24 from our area.

25 (Slide)

1           Again customers prefer those larger fish. And this  
2 basically just comes down to the yield. You get a better  
3 yield on those fish to portions and that is what the chefs  
4 prefer. More even cooking in terms of a thicker filet.

5           (Slide)

6           So I pulled the wholesale striped bass price. This  
7 is what we currently -- this is what we paid to watermen from  
8 the beginning of the year. This is January, February, March.  
9 Obviously April, May being off and then June and July. You  
10 can see the sizing of 3 to 5 and 5 to 8 pound fish, the  
11 differences is that they are a larger fish getting more money.  
12 And if you go to an 8 up or a 15 up or a 30 up as you are  
13 getting out of some of the New England states, the prices are  
14 even higher.

15           So using your quota when there is larger fish  
16 available, definitely will benefit you. It is typically about  
17 25 to 50 cents a pound more for larger fish. Knowing that  
18 they are not always available, you are not always in those  
19 fish, but if you are getting into a lot of 2 to 4 pound fish,  
20 maybe holding off on catching them and waiting until you are  
21 starting to see some bigger fish.

22           This is -- what is really funny is I compare this to  
23 2012 and I don't have a chart on that but this is about a  
24 \$1.75 a pound higher than we were getting in 2012. And that  
25 is before the quota system was in place. So that is a huge

1 difference. And I think everybody is kind of seeing that  
2 across the market.

3 (Slide)

4 So my little industry secret here is we don't care  
5 about how much the fish costs. We in fact, when the prices  
6 are low, we make a lot less money. So we call it the  
7 Goldilocks Zone, it is \$3.50 to \$4.75 a pound for fish. That  
8 is where we make money and the restaurants still want to buy  
9 it. Once you get over that \$4.95 a pound, you start seeing it  
10 drop off the menu and the customers are "Hey it is too  
11 expensive", retailers stop holding it -- stop using it and we  
12 typically -- we are buying about 5,000 to 8,000 pounds a week  
13 of striped bass.

14 It will die or drop off between 2,000 and 3,000  
15 pounds a week once it goes over that \$4.95 number. And it is  
16 pretty much clockwork. Soon as it goes over that number, they  
17 just drop off. And then restaurants take it off the menu and  
18 even if the price comes down a little bit, it is off the menu  
19 and you have to get back into the rotation, so it takes a  
20 little while.

21 (Slide)

22 So I did some numbers here. \$2.50 a pound. If we  
23 are paying that, it is a 42 percent yield on a striped bass to  
24 a filet. Put in an 18 percent market up, that is how much we  
25 charge for processing, boxing, delivering, accounts payable or

1 accounts receivable. That means a \$5.95 off the nice cost,  
2 that means we are selling it for \$7.25 a pound and we make  
3 \$1.30 a pound. That is what it comes down to. If you take  
4 that \$4.50 a pound striped bass, same yield, same mark up, our  
5 costs is \$10.71 on the filet, we are selling it for \$13.06 and  
6 we are making \$2.35 a pound.

7           So we make a \$1.00 a pound more if you sell us the  
8 fish at a higher price. Now this is not saying that we want  
9 to pay a \$1.00 a pound more than the fish for everybody else  
10 but as long as the market is that way and everybody is paying  
11 the same price, it actually benefits us in the long run to  
12 have a higher priced fish. The restaurants will not tell you  
13 the same thing though.

14           (Slide)

15           So coordinating your efforts, we deal with a lot of  
16 New England fishermen. And they come to us and they talk to  
17 us about when the prices and what the prices are doing and we  
18 basically tell them ahead of time, hey we are going to need  
19 5,000 pounds this week or hey we are going to need 2,000  
20 pounds this week, market is high, drop back. And they work  
21 together and they will -- week on and week off type of thing  
22 and all the fishermen talk to each other about when they are  
23 going out fishing so that they are not flooding the market.

24           Brilliant strategy because if everybody goes out  
25 fishing the same week, prices -- you know what happens, prices

1 drop. That is when we used to see the \$2.50 a pound rockfish.  
2 They all coordinate their efforts and so they are not all  
3 going out in the same week. Because they have a certain  
4 amount of quota. And they can use it whenever like we can. So  
5 they go out and they coordinate their efforts between the  
6 fishermen and they talk to us about how much fish we are going  
7 to need the week ahead of time. We actually work out a price  
8 with them ahead of time and they know how much they are going  
9 to get before the fish has even landed.

10           It is not like what we have a lot of times here. I  
11 think it is getting better now with the quota system but it  
12 used to be that you would sell your fish and then you would  
13 find out how much you are getting paid later. And that is  
14 horrible. I don't know any other industry where you don't  
15 know how much you are going to be making after you did a whole  
16 day's work until later on.

17           But they work out a price ahead of time and it is  
18 something that can be done here.

19           (Slide)

20           One of the biggest things that we see from this area  
21 is people do not ice their fish. This is imperative. The New  
22 England states bury their fish in ice because they know it  
23 makes a huge difference. That shelf life -- as soon as that  
24 fish comes out of that water, that clock is ticking and that  
25 shelf life is dropping.

1           A lot of times we won't buy local fish that are  
2 coming off some of these boats this time of year because  
3 people are not icing their fish, they are sitting out on the  
4 deck for a long time and the quality is bad. We know that  
5 three days after that fish comes in, it is done. Where the  
6 New English fish, no problem a week or 10 days.

7           We also found that the yield of the fish, if you  
8 don't ice your fish drops. And that is the filet yield. And  
9 that is basically because that fish when it comes out of the  
10 water and it is warm, is losing water. And so the yield drops  
11 by about 7 percent. We go back to that price of about \$4.50 a  
12 pound, 7 percent equals \$2.41 a pound more expensive for the  
13 same fish off the knife. So that is really important.

14           We check the temperatures on everything when it  
15 comes in the door. Our entire facility is 34 to 38 degrees  
16 depending on the room. So it is extremely important for us in  
17 temperature. If it is off by 0.01 of a degree it is rejected  
18 immediately. The entire load is rejected. There is no if  
19 ands or buts about it. We feel real bad when that happens but  
20 there is nothing we can do about it.

21           We have to -- the customers that we have and the  
22 documentation that we have to do requires that this is done.

23           (Slide)

24           So basically a quick summary. Pay attentions to the  
25 seasons in the other states. Don't use your quota when the

1 fish are running small if you can avoid it. Coordinate your  
2 efforts and take care of your product. The more you take care  
3 of your product, the more money you are going to get. We  
4 definitely do pay more money even more than what the market is  
5 bearing for high quality fish. Those fish coming out of New  
6 England are still in rigor and they are ice cold. They get  
7 more money for their product. They get 25 to 50 cents a pound  
8 more. That is it. Any questions?

9 *Questions and Answers*

10 MR. SUTHERLAND: Do England's proximity to market  
11 have any -- create any difference in price?

12 MR. VILNIT: Not really. With the transportation  
13 now a days I can get that product from Rhode Island to here in  
14 a -- I mean, I will place the order in the afternoon and I  
15 will have it -- it will be in stock the next morning at 1:00  
16 a.m. I mean, pretty much anything from here --

17 MR. SUTHERLAND: So if you did everything you were  
18 talking about icing and larger fish, which is an issue but ---  
19 it is a -- so the proximity does not -- doesn't make any  
20 difference --

21 MR. VILNIT: Well, it depends on what you are  
22 talking about proximity. New England here -- no. Here to  
23 Chicago, yes. Yes, so I mean it depends on -- the trucking  
24 lines on the East Coast are so strong that we can get anything  
25 on the East Coast. I mean, I get product to Atlanta the next

1 day.

2 MR. SUTHERLAND: Can I get a copy of this?

3 MR. VILNIT: Sure. Paul can send it out.

4 MR. : I was wondering, can I get a copy  
5 of that?

6 MR. VILNIT: Sure, yes. Paul has it and so can send  
7 it out to everybody.

8 MR. DIZE: I believe every word that Steve says  
9 because people think that being in the crab business like I  
10 was for 40 years buying aside, the higher priced crab always I  
11 make more money on. I don't make money when it gets glutted,  
12 prices low, people is competing with the market. I make  
13 money when the crab is high. Give me the high price all the  
14 time. You make more money.

15 MR. GILMER: High price and quality product is --

16 MR. DIZE: Quality yes. You got to have the  
17 quality.

18 MR. VILNIT: You have to have the quality because  
19 people aren't going to pay for low quality product. But I  
20 mean, it is --- everybody makes more money. And if you take  
21 care of your product, you can get more money for that -- it is  
22 not about quantity at that point, it is about quality. You  
23 can get more money for quality than you can for quantity.

24 MR. RICE: Dave?

25 MR. SUTHERLAND: Just one more question, can you go

1 back to the first slide -- go back to the one where you had it  
2 broken down. So, in terms of seasons, I am thinking about  
3 Maryland now. So at what point given the big fish that you  
4 were talking about, at what point is Maryland product  
5 available in a competitive --

6 MR. VILNIT: I think that -- I mean, from what I saw  
7 the best times for Maryland are that gill net season over the  
8 winter. You are going to get good money because nothing  
9 really you know -- Massachusetts, Rhode Island and New York  
10 really aren't open. So you are the only game in town. And  
11 then also fall. And let's be honest, the summertime when  
12 everything thinks it is busy, it is busy, it is busy -- people  
13 aren't eating in restaurants. That is where all of this  
14 product is going to. 70 percent of the seafood that we sell  
15 goes to restaurants.

16 People don't go out to eat during the summer. It is  
17 just -- our business slows way down. Come September we get  
18 busy again and that is when you are going to get more people  
19 in the restaurants, you are going to get more volume and there  
20 is more demand for the product. So I say that January,  
21 February or early March and then the September October. And  
22 then if anybody -- we just talked about having the pound net  
23 season go to the end of the year, honestly if you can hold off  
24 or if you had some quota in December, you would make a  
25 killing.

1 MR. SUTHERLAND: That is kind of where I am --  
2 trying to figure out where does Maryland fit in to this in  
3 terms of --

4 MR. VILNIT: I personally think the guys should and  
5 I know this -- you guys need to make money and so you need to  
6 be out on the water but I mean, if you could not go fishing  
7 for striped bass June, July, August would be beneficial to  
8 you. Because the quality of the fish is at the absolute  
9 lowest and the price is at the lowest because you have  
10 everybody is open and there is competition everywhere. And  
11 again that is not a financial thing, that is just a making  
12 money for your fish talk.

13 MR. RICE: Dave, you got something?

14 MR. BLAZER: Yes, I just want to ask a question of  
15 Steve. This is great and very informative, I appreciate it.  
16 What do you see for the market in 5 years? 10 years? I mean,  
17 I am looking at kind of shifts, you mentioned 10 or 20 years  
18 ago, I don't think people went out to eat as much as they do  
19 today. I mean, I go out to restaurants more now than I have  
20 ever gone.

21 MR. VILNIT: I mean, I just was reading an article  
22 and it said that people 21 to 34 years old eat out 2 to 3  
23 times a week. And I see it -- what I see is Blue Apron and  
24 home delivery services like that becoming more and more  
25 popular. I mean, they are doing a huge business with those

1 home delivery kits. I see that as the future.

2           We have already been approached by groups like Blue  
3 Apron to do the home delivery service. The amount of volume  
4 that they use, one week would literally clean out the entire  
5 quota for all Maryland. Just one customer. I mean, they  
6 would -- the volumes they are talking about, 1.2 million  
7 pounds of blue catfish a week. I mean, just staggering  
8 numbers.

9           I think that is the future. I think going out to  
10 eat, restaurant growth is going to continue to grow. People  
11 don't want to cook at home. Especially seafood. Seafood is  
12 scary. We are seeing the retailers transition from a seafood  
13 case. You go into some grocery stores and it is a 40 foot  
14 seafood case. The new grocery stores are opening up a 15  
15 seafood cases with reach in prepared meals. So that is going  
16 to be the future.

17           And if we can stay ahead of this trend and figure out  
18 ways like one thing that industry has to -- I guess it is  
19 rockfish I can talk about it, the tags. Basically you can't  
20 sell rockfish to a Blue Apron because those tags, you have one  
21 per fish how do I send a tag with every single portion that is  
22 going out for Blue Apron? You know that is something that we  
23 have talked about.

24           And we just need to figure out things around this.

25           MR. BLAZER: You know Steve and I have talked a

1 little bit about that and I think that is an emerging issue  
2 that this committee is going to have to think about is if you  
3 are thinking about the seafood industry, rockfish here in the  
4 next 3 or 5 or 10 years, you know those tags -- if you want to  
5 take advantage of that Blue Apron market, we have to change  
6 our tagging system somehow to be able to accommodate the  
7 accountability of tracking that fish, that filet all the way  
8 through the process.

9 MR. VILNIT: And NRP guy's earmuffs, I mean, right  
10 now, we have an issue right now that if I get a big fish in a  
11 30 pound fish, 40 pound -- 50 pound fish from New England and  
12 the customer orders 10 pounds of filet, they get a side and  
13 that tag goes with one of those sides. It can't go with both.  
14 So how do you -- what are we supposed to do. I can't force a  
15 customer to buy twice as much as they are looking for. So it  
16 is a big issue right now.

17 I mean, not so much with Maryland fish but --

18 MR. BLAZER: But that is something that we need to  
19 be thinking about in the very near future and you know, wanted  
20 to kind of tea that up a little bit today. Just to be  
21 thinking about that. Look, I have got 3 of those 21 to 34  
22 year old children that buy Blue Apron. I mean, my kids do it.  
23 I mean, they get it 2 or 3 times a week. They like the pre-  
24 package. All their friends are in that mode. And I just see  
25 that coming on more and more. And anything we can do to kind

1 of keep --

2 MR. VILNIT: Amazon buying Whole Foods. I mean,  
3 this is going to be huge going into the future. Huge. So we  
4 have to just get ahead of it. And I mean, seafood is the  
5 choices that people are making is seafood. People are going  
6 away from the meats and things like that. They are going  
7 towards seafood because they are looking for a healthier  
8 lifestyle.

9 MR. RICE: Right, that is the big thing, the health  
10 part food part of it.

11 MR. VILNIT: And so we are starting to see  
12 restaurants -- fast casual chains and Chipotle and things like  
13 that but there is new ones coming out, Slapfish, huge in  
14 California and the amount of fish that they use is amazing.  
15 And it is the same thing as a Chipotle but you go in and you  
16 get a fish sandwich instead of a burrito. So that is the new  
17 trend. And as that makes it way from the West Coast to the  
18 East Coast and it is coming, it is -- we are going to see them  
19 looking for things like blue catfish and things like that, a  
20 less expensive protein that they can get into a sandwich.

21 MR. RICE: Moochie, did you have a comment?

22 MR. GILMER: And when you were talking about the  
23 tags, you know, do we need to come up with a system that once  
24 you get a tagged fish and you record it, I mean, I am not sure  
25 how it is recorded to you when you get it, but then -- and I

1 know do we need to come a way where you as a buyer can then --  
2 let's just say our tag is blue, but for this year, that you  
3 would be able to put per pound in whatever quota we want to  
4 make it, where you are allowed to crimp the tags for -- as a  
5 distributor for pieces of fish that would not be allowed on a  
6 regular fish?

7 MR. VILNIT: Right, we have been on calls with NRP.  
8 So I mean, we are working with this, we are trying to figure  
9 out solutions for this. Because this is something that we  
10 definitely need to address. And you know one of the things  
11 that we looked at was possibly if you took the tag and then  
12 you put on the invoice the tag number, so it could be tracked  
13 that way. I mean, and there is still -- we are talking  
14 through all of this. We will figure out something. Because  
15 we just -- it just needs -- it is time for it to be  
16 addressed.

17 MR. GILMER: And another thing in the restaurant  
18 thing, I prepare a lot of seafood at home because I get the  
19 availability of seafood. But if I am going out to eat, I  
20 would rather go to a steakhouse because I cannot get a good  
21 steak at home the quality that I get at a restaurant. But  
22 when all of my friends call and say let's go to dinner, and  
23 they come to Kent Island -- I always let them choose and they  
24 always want to go to a seafood restaurant but you know, it is  
25 the -- and I will go there and sometimes get seafood but I

1 would rather get something that I can't get there, that I  
2 can't get at home that is good.

3 MR. VILNIT: Well, you have amazing access to  
4 seafood, not everybody does.

5 MR. GILMER: Right but I sort of see that trend, you  
6 know here it is -- so I just see what goes on but you know, if  
7 I say I prepare it at home because I can get good seafood and  
8 my wife is a very good cook for preparing it. So but when I  
9 go to a restaurant I want something that I can't get as good  
10 at home.

11 MR. VILNIT: Right and what we find as a trend is a  
12 lot of people go into a restaurant and you will try a fish  
13 that you have never tried before because you -- you think that  
14 the chef is going to prepare it correctly. And then what  
15 happens is -- I went out to a restaurant and I had yellow  
16 perch. Not something that I would ever go into a grocery  
17 store and buy. But I went into a restaurant and I had yellow  
18 perch and it was delicious.

19 You are probably more likely the next time that you  
20 go into the grocery store to see that yellow perch and go I  
21 had that, that was good. And then buy it. So kind of the  
22 restaurants really drive the retail trends.

23 MR. RICE: Rachel?

24 MS. DEAN: Steve, are you finding that anybody is  
25 questioning you on whether or not striped bass are marked

1 sustainable? I know that we saw that with the blue crabs and  
2 Jack asked Brenda and Brenda Davis had gone through the ringer  
3 trying to get them identified as sustainable. Are you seeing  
4 any of those questions?

5 MR. VILNIT: No, I mean, blue crab from the  
6 Chesapeake Bay and striped bass are generally assumed as being  
7 sustainable. Monterey Bay Aquarium which is kind of the big  
8 leader in it, they mark it as sustainable. So we really don't  
9 get many questions on that. But let me tell sustainability is  
10 huge. Blue Apron and I know you said that you didn't know --  
11 Blue Apron they give you a meal, they give you all of the  
12 ingredients to the meal down to a little tablespoon of  
13 vinegar. Everything that you need to prepare it and then the  
14 directions to do it.

15 So you don't have to go to the grocery store and buy  
16 a big jar of vinegar when you only need a tablespoon. So they  
17 give you all of the ingredients and the exact proportions and  
18 you cook it yourself at home. Just because I heard you say  
19 you weren't sure what it was. But they came to us and they  
20 said they will not use anything that is below a yellow rating.

21 So people are looking at that. But striped bass,  
22 blue crabs are generally thought of as sustainable. So I  
23 don't think it is an issue.

24 MR. RICE: Well, definitely you are spot on because  
25 number one, that is your business. We have a local example at

1 home, Dave --- this little place, there is a small restaurant  
2 in Colonial Beach and he does not serve anything that isn't  
3 local or wild caught. When I say local, his hamburgers and  
4 his steaks are bought from a farm that processes their own  
5 meats. He only serves fresh, not frozen wild caught seafood.  
6 Most of the time he can walk over to the table and tell you  
7 who caught it. Not just who he bought it from. People love  
8 him. He has a small place. If you want to eat there this  
9 weekend, I am sorry you are too late because he was booked up  
10 two days ago.

11 MR. VILNIT: Zurocki(sic)?

12 MR. RICE: Yes.

13 MR. VILNIT: Yes, he comes up and he picks up fish  
14 from us because I can tell him exactly the person that caught  
15 it for him. So that is great.

16 MR. RICE: Exactly. And that is the sign of the  
17 times.

18 MR. VILNIT: That is pretty much all of the chefs.  
19 And you know I just sent out a survey to all of our -- we have  
20 1800 customers. I sent it out to them asking them questions  
21 about sustainability. Do you care about sustainability? Do  
22 you care about local? What is your definition of local? And  
23 it was really interesting to see maybe in a future -- one of  
24 these meetings, I can release some of those results because it  
25 is kind of -- it is really interesting what the definition of

1 local was.

2           And most chefs said within 200 miles. That is good  
3 to know. So what can we -- we can really capitalize on that.  
4 Is traceability important to the boat level? 98 percent of  
5 the chefs said yes. They want that information right down to  
6 the boat level. And so we have to give that. And it makes  
7 it -- you know we have a great benefit here because we know  
8 everybody. We are buying from Rachel, we buy from you -- so I  
9 can tell them that my catfish comes from Billy.

10           And so it is good to be able to do that with our  
11 local fisheries. And it is tough when you have imported  
12 stuff. Yes, sir?

13           MR. GILMER: I was reading in a restaurant magazine  
14 not too long ago where certain restaurants, you go into and of  
15 course everything is tied to a smart phone and let's just say  
16 that I order catfish. And they have an app in that restaurant  
17 where you go to and it shows a picture of Billy catching that  
18 catfish on the video while you are waiting for the --

19           MR. VILNIT: Yes and it is becoming more -- Gulf  
20 Wild, they have been doing it for years. Gulf Wide will allow  
21 you to trace it right back to the boat and you know, there is  
22 a picture of Jason DeLacruz with a spear gun going after  
23 snapper. It is absolutely amazing. And people are really  
24 into it.

25           MR. RICE: Does anybody else have any questions for

1 Steve? Well, Steve we sure thank you. It was very  
2 informative and you keep up the good work.

3 MR. VILNIT: All right, thanks guys. Good seeing  
4 you all again.

5 MR. RICE: Next on our list --

6 MR. BLAZER: Is that New England in June?

7 MR. RICE: Hey Steve, I couldn't help but notice  
8 when you said don't fish in the summertime, it is quite  
9 obvious this guy is not fishing.

10 MR. VILNIT: I just think -- love that picture. It  
11 shows you what --- is really about. All right, see you all.

12 MR. RICE: Thank you. Next, we will move into the  
13 NRP report. Is Lieutenant --

14 MR. : Not today.

15 MR. RICE: Okay, well I will tell you what -- who is  
16 here taking Roy's place? Will you please come up to the mic.

17 ***NRP Activity Report***

18 ***Lt. Tim Grove and Sgt. Randy Bowman, MD DNR NRP***

19 LT. GROVE: Good afternoon. Lieutenant Tim Grove.  
20 I am the Commander of Area 6 which is Harford, Cecil and  
21 Baltimore Counties. Definitely not Roy Rafter, I don't have  
22 his knowledge but I will try to give you some information this  
23 afternoon and if I can or get the assistance of Sergeant  
24 Bowman and we can't answer the question if you have any, we  
25 will make sure that we get it to Roy or somebody that can.

1 I did -- we did hand out a listing of the last  
2 quarter's enforcement actions. I don't know if he has talked  
3 to you much about our transition but the first page is -- the  
4 first page of this is going to be our citations. It is in one  
5 reporting format. The other couple of pages are new warnings  
6 that were issued during this time frame. Which are in another  
7 format. We have been transitioning to e-tickets format. The  
8 courts are not going to be accepting paper. And no one wants  
9 to take paper any more.

10 So the courts want everything electronically. So we  
11 have been transitioning that now all citations or all warnings  
12 that we write are done and have to be in the format of this  
13 e-tickets citation that gets electronically sent directly to  
14 the court. But we are still transitioning to and it will be a  
15 little while before we start issuing citations in that system.

16 One nice thing is if you see on the first page,  
17 there is that 99 category at the very bottom of every listing.  
18 You know, trapping and all of those have 99 which those are --  
19 it is kind of like the catch all for all of the other  
20 violations that weren't enumerated out in our program at that  
21 time. That kind of goes away, you will see with the second  
22 two pages, every actual violation either law violation or  
23 COMAR violation, is enumerated out separately.

24 So it gives a -- gives us a much better database to  
25 pull from. So you can look over those and of course, the

1 clamming and the oystering not much this last quarter on that  
2 kind of thing. But if you have any questions with regard to  
3 any of these, let us know. I will tell you just -- NRP is  
4 currently in the hiring process. We have been hopefully told  
5 that we can hire 17 officers positions right now. Hopefully  
6 starting sometime in -- after January, maybe February and get  
7 a class started. So right now one of NRP's priorities is  
8 getting those people hired, that means getting them through  
9 our background processes and stuff.

10           So right now we are currently in our testing phase,  
11 the people are coming in and taking their -- that are signed  
12 up, are coming and taking their testing and then moving  
13 through to the background application process. We have  
14 pulled -- we have tasked the field officers with assisting  
15 with the background process, so you know approximately 68 I  
16 believe officers are going to be spending part of their time  
17 doing backgrounds over the course of the next couple of months  
18 to help select our best applicants.

19           So hopefully we will -- they said we could be doing  
20 anywhere between 400 and 500 backgrounds to determine those 17  
21 positions. So that is going to be a priority of the agency.  
22 So a lot of our -- I will tell you that a lot of our probably  
23 proactive enforcement may drop off a little bit just because  
24 officers are going to have to spend some time doing these  
25 background investigations.

1           But we will still be out there, don't worry about  
2 them. But that is one of our major priorities. Of course,  
3 over the summer months, the enforcement on the water for  
4 boating activities, you know, we are on a unusually safe  
5 summer. Which we are all thankful for so far this year. And  
6 that is going to -- that pressure and enforcement activity is  
7 going to continue throughout the summer to try to make it a  
8 much better year than last year.

9           From here, I am going to turn the stage over to  
10 Sergeant Bowman who is going to give up and update on all of  
11 the activity that has happened down in Dorchester County.

12           MR. HOLTZ: Before we jump to Sergeant, one of the  
13 things I want to send to you all Colonel Ziegler shared a  
14 couple of slides with me a couple of days ago. Pictures of  
15 our M-line, the enforcement radar effort that took pictures of  
16 or -- of boating activity on certain days. They had the first  
17 day of rockfish season, Fourth of July, and the day the Blue  
18 Angels flew in the Severn River.

19           And it is just amazing to see the volume of vessels  
20 and where they were at those times and you know to hear the  
21 presentation that Colonel Ziegler gave, you know just on  
22 Fourth of July was amazing to -- literally the whole bay was  
23 almost covered. And you know I live down in Worcester County  
24 and what was really interesting to me was that you had Ocean  
25 City and the Bay behind Ocean City was covered -- I mean, with

1 all of the symbols.

2 But you look at Chincoteague Bay down behind  
3 Assateague, Snow Hill area, two boats. That is it. So next  
4 year, I am going down there. You won't have the crowds to  
5 deal with. But it is just you know, a lot of times we talk to  
6 NRP and you know how come you are not out there or how come  
7 there is not enforcement? And these guys do a great job of  
8 being out on the water and making a lot of stops and tickets  
9 and so forth and enforcement actions.

10 But just those pictures and I will send those to you  
11 tonight or tomorrow, just to see the volume of the boats and  
12 you guys know, you are out there on the weekends, you see a  
13 lot of this. But to see it from the statewide level, you know  
14 from Havre de Grace all the way down to Point Lookout and east  
15 west is just amazing the volume that you see. It is just a  
16 really good picture of how that is. So I will make sure that  
17 we send those off to you all.

18 LT. GROVE: We had the slide during the sport fish  
19 that said over -- on the Fourth of July, was over 3,000 vessel  
20 stops just in that -- on that one day.

21 MR. HOLTZ: Just on that one day. And also you know  
22 another issue that we have talked about it at sport fish that  
23 state parks -- 14 of the state parks were closed or reached  
24 their capacity and they weren't allowing other people in. You  
25 know, Sandy Point, Patapsco, I know a bunch of the ones up in

1 this area, I don't know if Point Lookout and some of the other  
2 areas but 14 of the state parks reached capacity that morning.

3 So people are out and using the resources. So I am  
4 sorry I just wanted to interject that.

5 MR. : Oh no, by all means, thank you.

6 SGT. BOWMAN: Sergeant Bowman from Natural Resources  
7 Police, I work in Dorchester County. They just wanted me to  
8 come in here and give a talk about the striped bass situation  
9 that we are having in Dorchester County . It is not something  
10 new. It is just -- it seems like they caught more fish here.  
11 We had a warmer winter and the fish -- they caught them quick.  
12 They caught them early. And every time they went, they caught  
13 them.

14 So we caught more people because the fish were there  
15 when the fishermen were there. Not too hard to figure out.  
16 So just in the month of March, April and May, and I am only  
17 talking about one bridge in the whole county, I will give you  
18 these numbers. There was more than 111 fishermen caught and  
19 more -- the numbers are close but not exactly, it is a little  
20 bit higher, more than 111 people caught and more than 1,561  
21 striped bass seized.

22 And basically that is done by four officers in three  
23 months. 245 plus citations issued in those three months at  
24 that one location. Most of the activities happened between  
25 10:00 p.m. and 4:00 a.m. in the morning. So the officers are

1 splitting their shifts and changing their shifts and trying to  
2 do what they can because we only have six people that work in  
3 the county. So there is definitely a strain on us. Just like  
4 he said about you know, they are doing backgrounds.

5           We are trying to work a bunch of different  
6 activities and still take care of what we know that is going  
7 on. Majority of the fishermen are licensed, so before anybody  
8 asks, do they have licenses? The majority of them do have  
9 licenses. Most of them have fished there before and a lot of  
10 been caught before.

11           They do go through a lot to get away with fish.  
12 They don't -- it is not -- the people are not catching fish  
13 and putting them in a cooler and getting checked and getting  
14 caught. The people look to see if we are watching, they drive  
15 around the area, they see if we are there, they hide their  
16 fish, they walk their fish off the bridge and they hide them  
17 in the weeds. They hide them under the engine compartment of  
18 their truck, they hide them under wheel wells. They hide them  
19 in their spare tire compartment. They hide them under the --  
20 on the tire underneath Tahoes and trucks and wind the tire up.

21           So this is not people that don't know what they are  
22 doing. And most of the times they do have empty coolers in  
23 their truck because if they get stopped and checked, they are  
24 like we don't have any fish, they are right there which we  
25 already know they do because we have been watching them the

1 whole time. So there was three people in that period of time  
2 that were caught that have been caught for fishing on a  
3 suspended license. Which one of those individuals was caught,  
4 this is his third time for being caught on a suspended  
5 license.

6 MR. : Is it a recreational license?

7 SGT. BOWMAN: Recreational. All these people are  
8 recreational.

9 MR. : Were they selling the fish?

10 SGT. BOWMAN: I don't believe they are. Because  
11 that Hispanic community that was talked about in this Sport  
12 Fish Advisory meeting, they say they usually fish three  
13 generations deep when they go fishing versus what we do. So I  
14 think when you have three generations of families and they are  
15 all eating fish and they are doing it with their friends, and  
16 you have 60 fish that are 14 inches, 15 inches long, they can  
17 eat that many fish.

18 So it sounds like a big number and it would be if  
19 they were 5 or 10 pounds. But the fish are not 5 or 10  
20 pounds. The majority of them are probably 14 to 16 inches at  
21 this time. So -- and I will talk about the court a little  
22 bit. The other day I didn't have this much time to get  
23 prepared for this because Roy said go down and talk to them  
24 Tuesday. So I have tried to put a little bit more together  
25 today.

1           So with the three people that were caught on  
2 suspended, the gentleman that I told you has been caught three  
3 times, he has gotten the maximum fine two years in a row.  
4 The last two years. And then we had a visiting judge last  
5 June, in June and he had two guys -- and he wasn't quite sure  
6 if they received their letter of suspension -- whether the  
7 Department is going to have a hearing, just like they do with  
8 the commercial watermen. They send them a notice and they can  
9 have a hearing.

10           And if they don't come to a hearing, then they get  
11 suspended. But those guys, the judge still found them guilty  
12 but he gave them a minimal fine of \$200. But they will be  
13 suspended again because there is a guilty finding. So that  
14 was good. Since we had court on July 19 in Dorchester, we had  
15 33 people scheduled. All of which was from that majority from  
16 that bridge. This is an -- and all of those people on that  
17 court date were -- this was prior to any season being open  
18 with the exception to the catch and release in Susquehanna  
19 Flats.

20           So there is no season open. So we had a 100 percent  
21 conviction rate. I don't -- one of the officers that -- one of  
22 the four officers that worked down there, I don't have their  
23 numbers because they were off today. But the three other  
24 officers had 30 people in total that day and they received  
25 \$16,850 worth of fines in court that day. And now it is

1 higher than that with -- if I had had the other numbers,  
2 probably \$20,000 worth of fines for those people that day.

3           And that was not our normal judge, that was the  
4 Talbot County judge sat in that day. So that was a different  
5 judge. Then yesterday, we had 33 people that were supposed to  
6 attend court. 28 of the fishermen made a plea agreement  
7 because they know they are getting found guilty and hammered  
8 in court, so they want to make a plea agreement when they come  
9 to court.

10           Three fishermen wanted a trial and only two people  
11 out of 33 didn't show up. So we are not having -- people are  
12 coming to court. So it is not like everybody thinks well if  
13 the majority of them are Hispanic? They are coming to court.  
14 They are having IDs, they do have drivers licenses. Because  
15 this is a perfect example out of 33 people, only 2 didn't show  
16 up for court. So I just want to put that on the record  
17 because I think a lot of people don't think that is what is  
18 happening.

19           So yesterday and the one thing I should say in June,  
20 the fines -- we got a little bit more fines but the season was  
21 closed all together. So the judge and our plea agreements  
22 were a little bit higher because there is not even a season to  
23 catch one and they were catching them.

24           So in July, out of the 31 people that either made a  
25 plea agreement or had a trial, there was \$12,750 worth of

1 fines just given to those people yesterday. And we also had  
2 two cases -- because what the officers run into many occasions  
3 is they keep these fish in bags at their feet in the car and  
4 they throw them out the window if they see somebody coming.  
5 So we had two separate occasions with two different people  
6 that they watched and they threw these fish out the window.

7           We charge these people on our observations. And in  
8 June, two of them came to court with the Talbot County judge  
9 and he found them guilty. Now, he generally doesn't give the  
10 same fines that our judge gives but he did find them guilty  
11 and \$250 a piece. So it wasn't like they just walked away  
12 Scott free. And because of that, they will get suspended  
13 because they will have the right number of fish and they will  
14 get a suspension.

15           Yesterday we had our normal judge that we have in  
16 Dorchester County. And we had two other gentlemen, they  
17 wanted to fight it and same circumstances basically. And the  
18 difference is our judge gave each of them \$500. So it just  
19 depends -- different judges are different. And everybody  
20 needs to know it is like that throughout the whole state.

21           Almost all of the cases in the last I don't know,  
22 since we have been taking their licenses away, since they  
23 decided we are going to suspend recreational fishermen, they  
24 have been getting suspended down there. It is not like they  
25 just -- they pay their fine or they come to court and if they

1 have more than 3 or 4 fish, they are getting the suspension  
2 for a year.

3           So I just want -- it is not like they are not --  
4 nothing is happening to this group of people. And with that,  
5 that is just a short synopsis of what has been going on. If  
6 anybody has any questions, I can answer them because I am  
7 probably there almost all the time everybody gets caught.

8           MR. DIZE: I have a question. Randy, do they have  
9 to pay the fine the day right at court?

10           SGT. BOWMAN: So that is a good question. Yesterday  
11 in June, Judge Atkins is more lenient -- so Judge Atkins would  
12 give them 30,90 and then the one guy that I told you was  
13 suspended, he got \$500 for the fish and he got a \$1,000 for  
14 the fishing on a suspended and he let him have I think six  
15 months to pay.

16           Judge Jews(sic) yesterday denied everybody anytime  
17 to pay their ticket. So I think our judge is getting tired of  
18 the circumstances. And he basically just said the one  
19 gentleman asked, "what happens if we don't have the money to  
20 pay it today?" So then he asked me and I said oh well I guess  
21 the State's Attorney and us will come back to court and we  
22 will get a warrant, sworn out for your arrest. And I think he  
23 wanted that for them to hear that, that this is what is going  
24 to happen if you don't pay your money.

25           So I think there are some people that have

1 outstanding -- I don't know why the judge didn't just say  
2 that they are in contempt of court, he ordered them to pay  
3 money but I think he just wanted that out in the court. So I  
4 mean, I think honestly that the guys that I have that are  
5 working, the four people that have worked on, has worked hard  
6 and they did the best they could do. They are trying to do  
7 other activities and complaints that is going on. And I just  
8 want everybody to know, we wrote like 200 some tickets down  
9 there last year. So it is nothing new. It was just a larger  
10 quantity of fish in a short period of time.

11           And a lot of times we go down there and watch and if  
12 the fish aren't there, we have all of the right fishermen,  
13 they just didn't catch the fish and we don't catch them. But  
14 this year, it seemed like every time they came, they caught  
15 fish and we caught them.

16           MR. DIZE: It must be a hot spot for fish because I  
17 keep reading in the Democrat every once in a while you will  
18 see a whole list of who was arrested.

19           SGT. BOWMAN: Yes. And I guess that is why they  
20 wanted me to come up here and talk because Candy had been  
21 sending a lot of stuff out. Yes, sir?

22           MR. GILMER: Randy, and I don't know if you can  
23 answer this or not, but is there a time after so many time  
24 that you have been caught suspended where there is actually  
25 some jail time involved?

1           SGT. BOWMAN: So if they get charged second  
2 addendum, which is your second offender, you have to actually  
3 serve papers on a person for that. And basically it is  
4 allowing that person to know that you are going to be  
5 charged, the judge is going to have your record prior to your  
6 conviction and that your penalties actually go up. So at that  
7 point, you can get jail time.

8           But that has to be done through the State's  
9 Attorney's office. So it is not paperwork that I do. We work  
10 with the State's Attorney office and do charge people that way  
11 and we have charged people that way. We charge the gentlemen  
12 that was suspended the last time with that but we got a new  
13 State's Attorney -- we didn't get a new State's Attorney, we  
14 got a new Assistant State's Attorney. So she is not as  
15 familiar with the paperwork, so he didn't get charged with  
16 that this go around. But he certainly will next time. So I  
17 mean, there is jail time but it is always on at least a second  
18 office, it is not on a first offense.

19           MR. GILMER: Yes, I figured that being -- I didn't  
20 know really how far the penalty --

21           SGT. BOWMAN: So on general case, it is a District  
22 Court case only, it cannot go to Circuit Court unless it is an  
23 appeal because there is no jail time for that case.

24           MR. GILMER: Right. Sure.

25           MR. RICE: Well, this seems like you know, like you

1 said it is an ongoing thing. And you know that those people  
2 probably talk amongst one another. Do you think there is any  
3 hope that they will figure out one of these days it will be  
4 cheaper to go somewhere and buy a legal --- of fish?

5 SGT. BOWMAN: I honestly don't know since that one  
6 gentleman -- the first time we caught him, we caught five of  
7 them with 195 fish. And then he got suspended and we have  
8 caught him fishing on a suspended license the last three  
9 years. So I don't know -- he has paid \$5,000 worth of fines  
10 plus in the last four years. So I don't know what the dollar  
11 amount for him would be.

12 And I left out that any of these -- the amount of  
13 fish that we are catching people with this spring is anywhere  
14 from one fish until we had 6 people with 245. So this is  
15 the -- you have a large range. So when we are making the plea  
16 agreements, if you have three people with 12 fish, we are not  
17 asking for the same thing as six people with 245. So you are  
18 going to have big jumps in fines and I know it is hard to  
19 understand but a lot of judges have a certain amount they are  
20 going to go to, it doesn't matter what the maximum penalty is.

21 Now, with some of these gentlemen like this guy,  
22 they will go to the maximum penalty, so it is good that the  
23 penalty is where it is. And I know that our judge will go to  
24 the maximum penalty for the correct situation. So because he  
25 has made statements in court before that the State and your

1 attorney did you a good deed because I -- they were nicer to  
2 you than I would have been. So I know that we have a little  
3 bit more leeway there.

4 But you don't want to push that. You want to stay  
5 where you think you should be. Treat people fairly whether  
6 they are wrong or not. So that is what we are trying to do.

7 MR. GILMER: And I know what you officers go through  
8 because I know what the ones at Kent Narrows go through there  
9 with people fishing under the bridge and all that.

10 SGT. BOWMAN: I supervise Queen Anne County too, so  
11 I dealt with that when I worked there. I do know that. And I  
12 mean, and not just -- another thing I said in another meeting,  
13 these fishermen a lot of times, they go to Mattapeake, they go  
14 to Kent Narrows, they come to where we are and sometimes they  
15 go to Ocean City. So when they go fishing on a weekend, they  
16 go to where -- try all these different spots or like you said,  
17 the majority of the people are from P.G., Montgomery and  
18 Northern Virginia. That is where the majority of our people  
19 are coming from.

20 So I am sure it is a tight network. I am sure when  
21 they say the fish are there, because we are catching them  
22 Mondays, Tuesdays, Wednesdays, Thursdays -- it is not just  
23 weekend. Because about four years ago, they said tried  
24 Thursdays because they know you get them on the weekends. So  
25 then Thursday night seemed to be the hot night and then we

1 just started catching them every night. So once it is really  
2 on, you just catch them. Because if they know the fish are  
3 there, hey it is no different if you guys know there is crabs  
4 there, you are going to go there, right?

5 MR. RICE: Well, I got one last question for you  
6 because --

7 SGT. BOWMAN: Yes, sir?

8 MR. RICE: -- when I was a kid, my father didn't make  
9 no difference what I bagged when I was hunting, I had to bring  
10 it home and we had to eat it. Do you all have a use for those  
11 fish once you take them --

12 SGT. BOWMAN: Well, I would say the unfortunate part  
13 of that when they are hanging fish off bridges and not icing  
14 fish just like the gentleman said in his last slide, I cannot  
15 give fish to people that may have been hanging outside for  
16 four or five hours and have not been on ice. Or have been  
17 stashed in the weeds. Or put in an engine compartment of a  
18 car. Or on a spare tire.

19 So I think there is -- we would like to but I think  
20 we take the risk of somebody getting sick because we are not  
21 giving them fish -- so the majority of the fish unless it is  
22 like winter time or when it is cold, are thrown back into the  
23 water and I guess the crabs -- not what people want to hear,  
24 but it is not -- the way these people do it and the way we  
25 have to watch them there is no way for us to get -- go to them

1 while it is going on, there is a large number of people.

2           They throw the fish back or they are hidden  
3 somewhere and we don't know who's fish are who's even if we  
4 can find the fish. Because it is not like a Metropolitan  
5 area, there is a lot of space to hide stuff.

6           MR. RICE: Well, unfortunately I was afraid that was  
7 the answer because not only myself but a lot of other  
8 fishermen around the table come from a time when a 12 inch  
9 fish was legal. And I know how good of eating that 14 inc  
10 rockfish is.

11           SGT. BOWMAN: They must too.

12           MR. SCERBO: I got a question.

13           MR. RICE: Billy?

14           MR. SCERBO: All this stuff is moving to e-tickets?  
15 Right.

16           SGT. BOWMAN: Well, we are not writing e-tickets, we  
17 are writing paper and hopefully I retire before it goes to e-  
18 tickets.

19           MR. SCERBO: Eventually all of this is transitioning  
20 to --

21           SGT. BOWMAN: It is.

22           MR. SCERBO: -- some kind of digital ticket system  
23 like the regular police force. So potentially down the road,  
24 tag reading would -- you would be able to spot?

25           SGT. BOWMAN: Well our --

1 MR. SCERBO: Potential --

2 SGT. BOWMAN: -- our department doesn't have tag  
3 readers. I have an e-ticket machine in my truck.

4 MR. SCERBO: What I am getting to is, I have  
5 employed many people who have a lot of issues with -- have  
6 been through the judicial system. And they are continually  
7 pulled over because their tags trip something because of tag  
8 readers. Even if they haven't necessarily done something  
9 wrong, they get pulled over and --

10 SGT. BOWMAN: Yes, I do know that they do that on  
11 the beltway.

12 MR. SCERBO: So if this digital stuff is supposed to  
13 be as great as it is, wouldn't it be possible to park the  
14 local sheriff or county policeman in that area to not  
15 necessarily be measuring speed but you could find these guys  
16 as they are showing up instead of having to wait until --

17 SGT. BOWMAN: Well the sheriff's office in the  
18 community we work, basically at night they ride around and  
19 check local business and landings and bridges and marinas  
20 because that is part of their job as far as the county  
21 commission goes. So as far as them just stopping and -- I  
22 mean, most of the time at nights, they are riding around I  
23 would say --- knows that that is what the sheriff's office do  
24 in the smaller communities. Because it is not like P.G.  
25 County where you have P.G. County police force and you have

1 all of these police officers. We have two troopers in  
2 Dorchester that work at night and probably three or four  
3 deputies -- and if we are working, that is who is working in  
4 the whole county. Probably don't want the public -- all the  
5 public to know that but that is -- that is the reality in  
6 smaller communities and Queen Anne's and Caroline and counties  
7 like that, most of them are like that.

8 MR. SCERBO: So when you guys are working that  
9 bridge, there is actually more you guys there than -- in that  
10 area than your local constabulary(sic)?

11 SGT. BOWMAN: Yes, and usually when I see them and  
12 they go park in the parking lot, I call the sheriff's office  
13 and tell them to leave because they mess up my watching them.  
14 So.

15 MR. RICE: All right, thank you very much.

16 SGT. BOWMAN: Thank you.

17 MR. RICE: Next we have Dr. Linda Barker. From  
18 Maryland DNR.

19 ***Spanish Outreach Initiative Project: Es me Parque***

20 ***Dr. Linda Barker, MD DNR***

21 DR. BARKER: Well, hi again. It has been a while  
22 since I have been here to talk to you all. And I know you  
23 will be sad but there aren't going to be any histograms or  
24 statistics tonight. I am on the agenda after anarchy because  
25 it makes a little bit of a segway in that question might be,

1 well what is DNR doing to interact with this Hispanic  
2 community of recreational anglers?

3           And so I am here to talk about a project that we  
4 started as a pilot project last year in fisheries and I am not  
5 going to have a power point or anything but this is actually a  
6 poster that I and the co-lead of the project this year  
7 presented at a national conference in May in Arizona. Last  
8 year, I started a project out of a conversation with Sarah and  
9 Jacob Holtz because I speak relatively poor Spanish but  
10 enough that when they do have a recreational angler who has  
11 received some kind of a citation and has a question about that  
12 and calls in, then they ask me to come in and do the  
13 translation for them.

14           And so after about the twelfth one of those calls,  
15 we were talking about the citation statistics and the fact as  
16 we did a couple of spot checks, somewhere between two thirds  
17 and three quarters of all of the names on the citation  
18 database for fishery violations, recreational violations come  
19 up Hispanic surnames.

20           MR.                   : How many?

21           DR. BARKER: Somewhere between two thirds and three  
22 quarters. The database is not searchable by demographic  
23 group, the current database. So we have just done about six  
24 spot checks because I can get through that physically looking  
25 at the names. And so every time we check, it is well over 50

1 percent are Hispanic surnames. And it is a variety of  
2 offenses. Everything from not having license to you know too  
3 many or the sizes being wrong or what not. And so I got mad.  
4 And so the idea was to start an outreach project to make sure  
5 you know as a baseline, that we could communicate effectively  
6 to this community in their own language what the rules were.

7           So that we -- that is our baseline. That is our  
8 primary objective. Going back to a survey that was done in  
9 Sandy Point State Park, we have about 30 state parks. 6 of  
10 them are favored by the Hispanic community and those parks run  
11 more than 90 percent Hispanics on the summer weekends. And  
12 Sandy Point is one of those. And in that survey they found  
13 that 86 percent of their visitors need to be communicated with  
14 in Spanish.

15           And then as we interacted with the Hispanic  
16 community last year, with folks that were doing surveys in  
17 their own community, we found out that 20 percent of Hispanic  
18 community in Maryland is illiterate in Spanish. Not in  
19 English. In Spanish. So there is a huge communication  
20 barrier to letting these folks know. Both are regulations and  
21 then just safety rules as well.

22           So last year we had a very small budget, I had about  
23 \$3,000. This year the project we did some outreach events.  
24 We had two prongs. We did some outreach events partnering  
25 with the parks and with NRP water safety. And the other thing

1 we did was through the regulatory group, they hired a  
2 bilingual intern who translated our recreational regulations  
3 into Spanish. So that was a big deal. That was the first  
4 time in history, you know we have been able to say that we  
5 have this information available in that language. This year,  
6 we simply updated that, verified it and it is up on the  
7 website.

8           This year we continued the project and last year the  
9 project was called Vamos a Pescar, Let's Go Fishing, because  
10 it came out of our work in fisheries even though we partnered  
11 with NRP and DNR. But based on a conversation we had with one  
12 of the ladies and one of these parks in our events, these  
13 folks are driving about generally 90 minutes to two and a half  
14 hours to get to one of these six state parks.

15           They love to recreate on public lands. They  
16 recreate in large 3 to 4 generational groups. They love to  
17 fish. It is no coincidence which of our six state parks are  
18 favored by Hispanics. All six of those state parks tend to  
19 close out -- be completely full between 9:00 and 11:00 in the  
20 morning. On holiday weekends, there are people lined up in  
21 the car overnight sleeping in their cars overnight to make  
22 sure they will be able to get in in the morning.

23           So there is a huge base in the state parks of folks  
24 to reach who are very interested in fishing. And as we know,  
25 they do communicate with one another. So we continue this

1 year partnering more heavily with the parks and I have been  
2 able to shift the majority of the work over onto other people.  
3 I applied for a grant at the beginning of the year and we got  
4 \$11,000 to fund the project this year. So no tax money is  
5 being used for this. And we are working on grant money for  
6 next year. We think we have two sponsors for our work next  
7 year.

8           In general our approach started out as I said to try  
9 to be communicating rules to adults. And so we had -- we put  
10 stuff up on the website and I am not sure how effective that  
11 was because we didn't have the combined good link to the  
12 Hispanic community to let them know to go there, to find that  
13 information. But in the parks, what we found worked very well  
14 is that these event days are free activities for children.

15           As I said these groups recreate in large multi  
16 generational groups and the kids come up and they want to cast  
17 casting lines and they want to interact with Splash the safety  
18 dog. And these two particular photos, if you could see them  
19 well, are of the fact that what we will do -- so now what we  
20 are doing with these parks -- partnered with the parks and we  
21 have developed the fishing regulations for that park. Not the  
22 53 pages of the fishing guides, but the fish that are in that  
23 park, the regulations for that park, the water safety rules  
24 for that park, the park use for that park as large posters  
25 that people can then take pictures of with their phone.

1           Because this community doesn't do e-mail. They  
2 don't do written information but they are all very much --  
3 everybody has a smart phone better than the one I got. So we  
4 encourage them to take pictures of the information with their  
5 smart phone. When the children come up to play, then we have  
6 folks at all of these events that are -- we staff the events  
7 with bilingual folks and they will interact with the adults.

8           And some of the information that we have gotten from  
9 interacting with folks is that they don't even know that the  
10 children don't need a fishing license. They don't know that  
11 anybody could buy a fishing a license. They don't know where  
12 to buy a fishing license. They don't know what information is  
13 needed for a fishing license. Some of them don't even know  
14 that there are regulations. Some of them know their  
15 regulations but have no idea how to find them and so they are  
16 scared to go fishing.

17           The other thing I want to bring more for the sport  
18 fishing group but for you all as well. We have attended a  
19 couple of national webinars sponsored by the Recreational  
20 Boating and Fishing Foundation. Which now has an actual  
21 specialized group within their foundation that is directed at  
22 the Hispanic community because the demographic growth is  
23 showing that the only demographic sector that is showing  
24 growth in all outdoor recreation is the Hispanic community.

25           None of the other cultural American groups are

1 showing growth over the last ten years or projected growth  
2 over the next twenty. And particularly with fishing, this  
3 cultural group loves to fish. So this group is showing very  
4 strong interest in fishing. And the third piece of  
5 information I found really interesting is that what is driving  
6 that projected growth over the next 10 to 20 years is what is  
7 called statistically domestic growth which means American born  
8 citizens.

9           So right now, the vast majority of this group's --  
10 so we are talking children under 12, but in the next 10 to 20  
11 years, they are going to be the driving demographic of adults  
12 that are hunting and fishing. And buying boats and doing  
13 boating. So this year, we have shifted over from an objective  
14 being just to get out information about regulations over to a  
15 lot more information and effort towards stewardship. So we  
16 are doing a lot more with educating the children, trying to  
17 develop an effect to not throw your trash away, to understand  
18 what fish are in the waterway, how big fish eat little fish.

19           We always do a seine net program and pull up fish in  
20 a seine net as sacrificial victims, please forgive me God.  
21 And let the kids pull the fish out of the seine net and hold  
22 them and for many of them, it is the first time they have ever  
23 touched a wild animal. So -- and we will do little pictures  
24 of the fish and so we will have them do matching of fish and  
25 they learn how to measure fish. And this is another one that



1 anglers. And anglers have -- I mean, they have actually --

2 DR. BARKER: At Anglers?

3 MR. GILMER: Yes.

4 DR. BARKER: So you all donated the casting rods  
5 that we used there --

6 MR. GILMER: I don't work there, but I sell their  
7 bait. So I know that they got two people on weekends, they  
8 got two people that don't run the cash register, they work the  
9 floor with these people --

10 DR. BARKER: They are bilingual?

11 MR. GILMER: They are bilingual. He has hired  
12 bilingual people and he said that his sales to that  
13 demographic has probably increased 30 percent because people  
14 got questions and they don't know what they need and all this  
15 stuff. And then he has one -- he has got two places where you  
16 buy licenses and he usually tries to have one bilingual person  
17 there at the license area.

18 And I know it has meant big time to his business  
19 because these are people like you say when they come in the  
20 door, when they come in to Anglers, it is -- it is usually two  
21 generations with all the little kids and all that. And I will  
22 give you a perfect example, he bought -- he was at one of  
23 these shows, he bought for \$1.25 this bag, it was like a  
24 little onion bag that has a sand shovel in it and stuff for  
25 the kids. He bought a 1,000 of them. He sold out before the

1 end of June to people going to Sandy Point.

2           When they come in, they shop. They -- you know, all  
3 ages. But he has hired two people to work the floor and talk  
4 to these people because they really don't know -- that they  
5 want to go fishing, they don't know really what they need and  
6 what they have to have.

7           DR. BARKER: This community loves to fish. I have  
8 some friends in the Hispanic community and I ask them to -- so  
9 Rosa's third birthday was coming up and I said, "Rose what do  
10 you want for your third birthday?" Fishing pole. Third  
11 birthday. So yes.

12           MR. GILMER: It is amazing and they spend the money.

13           DR. BARKER: Yes, oh yes. Well I am glad that they  
14 are -- yes, they are seeing that opportunity. Obviously 10 to  
15 20 years out we are not going to have a really -- that strong  
16 of a need for Spanish language because the children all speak  
17 English. But this -- this effort is directed towards the  
18 adults now who cannot communicate and then in spot instilling  
19 the stewardship and the love of fishing in the children.  
20 Because they are our future.

21           MR. GILMER: There is no doubt, I know --- do that  
22 because they benefit Ronald McDonald.

23           DR. BARKER: Yes, they donated the little children's  
24 casting rods. And yes, we had children lining up to use them.

25           MR. SCERBO: Do you have any of this fishing

1 information at the DMV for these guys? Because they do get  
2 drivers licenses, right?

3 DR. BARKER: Yes, they do. Maryland yes. I never  
4 even thought of that. That is a great idea.

5 LT. GROVE: The service centers are being -- the DNR  
6 service centers are being relocated to the MVAs at least Bel  
7 Air, Salisbury and --

8 DR. BARKER: That is an awesome idea.

9 MR. : We have done one so far but they  
10 are talking about doing the rest of them. Prince Frederick  
11 will be last.

12 DR. BARKER: I have found a new passion, okay and it  
13 is not that -- I will be busy for the next whatever it takes.

14 MS. DEAN: Thank you actually you just taught me  
15 something and I was sitting here thinking that I needed to go  
16 learn Spanish but you are right these younger generations are  
17 going to learn English and but I just did want to share with  
18 this commission and I think that it is of our interest too  
19 that the access to the parks, specifically the boat ramps is  
20 being -- I don't want to say denied but it is not there  
21 anymore because of the lines outside of these parks. And I  
22 know that most of our commercial guys aren't dumping a boat  
23 in. But you know the recreational guys, our charter guys  
24 definitely are.

25 And we really need to find a way to address that

1 issue because the -- not only are the truck and trailer spots  
2 taken by vehicles that aren't truck and trailer, but also they  
3 can't get passed the vehicles that are waiting in line to get  
4 in the parks. So I can only imagine the frustration that  
5 somebody might have if they have planned a day of fishing.  
6 They don't even want to use the park. They just want to slide  
7 the boat into the water. And they can't do that.

8           So I don't know, was that part of the work group  
9 that we felt was being --

10           MR. HOLTZ: Yes and we have already talked to the  
11 folks at the park service and kind of gave them a heads up.  
12 And we are trying to coordinate a meeting between the park  
13 service and some of the members of the Sport Fish Advisory  
14 Committee to talk about access, predominately like Sandy Point  
15 which is where this is a huge issue.

16           DR. BARKER: And Point Lookout probably.

17           MR. HOLTZ: And Point Lookout and several others.  
18 But we have made contact with the parks and they are starting  
19 to develop or have been developing a plan and they look  
20 forward to talking to us. So we will let you know how that  
21 goes as well unless somebody wants to be a part of that group  
22 as well here.

23           DR. BARKER: Oh no I am busy now. I know what my  
24 mission is now.

25           MR. SUTHERLAND: You are doing a wonderful job.

1 DR. BARKER: It has been, yes in -- thank you, yes  
2 it has been really good. I am hoping that with the new  
3 electronic database, I have an appointment with Candy Thompson  
4 to go interact with the NRP folks with their database to see  
5 if we can't start searching through the new database to sort  
6 of track effectiveness of the efforts to see if we can see any  
7 impact in the numbers. Anybody else?

8 (No Response)

9 MR. RICE: No. Thank you very much. Dave?

10 ***Monitoring and Assessment***

11 ***Dave Blazer, MD DNR***

12 MR. BLAZER: Yes, I guess I am next. I have kind of  
13 a list of things to go through first. I will start with the  
14 Atlantic States Marine Fisheries Commission Mid Atlantic  
15 Fisheries Management Council Updates and Announcements. ASMFC  
16 will be meeting August 1 to August 3 down in Alexandria,  
17 Virginia. The big news is striped bass is not on the agenda.  
18 It is probably the first time in many, many years that it is  
19 not going to be talked about.

20 So Michael Luisi was very excited about that. In  
21 fact, he was so excited that he took this week off and so I am  
22 really filling in for Mike for this section today. So a  
23 couple of things that are going on there. I guess the first  
24 one is I will talk about the New Jersey flounder --  
25 recreational flounder decision that NOAA found that New Jersey

1 was in compliance with the management plan after ASMFC had  
2 felt that the New Jersey plan was not compliant.

3           So just to give you a little bit of a background,  
4 flounder stocks you know, had several of their indices going  
5 down. Most ASMFC had prescribed like a 30 percent reduction  
6 in harvest levels and each state was supposed to make some  
7 adjustment to go through. Maryland our adjustment I think we  
8 increased the size limit an inch. And that is -- that got us  
9 within the conservation equivalent but New Jersey's  
10 conservation equivalent, they would have to go to a 19 inch  
11 fish. They didn't want to go to a 19 inch fish. They wanted  
12 to stay at 18.

13           So they proposed a conservation equivalent plan that  
14 was reviewed by the technical committee. The technical  
15 committee said that it did not achieve the percent reduction  
16 that they were looking for. The management board concurred.  
17 The policy board concurred with the technical committee and  
18 felt that New Jersey's plan would not put them in compliance.  
19 New Jersey had put together a conservation equivalent plan  
20 that would have gotten them part of the way there but there  
21 were some things in their plan that you really couldn't  
22 quantify.

23           One of the aspects that they took credit for and  
24 gave a percentage number was providing education for catch and  
25 release mortality. They felt that if they put more education

1 into how to handle fish, you were going to get better  
2 survivability and thus their hooking mortality would be less.  
3 Technical committee didn't have any data to support that. So  
4 that was just one of the issues why the technical committee  
5 did not find them in compliance.

6           The way the process works is if ASMFC finds a state  
7 out of compliance, they send the information to National  
8 Marine Fishery Service and to NOAA and NOAA then has the  
9 leverage or the hammer to institute a moratorium if the State  
10 is not complying with the management plan. I think it has  
11 happened 17 times. The NOAA administrator or the Secretary of  
12 Commerce is usually cited with ASMFC and usually when the  
13 moratorium is threatened or imposed, the State comes into  
14 compliance.

15           This case it did not. The Secretary of Commerce  
16 agreed with New Jersey, agreed with New Jersey's plan and  
17 found them to be in compliance. And you have the press  
18 release from ASMFC in your packet. This is the first time  
19 that this has happened at ASMFC. So they are not sure how to  
20 handle this, how to address this in going forward. They  
21 followed the process and this is the way the process laid out.

22           So that will be talked about at the ASMFC meeting in  
23 the first week of August but they had a couple of conference  
24 calls with the executive committee and just to give you an  
25 idea, the way that ASMFC is looking at it, is they are looking

1 at three options if you will. We can live with the decision,  
2 let it go and you know continue on with the process that they  
3 have used for the last 25 years since the act that put this in  
4 place.

5 Or they can go to the other end of the spectrum and  
6 litigate. They could sue NOAA -- either the ASMFC, a state or  
7 an organization can challenge the decision in court. In  
8 talking to some of the directors, they are not crazy about the  
9 litigation idea because then the court or the judge will be  
10 making the determination or the decision. And that gets a  
11 little risky I guess when you are talking about fisheries  
12 management. So that is kind of the two extremes.

13 The third option and the one that basically was  
14 agreed to at this point, was to try to find out more  
15 information about why NOAA made the decision this way the way  
16 that they did. If they are going to follow these types of  
17 guidelines or what are the parameters or what are the -- how  
18 are they going to evaluate non-compliance from here on out?  
19 Again because this is different, this is a new decision.  
20 ASMFC is kind of asking the questions, well okay what do we  
21 have to be prepared for in the future if this decision is  
22 going to come up?

23 If we develop a plan, the State decides not to  
24 follow that plan or their conservation equivalent doesn't  
25 quite meet the expectations that are in the plan, how is NOAA

1 going to treat that? And how should ASMFC look at that as  
2 they are doing their planning as they go through? So a couple  
3 of things have already happened. New Jersey has supplied  
4 ASMFC with the information that they have sent -- that they  
5 sent to NOAA pleading their case and there was like 8 or 9  
6 different studies and documents that they provided to NOAA.

7           And then the question, they are sending the letter,  
8 ASMFC is sending a letter to NOAA saying okay, well how are  
9 you viewing these as we go forward? What are your parameters?  
10 What are your guidelines for your decision making process?  
11 Have they changed? Is there something that we need to know  
12 about from the ASMFC management board level to try to look at  
13 compliance going forward?

14           So that will be a big topic of discussion. You know  
15 the way it looks, New Jersey's recreational fishery will  
16 continue to go on. It is set to close Labor Day anyway. So  
17 they are going to get this season in irregardless of whatever  
18 happens at this point. So --

19           MR. DIZE: Dave, I don't see this as being bad. I  
20 see this as being good. I think the Atlantic States Marine  
21 Fisheries Commission has usurped the power of the states and  
22 I am glad to see -- I know New York stood up to them on the  
23 scup(sic) some years ago. But I don't think this is  
24 necessarily bad for Maryland and the rest of the states. I  
25 wish there had been another stateside except New Jersey but I

1 am glad that NOAA backed them.

2 MR. BLAZER: And Russell, that kind of leads to some  
3 of the discussion too, that third option that I have talked  
4 about is you know I think that -- that is where the discussion  
5 is going to go. Not only are they looking for the guidelines  
6 but then let's look at the decision and how it is going to be  
7 made in the future and I am sure that is going to be an issue  
8 that is brought up and discussed. You know, when you do  
9 something the same way for 25 years and then it doesn't happen  
10 that way, you kind of need to take a fresh look at it. And I  
11 think that is the way that ASMFC is kind of looking at that.

12 Now, I don't think -- just let it go the first  
13 option that I talked about is going to happen, I mean, it  
14 already isn't. They are doing the information. I don't know  
15 about the litigation piece because there were some states that  
16 really you now, said this is wrong, this is the way they want  
17 to go. But I think the way the executive committee has talked  
18 is let's get some more information, let's deliberate and let's  
19 talk this through and knowing how ASMFC deliberates through  
20 things I -- you know I think that will be part of the  
21 discussion. Any other on flounder?

22 (No Response)

23 So we will keep you posted. We will see how it goes  
24 and let you know. A couple of other things on -- at tidal  
25 fish. The South Atlantic Board will be meeting. They have

1 assessments for spot and croacker that they will be talking  
2 about. We don't anticipate too much of a change on spot and  
3 croacker based on what the assessments are telling us. Also,  
4 black drum, we wanted to mention. I think at this commission,  
5 we have talked a little bit about commercial activity with  
6 black drum, so we are going to start some discussions, not at  
7 the board level but start to talk to some of the staff and  
8 some of the others to see if there is an opportunity for us to  
9 allow for some commercial harvest of black drums. Some of the  
10 pound netters have asked us for that. We are investigating  
11 the process. What we have to do, what data do we need, how do  
12 we come up with it in order to develop a plan to allow that to  
13 happen.

14           So we are initiating that and are going to have  
15 those discussions at the next meeting and you -- we will do  
16 more about that probably in the fall or winter time.  
17 Menhaden, this will probably be one of the bigger issues other  
18 than flounder at ASMFC. They are scheduling a 7 hour meeting  
19 on Wednesday afternoon. They basically have three things to  
20 do. One is the stock assessment is done and they are going to  
21 have a presentation about the updated stock assessment for  
22 menhaden. You know we have been working on amendment three  
23 for menhaden, the new management plan that has several  
24 different options.

25           We hope that those -- our menhaden fisherman will

1 look at that, we are going to approve the document to go out  
2 for public comment and approve public hearings over the next  
3 several months. And then hopefully in November, the menhaden  
4 management board will get together and approve that amendment  
5 in some form. So those of you involved in the menhaden  
6 fishery, it is going to get a little bit busy for you on this  
7 amendment that is coming up.

8           And if you have any questions on that, let us know  
9 and we can kind of talk you through some of the details, I  
10 won't go through all of them right now but we are hoping to  
11 keep as much flexibility to benefit our local guys as we go  
12 forward, all the options that are in the amendment to keep it  
13 positive for us.

14           The third thing that is -- I think the reason that  
15 it is going to take 7 hours, if you remember last year the  
16 menhaden management board couldn't decide on the total  
17 allowable catch for the following year. That will be the task  
18 that is coming up in August. There are options because the  
19 stock is not overfished and overfishing is not occurring.  
20 There are options to increase the quota -- the total allowable  
21 catch for 2018.

22           If you recall last year, we kind of had the same  
23 situation. And it took 6 votes at the August meeting, there  
24 was not agreement and so they punted it to November -- October  
25 and then they finally got agreement on a total allowable catch

1 for 2017. So I suspect that there will be a lot of  
2 deliberation and debate about increasing the quota for  
3 menhaden because we are basically in about the same situation  
4 as we were last year at that time.

5 So, that is menhaden and that will -- the meeting is  
6 supposed to start at 11:30 and go until 5:45, but I suspect we  
7 will be there until 7:00 or 8:00, maybe 9:00 that night. So.  
8 One other thing, the Mid Atlantic Council will be meeting on  
9 August 8 up in Philadelphia. The summer flounder, black sea  
10 bass, scup and bluefish boards will be meeting just to talk  
11 about quotas for those fisheries. We don't expect any  
12 surprises at the Mid Atlantic Council meetings but again I  
13 think they are going to be kind of weighing in the flounder  
14 decision as well.

15 So again, Mike Luisi will be going to the Mid  
16 Atlantic Council to represent you. So. If I can, I will ask  
17 Lynn to come up. Are you ready?

18 MS. FEGLEY: Yes.

19 MR. BLAZER: All right to talk about eels. Which is  
20 another ASMFC thing, so we will kind of incorporate that at  
21 this point.

22 *Eel Update*

23 *Lynn Fegley, MD DNR*

24 MS. FEGLEY: Hello. I wanted to give the group of  
25 an update on American eels. I know that most of you are aware

1 that the commission had set a coast wide trigger for eels of  
2 just over 907,000 pounds for the whole coast and there are two  
3 triggers. There is one where if that number is exceeded at  
4 all, the lower triggers is fired or if it is exceeded by 10  
5 percent or more, that is the higher trigger. So what I am  
6 saying is that if you exceed it just a little bit in two  
7 consecutive years, we will go to state by state quotas in the  
8 third year.

9           If you exceed it by more than 10 percent in a year,  
10 you will go by state by state quotas the following year. So  
11 we just learned in July that the coast just surpassed the  
12 trigger. We didn't exceed it by 10 percent, we just exceeded  
13 it a little bit. We exceeded it by the trigger is 907,000  
14 pounds and change and the coast landed 929,000 pounds. So it  
15 is just like a -- it is not even a 3 percent overage.

16           So what that means is that if we harvest the same  
17 amount or more this year, then in 2018, we go to state by  
18 state quota. The problem is is that here we are in 2017 and  
19 it is July and we just learned that in 2016 we went over the  
20 trigger. So if you fast forward to July of next year, we are  
21 going to learn July of 2018, they are going to say oh you  
22 exceeded the trigger, go to state by state quotas and we all  
23 are going to be scrambling to put a quota in the middle of the  
24 fishing year which is horrible.

25           So at a minimum what we would like to try to do at

1 the board is that at least get -- the board is going to  
2 discuss this, we would like to -- we would like to get  
3 everybody on the same page and do what we need to do to at  
4 least go to a 2019 implementation. So if something happens in  
5 2017, we can at least say okay well everybody just hold your  
6 jets, we are going to implement in 2019 and not try to change  
7 things up in the middle of a fishing year.

8           We are -- it is important to note that Maryland is  
9 the driver of the eel bus. We are just some -- we harvest  
10 somewhere just shy of 60 percent of the coast wide landing.  
11 We are the big harvesters. So I talked to Troy and I talked  
12 to Steve who are both on our eel group, we are going to meet  
13 with and Robert T. -- we are going to meet with the eelers  
14 right after the commission meeting.

15           And we are going to ask them for recommendations if  
16 it is possible for the State of Maryland basically could stop  
17 this. If we can slow -- if you think about it, we only went  
18 over two and a half to three percent in 2016. If we could  
19 come to some agreement on how we could slow our eel harvest  
20 just a little bit, we are big enough dog in the game that we  
21 could potentially stop the whole coast from going over again  
22 this year.

23           So for this group to know, we will be talking to the  
24 eel and work group about that. And looking for some  
25 recommendations, something we can do to maybe slow us down a

1 little bit but that is --

2 MR. RICE: Gail?

3 MS. SINDORF: In 2016, now that you have the data,  
4 do you know approximately what date when the issue started? Do  
5 you know that information?

6 MS. FEGLEY: No because it is a coastal -- it is all  
7 the states together. So it is not -- it would be interesting  
8 to look at the coastal data you know on a monthly or weekly  
9 basis and see where it happened but no we don't have that ---.

10 MR. : And Gail that might be something  
11 that we can talk about in August at the eel management board  
12 but we just learned about this last week, that the trigger  
13 just went off. So we have been trying to figure out what to  
14 do and that is why we pulled the eel workgroup together after  
15 we meet with ASMFC with the eel board.

16 MS. : Because even if they stopped early  
17 this year, if they stopped early they would still be well  
18 ahead on what their future quota would be. They would still  
19 have caught more, correct?

20 MS. FEGLEY: Of their future quota, of what the  
21 quota would be if we go to a quota, that is true but that  
22 doesn't matter right now. What matters is that we just don't,  
23 we are trying to keep it under the coastal cap. So our quota  
24 if I understand your question would be less than what  
25 everybody is currently -- then what Maryland is currently

1 harvesting. Maryland would have to reduce less to slow the  
2 train than it would if we went to a quota.

3 MR. : Right.

4 MS. : Exactly.

5 MR. SCERBO: Lynn, does the State have the tools to  
6 implement some kind of emergency thing?

7 MS. FEGLEY: We do. We have a public notice  
8 authority for that fishery so we can do seasons, size limits  
9 or some kind of effort limitation.

10 MR. SCERBO: Some kind of effort?

11 MS. FEGLEY: Yes.

12 MR. SCERBO: So the eelers have to figure out what  
13 they -- the effort?

14 MS. FEGLEY: Yes, that is what we are going to be  
15 looking for.

16 MR. SCERBO: Okay.

17 MS. SINDORF: Do you have a way of doing that this  
18 year to help with the trigger?

19 MS. FEGLEY: That would be the thought if we can  
20 figure it out that we would do something for the, you know  
21 this back end of the fishery and because it is public notice,  
22 we can do it pretty quick. And just -- what we probably wind  
23 up doing is getting a recommendation from an eel group and  
24 then sending it around to the -- this group just to make sure  
25 that everybody is on board for the commission approval.

1           MR. BROWN: I know you got records and stuff on it,  
2 is the eel population increasing some? And if we are  
3 harvesting at the same rate doing the same --- same working as  
4 we are, can we have an increase in population of eels, we all  
5 will catch more. And that is because if you have more fish,  
6 you can catch more fish. And that may be one of the  
7 strategies that we may want to take if we have the data to do  
8 it. Say hey look, yes we went over by a little bit but we got  
9 so many more fish, look this should have moved up because we  
10 have got more eels now than what we used to have.

11           And just by missing it a tad, that really scares me  
12 a little bit because we just missed that rockfish  
13 spawning(sic) stock by less than one percent and we lost 20.5  
14 percent in this bay. So I mean, it is -- we have to be very  
15 cautious about how we go and I think we should try to take  
16 like an offense and if we can have enough data to say look, we  
17 have more young eels which are getting into the fishery now  
18 and therefore, we are not -- the number that we have, 970,000  
19 is not adequate. It should maybe say be one million or  
20 990,000. Which will keep into us -- so I think we should try  
21 to -- when we look at this, we should look at it on both ways.

22           MR. DIZE: The problem is -- oh I am sorry.

23           MR. RICE: Go ahead, Russell.

24           MR. DIZE: The problem is with that, that the  
25 technical committee in the Atlantic States Marine Fisheries

1 has set up these quotas -- whether we agree with them or not,  
2 they have set them up. And if we exceed it, it is already in  
3 writing what is going to happen. So our best option is not to  
4 exceed it. Because if you exceed it, you are going to get  
5 chopped maybe a third, so you can argue that point but it  
6 would be for the future, it wouldn't be for anything that is  
7 coming down the road right now.

8 MR. BROWN: Yes, but we need to get that data. And  
9 you know I know it is available and hopefully then you know if  
10 the eels are coming back therefore, we can say look, here we  
11 went over but this is the reason why. We need to have those  
12 numbers -- you know you got to have something to fight with.

13 MS. FEGLEY: So just to that point, there is -- so  
14 all of this and it is a good point. And it all depends on the  
15 stock assessment for the coast. And we will get that update  
16 in the fall I believe at the annual meeting. So at the annual  
17 meeting, they are going to give us an updated stock status and  
18 from what I am hearing which is off record but it is the buzz  
19 is that we are not -- things are not going to look a lot  
20 different than they did for the old update which means there  
21 is not going to be -- that argument is going to be hard to  
22 make.

23 Although I will tell you that the State of New York  
24 has already brought up the subject of altering these triggers.  
25 Didn't go well when they brought it up because the eels were

1 just petitioned to be listed under the ESA. And it was denied  
2 thankfully -- thankfully it was denied. But there was some  
3 sprightly conversation at the board about that. So your point  
4 is well taken Robert T. and we will get that information in  
5 the fall and cross our fingers, maybe that could help. I can  
6 tell you that nobody wants to go to state by state quotas on  
7 this one. So it is going to be an interesting conversation.

8 MR. RICE: Dave?

9 MR. BLAZER: I just want to add, I think there is  
10 multiple strategies here and Robert T. I kind of agree with  
11 your approach. But I have to concur with Russell in that yo  
12 know I don't think we want this trigger to go off. And you  
13 know that if it goes off, then you have the state quota. If  
14 it doesn't go off, well then you kind of reset and then you  
15 have to go back to two years in a row. So like last year  
16 would never happen again.

17 So I think you know we have to make sure that we do  
18 what we can to try to make sure this second trigger doesn't go  
19 off and we kind of reset the clock again if you will.

20 MR. DIZE: And like Lynn said, we are the big  
21 winners. Maryland.

22 MR. RICE: And we would also be the big losers.

23 MR. : Right, right.

24 MR. DIZE: We could be the big losers, right.

25 MR. WILKINS: Because we have 450 people put in for

1 permits. So if a few only can catch. That one certain piece  
2 could be the real losers.

3 MR. RICE: Okay well thank you, Lynn. Dave, you  
4 continue? You got a question, Rachel?

5 MS. DEAN: Yes, I just wanted to make sure that if  
6 we implement something to slow our roll for this year, that it  
7 doesn't become the norm and our fall eelers get  
8 disproportionately affected and I know that that has come up  
9 already but I think we then need to move forward with a plan  
10 because I don't want to see every time that we look like we  
11 are going to hit that two year in a row, that it is the fall  
12 eelers that get hit. So this is kind of -- it is a quick fix  
13 but I hate to see it become the norm of shutting down the  
14 season or altering the season at the end.

15 MS. : That is a good point.

16 MR. RICE: Okay, thank you. Dave you got --  
17 continue on.

18 MR. BLAZER: Yes, back to me, I have a couple of  
19 other things. At the last meeting we had a request to talk  
20 about striped bass stocking and trying to reinvigorate the  
21 hatchery program for striped bass. So we had staff put  
22 together just some history and a summary of what was done, why  
23 it was done and when it was done. And that is in tab 7. And  
24 you know Tim Uphoff is here, he probably knows more of the  
25 details than I do, but I want to make sure that you take a

1 look at that.

2           You know our summary and kind of our kind of  
3 summation at the end is -- you know the hatchery program and  
4 the stocking was the right thing to do at that time because  
5 stocks were really, really low. There was a lot of Federal  
6 money to do this type of thing. We could -- we geared up the  
7 hatcheries to do that. And you know, it helped at that point.  
8 Now the population is more robust obviously than it was back  
9 in those days. But -- and there is no money from the feds  
10 any longer. Our hatcheries have converted over to other  
11 options, we don't have the capacity that we had before. It  
12 would take us some substantial investment to do that.

13           And that -- you know we are not sure that we would  
14 get much support and agreement from ASMFC or the Federal U.S.  
15 Fish and Wildlife Service to re-institute a program like that.  
16 So that is the elevator speech if you will of what these 6 or  
17 7 pages say. I encourage you to read it. Jim, do you have  
18 anything you want to add? I don't want to put you on the spot  
19 but --

20           MR. UPHOFF: Well, I am old enough to have been here  
21 when there was a 12 inch size limit. Just this -- I think I  
22 am here because I am like the oldest guy left but I went  
23 through a lot of this and I am somewhat -- I mean, I didn't  
24 work on the hatchery stuff directly but at that point, it was  
25 all hands on -- exercise and so I as involved in it and my

1 bosses were involved in it.

2 MR. BLAZER: We were going to ask Ben Florence to  
3 come.

4 MR. UPHOFF: I am sure he would love it. But I  
5 don't have a whole lot to add but I did help Brian write some  
6 of this and from the perspective of how desperate things look  
7 in the early 80s and mid 80s when this thing was instituted,  
8 if we have some kind of catch issues, they are just not  
9 related to the number of young fish that are entering the  
10 population that maybe it has to be some other things.

11 I don't know whether this is -- I am guessing this  
12 is related to the concerns about the absence of fish for  
13 fishermen in Southern Maryland.

14 MR. BLAZER: I think the conversations we have had  
15 and some of you all can correct me if I am wrong, it is not  
16 only that, it just not only the distribution but also the JI,  
17 the last couple of years maybe hasn't been at average. Also  
18 the idea that you know we have had to take reductions the last  
19 couple of years. Can the State do something to show that it  
20 is trying to help the population back at this point? So --

21 MR. UPHOFF: We have extremes, I don't even know  
22 where to go with that and I don't think I probably should at  
23 this point but we are having -- the fishery -- the population  
24 is driven by dominant year classes. These years of  
25 extraordinary reproduction. We are having them at the same

1 frequency we did basically in the 1960s. And we have had one  
2 in 2011, which we are still fishing on. And we had in 2015.  
3 You know the population is basically behaving at that kind of  
4 a -- that kind of a gross level the way it should. Now  
5 whether some of these things may be related to other issues,  
6 habitat issues or forage issues and things like that.

7 But I guess -- I don't have anything specific unless  
8 somebody has a specific question about some of the stuff that  
9 is in there. And even then I might not be able to cover it.

10 MR. JEFFRIES: Who pays for the yellow perch? The  
11 sturgeon and the lovely large amount of bass that we make so  
12 much money off of? Federal or State?

13 MR. BLAZER: It is a combination of both. We do get  
14 fish and wildlife money for most of those species. And there  
15 is some cost share from the State that goes into it as well.

16 MR. JEFFRIES: Seems to me part of Jim's argument is  
17 what the commissioners at the Atlantic Marine Fisheries need  
18 to get through their thick heads. Because there is no  
19 shortage of little fish and this reduction is ridiculous. Now  
20 we are going another two years on it. And everybody we talk  
21 to, someone with his experience says the same thing we are  
22 saying. There is plenty of damn fish, why do we keep getting  
23 reduced?

24 MR. UPHOFF: I know why we are getting reduced but I  
25 just don't want to get into the many, many details.

1 MR. JEFFRIES: I know why we are getting reduced  
2 too. But that is -

3 MR. UPHOFF: It is --

4 MR. JEFFRIES: Something that was supposed to last  
5 one year, now we are going to push it back five years.

6 MR. RICE: Basically we know what you are not saying  
7 and we know what that is, so we are good.

8 MR. UPHOFF: Okay, I mean, I am not happy with it  
9 either but it --

10 MR. : How do you transcribe that?

11 MR. UPHOFF: But that is kind of the way that this  
12 thing is going.

13 MR. RICE: Dave, move into the Maryland Shellfish  
14 please.

15 MR. BLAZER: Okay, closure books. Robert T. asked  
16 about this before. We are making some changes in the closure  
17 book this year. I know -- I think this commissioner had  
18 requested that we place all the leases in the closure book and  
19 try and do that. We ran into some snags with trying to put  
20 them all in the closure books and so we came up with another  
21 solution where in the closure book we will list the website  
22 and information on there that if people -- they need to go to  
23 the web to find a lot of these leases that are there. Because  
24 they change constantly as they go through.

25 The other problem is, a lot of these are 1 acre to 5

1 acre leases that if they -- if we put them in the closure book  
2 and they show up on the map, they are going to be a dot. Our  
3 enforcement people and our attorney general folks were very  
4 uncomfortable about doing that because the closure books are  
5 kind of used as an enforcement tool and a legal tool for the  
6 knowledge of the oyster men that are out there but you can't  
7 have the dot if you will, it is not large enough, it is not  
8 defined well enough in the book unless you put the lat/longs  
9 for every one and then that increases the closure book three  
10 to five times its size.

11           So this is our solution right now. We would like to  
12 try to figure out another way to go forward. The closure book  
13 was really instituted many years ago for two purposes -- well  
14 really one purpose was to show the closures of the MDE  
15 pollution lines. And since oyster management has gotten more  
16 complicated with sanctuaries and PSFAs and Yates bars and all  
17 of these other designations that we have, we have added more  
18 and more to that closure book and some of the kick back I get  
19 a little bit is we could add all of that but it is going to  
20 triple and quadruple the cost -- triple to quadruple the size  
21 of the book.

22           And we would like to try and find another way to  
23 address this issue and especially with -- because the leases,  
24 once you sign for it on August 1 or whatever the date is, the  
25 next day it may be wrong because a new lease has come out or

1 the lease goes way or whatever. So, we are trying to promote  
2 that website, get watermen to use that website if they want to  
3 go to a specific area, the information on that website is  
4 going to be correct and accurate. And they can drill down and  
5 get the information that they need. It is just very difficult  
6 with the closure book to do it the way that I think we talked  
7 about before.

8 MR. RICE: Robert T.?

9 MR. BROWN: Yes, I want to thank you for doing what  
10 you have for -- and it is a work in progress but I just got  
11 to --- a minute ago with you saying that it was a dot, it  
12 would be so small as a dot. Could it be possible that you put  
13 like a asterisks or a little star? Right where the lease is  
14 supposed to be at and then you could have a memo at the  
15 bottom, limited to but not inclusive lease area and check the  
16 chart or you know the -- well I mean, if it says a place where  
17 it is leased --- if it has that little star or something into  
18 it, that would bring to the people who are looking into the  
19 book some attention. And then you could have leased -- at the  
20 bottom it just says leased and then you could have them go to  
21 the website.

22 MR. BLAZER: Yes, you know I think that is the  
23 concept of what we put in there but on a larger scale. We  
24 didn't put the asterisk on every page or on every map in the  
25 closure book. You know, we have put in the closure book a

1 website and kind of an explanation and said hey before you go  
2 to an area, check the website, punch in the river system that  
3 you are going to or whatever to see what leases are there. So  
4 again I think this is going to be an evolution kind of a  
5 process.

6 But you know I think our hope is let's see how it  
7 goes this year, if we have to go to something like that or if  
8 there is another way to do this because I hate to put costs on  
9 things but if we have to go and put every lease on every page  
10 or you know whatever, it is going to get expenses and we have  
11 to blow the maps up so that it is visible. And you know there  
12 is just a lot of administrative issues that we have to deal  
13 with.

14 MR. BROWN: I understand that. But what I am saying  
15 is just put the asterisks on there and then note -- that way  
16 when they open the book up and it says, "Yates bar" and all of  
17 a sudden there is an asterisk in there, then okay I have to go  
18 further and search on.

19 MR. BLAZER: Yes, I will bring that up to the group  
20 and we will see what we can do. But again I think that is  
21 part of the evolution maybe we can -- or something like that  
22 we can do. Rachel you had a question?

23 MS. DEAN: Yes, the closure books have been  
24 something that I have been after for while. And it is two  
25 pronged really. One is for any man who is coming into an area

1 that he is unfamiliar with to know that there is a lease  
2 there. But the second one, which I would really like  
3 clarification on whether or not this covers it, is if a lease  
4 holder marks their lease with the proper markings and their  
5 buoys go missing in the middle of the night, does this now  
6 legally give the lease holder a leg to stand on because  
7 previously if the lease was not marked, then the lease holder,  
8 NRP there wasn't much they could do.

9           So I would like for I guess you to report back to  
10 the Tidal Fish whether or not the legal representatives for  
11 the Department say that this now covers it twice now I have  
12 had buoys go missing in the middle of the night on a very  
13 calm, beautiful summer day or winter day and that was the  
14 driving force for asking about the closure books. So if we  
15 could get a definitive answer about whether or not that is  
16 sufficient enough to protect the leaseholder I would  
17 appreciate that.

18           MR. BLAZER: Good question, I have written it down.  
19 I don't have an answer for you now but we will -- all right.

20           MS. DEAN: And NRP to enforce.

21           MR. RICE: Okay are we fine on this issue? Well,  
22 Dave can you talk to us a little bit about blue catfish?

23           MR. BLAZER: Well, I was going to ask the folks that  
24 went to the meeting today to provide a brief update. I will  
25 just kind of tee it up. Blue catfish as you know is something

1 that we have tried to promote and market as an expanding  
2 opportunity, especially in the Potomac but it is -- blue  
3 catfish are showing up in other areas of the bay and may  
4 provide an opportunity. It is an evasive species,  
5 ecologically we are very concerned about it. The predation  
6 and other issues. So we are encouraging the harvest of more  
7 blue catfish.

8           And I guess about a year ago, maybe a little bit  
9 more than that, the Federal Government changed the laws for  
10 inspection of all catfish that would require inspections and  
11 through the process. Predominately others can correct me, it  
12 is for the aquaculture market down south and the European  
13 market -- Asian market that is importing catfish to the  
14 states, that want to have some sort of inspection program.

15           Well, our fishery I think is working on much tighter  
16 margins and to require an inspection and just the convenience  
17 of having these places inspected like J.J. McDonnell or  
18 Reliant Foods or these other locations was going to put a very  
19 significant economic burden for those folks having to pay for  
20 that or re-adjust their schedules to be able to deal with the  
21 blue catfish fishery.

22           USDA would take over the inspection program. They  
23 have regulations that are set to go in sometime soon. They  
24 have had two hearings and they had one down in Richmond. They  
25 had one this morning over near BWI airport and we have several

1 people in the room that attended the meeting. So if I can  
2 kind of defer those folks if they want to give an update about  
3 that meeting or if there is anything else that I kind of  
4 forgotten.

5 MR. RICE: George if you would -- George go ahead.

6 MR. O'DONNELL: All I was going to say was that this  
7 is supposed to go into effect September 1. And so the clock  
8 is ticking. It is not sort of a maybe so, it is sort of what  
9 they are going to do. This is mandated by Congress. So that  
10 has been passed. It is emanated from a bill derived by a  
11 Senator Thad Cochran of Mississippi to do with and sort of  
12 lumped the wild fishery in with the aquaculture fishery with  
13 the foreign fish brought in from Southeast Asia.

14 And obviously of great concerns because there is  
15 many different issues with them that to treat that all the  
16 same brings great concern to people. Processors like Billy  
17 sells to are small. Now if you have to pay -- the way the  
18 industry is now, you have FDA would come in and inspect your  
19 facility once a year and they might there for a week, what  
20 this would mandate is that you have a daily inspector onsite  
21 that you have to pay.

22 Now two things will happen. The fear is that one of  
23 two things will happen is that they put the small processor  
24 out of business or he is going to cut the price so much to the  
25 harvester that it wouldn't be lucrative enough to stay in

1 business to do that. And the unintended consequence of all  
2 that is that an invasive species is not being regulated under  
3 control now. It is going to put so much more pressure on  
4 other marine animals and other species in the ecosystem.

5           And that is not withstanding that these animals are  
6 through the bay now and what might happen in the future.  
7 Right now the Potomac River is ground zero for this problem.  
8 So looks like we are heading for -- and this is -- the  
9 question I was asking is what has warranted this change. Can  
10 you cite any example where the seafood consuming public has  
11 run into a problem or consequence as a result of blue catfish  
12 from this area?

13           They cannot cite you one example. There have been  
14 two recalls on ponds grades fish from down south and there is  
15 many other issues again as we can imagine with foreign product  
16 that does not have anything like our standards. So it seems  
17 like the unintended consequences of dealing with foreign  
18 product and then there are some questions about perhaps  
19 standard politics within our country. And some have suggested  
20 that if this is a foreign driven problem, why don't you just  
21 exempt domestic catfish from -- but all of these things are  
22 now sort of in place and what the FSIS that is going to be --  
23 have a responsibility to this, have different standards than  
24 the FDA.

25           So they are sort of saying well we have to follow

1 our guidelines and the FSIS, Food Safety and Inspection  
2 Service so -- what they are saying is when this goes into  
3 effect, well we will work with you. Well that is not really  
4 reassuring to -- what does that mean? And Billy, you and  
5 Robert were there and certainly if you want to add something  
6 to that?

7 MR. BROWN: Well I know that Patrick Welch with  
8 Reliant Fish, he asked one of the people who were giving part  
9 of the talk, asked them and said well you know this is going  
10 to cut into my pay, would you work for nothing? I mean, if  
11 you are going to have to have it inspected any time and they  
12 are talking about it can possibly be as much as \$70,000 a year  
13 for a company. So I mean it is -- it could put us pretty much  
14 out of catfish business because this is not only catfish  
15 filets, this is a whole catfish too. And there is a -- the  
16 ones who get -- are allowed to kind of exemption on it is if  
17 you sell 75/25 is the breakdown on it. You can sell 75  
18 percent of your catch to -- 75 percent -- what is it --

19 MR. RICE: You have to sell 75 percent of your catch  
20 directly to the consumer.

21 MR. BROWN: To consumers. And other 25 percent you  
22 can sell to a wholesaler.

23 MR. RICE: Correct.

24 MR. BROWN: But the thing of it is, that is not  
25 enough fish to work for. So I mean, the catfish industry is,

1 just have to see how they make out with it. That doesn't look  
2 good unless we come up with an exemption. Or get Congress to  
3 put another bill in and this bill was passed to farm  
4 regulations. It was a farm farming(sic) bill that is how it  
5 got passed. And it was so much tough into the farming bill  
6 that this little bit of catfish just swept right on in.

7 MR. RICE: Right. Well actually it came into  
8 existence in the 2008 farm bill. Which the farm bill covers  
9 everything from school nutrition, food stamps and you name it.  
10 A lot of people think that this huge budget the farm bill has  
11 goes to farmers. That is not true. The farmers get about 3  
12 percent of it. So it is one of these things where if you got  
13 one pea in a pot of a soup, the soup is 10 gallons, that pea  
14 is not going to come to the surface too quick. So this is  
15 that little pea floating around in that pot and it is going to  
16 come to the surface I can tell you that.

17 MR. : Better knock it back down in there.

18 MR. RICE: Right, exactly. There is one thing I did  
19 want to comment on is that we are getting excellent  
20 representation from the Department of Natural Resources. From  
21 Marty Gary in the Potomac Fisheries Commission and not to  
22 single out any one person but Marty has grabbed this thing by  
23 the horns and I mean, he is really running with it and he is  
24 doing all that he can. He is organizing a tour of the people  
25 that were reinforcing these rules on an unofficial visit to

1 some of these processors, Reliant being one of them. In a  
2 friendly way, they might give him some hints about what he  
3 might need to do.

4           What is scary to me is that they really don't need  
5 to do a thing. Because their product is fine. It is safe.  
6 There has not been a problem. And unfortunately maybe this is  
7 something that I shouldn't say but I will say it and then I  
8 have said it. This whole thing has been a masquerade because  
9 the fish farmers can't compete with what the wild people are  
10 catching. We can catch them cheaper than they can grow them,  
11 we have a better product and I would like not to think that  
12 had something to do with it, I think it had a lot to do with  
13 it.

14           And it was quite obvious that they wanted to do  
15 something about the foreign imports and God bless them for  
16 that because Lord knows we got enough local we are trying to  
17 sell and we don't need to be competing with foreign products.  
18 And from what I heard this morning, both of you all correct me  
19 if I am wrong, that it seems like to me that the documentation  
20 that the foreign need still isn't any thing that even close to  
21 what our local fish need.

22           I mean, I think I understood them to say that they  
23 are supposed to send them a letter and let them know what they  
24 are doing. Well why not let Pat from Reliant send them the  
25 same kind of letter. So is --

1 MR. : Less than 2 percent --

2 MR. RICE: It is quite scary to have an industry  
3 this large to be impacted but it doesn't stop there and I  
4 tried to say that this morning, that if this industry goes  
5 belly up, then it is going to impact so many other things that  
6 we are doing in so many different ways. So the one thing the  
7 people sure seem like to me they had some common sense and  
8 they were easy to understand were -- where I have been pulled  
9 over by a police officer one time when I was much younger  
10 going 70 miles an hour in a 50 mile zone and he was easy to  
11 understand too, he told me right where to sign.

12 You know, it might not work out so good but the only  
13 thing I can say, this is something that we have to deal with,  
14 we have no choice and basically that is what they told us. It  
15 is the law. It is our job to enforce it. And it is not that  
16 they want to enforce it. So --

17 MR. BROWN: And I would like to add one thing that  
18 Billy brought up today and he did an excellent job on it. And  
19 it was the way he described to -- and it really caught their  
20 attention, the way you described the way we handle fish, the  
21 way we put ice at the bottom of the vat and put a layer of  
22 fish into and layer of ice and a layer of fish and how we do  
23 the quality control on the fish. And I told them well the  
24 people who weren't handling the fish aren't in business  
25 anymore. Of course, buyers wouldn't buy them.

1           So I mean, but you did ask them in general and  
2 explain how they are --

3           MR. RICE: Well they brought up the subject that  
4 they were concerned about the shellfish and that kind of thing  
5 and I wanted them to realize that most of us that are fishing  
6 have market, have it for a reason. It is because like Robert  
7 T. just said, and we have got this cooler in the boat that is  
8 as long as this stable, a little bit wider and about 4 foot  
9 deep and it is double walled, it is insulated and when we go  
10 to the first net, we put 4 inches of ice in the bottom of it.  
11 We put a layer a fish in it, a layer of ice in it until we get  
12 it full. Once it is full, then it is time to go home.

13           And these fish, they keep in there two days if they  
14 had to. So I think that they did realize that we are trying  
15 to do a good job and hopefully they are going to work with us.  
16 But remains to be seen. So, that was my closing comments.  
17 Mr. Blazer, do you have anything else?

18           MR. BLAZER: No, I think I am done.

19           MR. RICE: Does anybody from the public have  
20 anything to add? I think most of the public has gotten tired  
21 and gone home.

22           MR.                   : And we are 15 minutes early.

23           MR. RICE: Yes, well the agenda said 5:30 right?  
24 No, 5:40. Well we are 7 minutes overtime, what the heck.

25           MR.                   : We are good.

1                   MR. RICE: We are good. So thank everybody, we  
2 stand adjourned. And have a safe trip home.

3                   (Whereupon, the meeting adjourned at 5:47 p.m.)  
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