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
**Welcome and Announcements**  
by Chair Bill Rice, TFAC  
and David Blazer, Director  
MD DNR Fisheries Service  

**Oyster Advisory Update**  
by Dave Blazer  
MD DNR Fisheries Service  

**Policy Program**  
by Jacob Holtz  
MD DNR Fisheries Service  

**Motion**  

**Striped Bass Marketing Opportunities**  
by Steve Vilnit  
J.J. McDonnell & Co., Inc.  

**Questions and Answers**  

**NRP Activity Report**  
by Lt. Tim Grove  
MD DNR NRP  

**Spanish Outreach Initiative**  
by Dr. Linda Barker  
MD DNR Fisheries Service  

**Questions and Answers**  

**Monitoring and Assessment**  
by Dave Blazer  
MD DNR Fisheries Service  

**Eel Update**  
by Lynn Fegley  
MD DNR Fisheries Service  

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

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

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

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

The Sustaining Fisheries GIT focuses on fisheries issues. But there is a Water Quality GIT, there is a Habitat GIT, there is other aspects of the Chesapeake Bay Restoration that will engage. So like Pennsylvania and New York, Delaware, West Virginia are all involved in those efforts on
the other GITs but it was predominately fisheries. It is just us local in Maryland and Virginia and PRFC.

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

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

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

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

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

**Oyster Advisory Update**

**Dave Blazer, MD DNR**

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

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

So we do have a couple of issues. Other issues that kind of came up during the deliberations that are what we call on the parking lot. That we will come back and talk a little
bit about in September. But beyond that, we will have to find other things in oyster management to continue to talk about. But we know we are going to have September and beyond that, we will have to let the oyster advisory committee kind of talk about future meetings and sequence and stuff. Robert T.

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

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

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

MR. BLAZER: Yes.

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

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

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

The corps shared with us, the National Marine Fishery Service concerns from endangered species and essential fish habitat. And sent us a letter and said basically these
are the things that are being talked about and how would you handle these if we put these types of conditions on this permit, could you be able to handle this or how would you handle those as we go forward.

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

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

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

So they would have to answer the same types of questions as they would go through. The dredging that they are doing, they are do every year in the maintenance channel.
They basically just kind of a schematic, you have the channel, I know it is not perfectly a box but they allow the maintenance dredging because that is sediment that kind of filters in and you are really just going in and cleaning it. But again if they wanted to take a 100 feet off of one side, they would have to go through this extensive permit application similar to what we do.

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

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

MR. WILKINS: Yes, thank you.

MR. BLAZER: Okay. Yes, sir?

MR. SUTHERLAND: David, just a quick question. So
they didn’t -- the recent dredging in that shipping channel
did not cut in any edges?

MR. BLAZER: Right.

MR. SUTHERLAND: Okay.

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

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

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

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

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

MR. RICE: The policy program, Jacob?

MR. HOLTZ: Yes.

**Policy Program**

*Jacob Holtz, MD DNR*

MR. HOLTZ: How are you all doing today? All right.

I will let Paul get set up here. So first we are going to do
the regulatory and penalty update. As far as public notices
that we have issued, that would be of interest to this group,
we did the -- we set large coastal sharks catch limits, we
actually just updated that effective today. I went -- today it went from 3 to 36 sharks per day. We set the horseshoe crab fishery up for this year. There was a couple of com pool hook and line openings. We had a public hearing on emergency regulations for blue crabs. And we did the female catch limits for the rest of the year. That was the public notices that we did.

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

Regulations that have been proposed and are following are the APA process. The striped bass regulation there shifts the declaration period from August 1 to September 30 to instead, July 15 to September 15. So some of you all may have already started your striped bass declarations.

Spiny dogfish, would modify -- that is currently open for public comment. I would modify the commercial fishery by reducing the minimum landing requirement for permit eligibility and changing the declaration period. Both of those were requested by the spiny dogfish workgroup.

Smoothhound sharks is also currently open for comment. These are implementing ASMFC requirements which include the catch composition. Requirements for if you are
going to be removing fins, the smoothhound sharks need to make a certain percentage of the catch that is being landed.

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

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

So we submitted the proposed at the same time as the emergency. We will have to hold another hearing during that time period. During the public comment period and I believe that is scheduled for -- it is either next Wednesday or the Wednesday following that is on our calendar. But it is the same -- it is identical to the emergency regulation that we tried to get approved before. And then we updated the
suspension list both for the recreational and the commercial folks as well in June.

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

(No Response)

All right, seeing none, I will go to scoping next.

So the first thing on here, clams harvesting in the Chester River. We have dealt with Moochie and NRP a lot on this. What happened was there is a conflict in our regulations basically. When we established the oyster -- the oyster recovery areas back in the mid 90s, we had exempted out the Chester River Zone A from the clamming prohibition. So all of the other ORAs in Zone A which are the furthest up the river, clamming was prohibited.

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

And so in the what is called the Section I sanctuaries clamming is not allowed. Which is clearly a
conflict with the regulation of the ORA reg which says that
you can clam in the Chester River ORA Zone A. So we have two
regs saying opposite things which lead to some confusion with
enforcement. We have ironed that out. We did not to prohibit
clamming in that area when we did that reg in 2010. We didn’t
intend to change the clamming regime at all, it was just
supposed to be an oyster thing.

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

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

MR. : Right.

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

MR. WILKINS: Jacob, I am sure you still want I
think Sara sent out a memo that NRP is going to be -- we are
talking about --- paperwork, can we have something today that
MR. HOLTZ: Dave, can we forward them that memo that we put together and sent to NRP.

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

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

MR. HOLTZ: You just want something on paper.

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

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

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

MR. BLAZER: No problem.

MR. HOLTZ: Next two things, fishery and management plans. This would be incorporating these two FMPs by reference. It is just a -- it is a process to make them a source of legal -- be able to regulate under the Fishery Management Plan. We already manage these species through that. So tidal black bass was signed and effective last year.
And then Spanish Mackerel somehow was completed in 1994 and it was never incorporated. So we are just planning on incorporating those by reference. Again scoping on the website, e-mail, Facebook, Twitter.

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

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

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

(No Response)

Moving on, Jonah crabs, these are all changes made by ASMFC that we are going to be making on the state side as
well. The changes would eliminate the requirement for the claw landing permit currently and eliminate the qualification for the claw landing permit. Right now, you needed to have showed harvest of Jonah crabs, prior to this whole regulatory regime being put into place in order to be able to land just claws, which is a pretty common practice in the fishery. We are just going to make -- so there has been a lot of issues with that as far as people not being able to land claws and now they are going to be able to -- they will size limits change or eliminate a size limit.

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

(No Response)

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

So we will just make a very clear statement that if it is not open by public notice, which is how we have been
managing those things, in consultation with the county oyster committees. So if there is not a public notice to open it then the area is closed.

MR. RICE: Rachel, you have a question?

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

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

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

The AEZ is the Agriculture Enterprise Zone. There were very few established throughout the state. There are two right now on the Patuxent River. They were intended to expedite the leasing process as we were kind of going through the mess of how to get leases up and started. And my understanding is that the AEZ is a area bottom that is in the
Department’s name. And then the idea was that somebody could come behind and then essentially sub lease. That was kind of where the hang up happened. Where it never really got off the ground because then the Department was kind of in that liability kind of issue. And if I say anything wrong, somebody stop me.

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

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

I know that it is going to the aquaculture division and we are kind of waiting for them to respond through the aquaculture coordinating counsel but I am -- like things to
move very quickly and they are not moving. I dropped the
ball. I didn’t follow up.

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

MS. DEAN: Is there a regulatory issue?
MR. HOLTZ: It would be a reg issue.
MS. DEAN: Regulatory --
MR. BLAZER: It would be regulatory but we also --
MS. DEAN: -- not ---
MR. HOLTZ: No.
MR. BLAZER: -- yes.
MS. DEAN: Okay, thank you.
MR. BLAZER: Okay. So thanks for bringing that up.

Did you have a question?

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

MR. BLAZER: You can. But normally --

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

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

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

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

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

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

MS. DEAN: Yes.

MR. BLACKWELL: Is that what you --

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

MR. BLAZER: And that is the information -- we have
to go back and look and see what the history was so that is
why I don’t think we need to make a motion. Let us get some
information and we will come back --

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

    MR. BLACKWELL: Has anybody subleased those?

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

    MR. HOLTZ: Can we run the next --

    MR. BLAZER: You satisfied?

    MS. DEAN: Yes.

    MR. BLAZER: All right.

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

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

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

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

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

Then the last two which span the next two pages, were discussed at the striped bass work group on Monday. That both of these received unanimous approval as far as moving forward with scoping them goes. The first would be to require all striped bass permits, fished in the common pool fishery to have the minimum initial allocation associated with each permit.
Right now, an individual needs the minimum allocation but they could enter for instance, five permits. This change would require every permit that gets entered in the common pool to have the minimum allocation. And then the second would be to allow in-season transfers of less than all of an individual’s remaining quota.

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

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

MR. CARSON: 10,000 pounds should be 500 -- Virginia’s minimum is 500.
MR. HOLTZ: Okay. I know that the striped bass workgroup is going to meet again in September, I think. Is that right Gary? Okay. And so I think that is when they wanted to make a more defined recommendation, so we should definitely discuss that with them then. But did anybody have any other questions as far as scoping goes? We are going to scope it on the website, e-mail, Facebook, Twitter, obviously. Discuss that second one further with the striped bass workgroup to get an official recommendation. But that first one was the recommendation of the workgroup but if anybody wanted to discuss that further, we would love your input.

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

MR. HOLTZ: Lynn did you want to --

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

MR. JEFFRIES: What is the difference?

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

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

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

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

MR. HOLTZ: --- yes.

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

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

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

The next thing that was on my agenda would be just
an update for the penalty workgroup. We met last week from
this commission, Robert T. and Bill Scerbo sat in as well as
Donald Sutherland, Ed Fleming and Val Lynch from Sport Fish.
It was a really good discussion and we really appreciated all
of your input.

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

(No Response)

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

It doesn’t seem very fair to me. Or to any of us I
don’t think because beneficiary designations are a pretty
important designation. If you are to die at any point during
the year, your license is going to that person. So if that
person has passed away themselves or you have had a falling
out or they have moved away and no longer have any use for a
license, whatever the case may be, you are not able to change
that until next year’s renewal period.

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

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

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

MR. : Make a motion, Moochie.

MS. SINDORF: Make a motion, Moochie.

(MOTION)

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

MR. HOLTZ: Okay, so for the Department to seek a
legislative change to make it so that you can change the
beneficiary designation at any point during the year?

MR. GILMER: Yes.

MR. : Once or --

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

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

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

MR. BROWN: I second the motion.

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

(Chorus of “Aye”)  

MR. RICE: Opposed?

(No Response)

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

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

MR. RICE: Thank you, Jacob.

MR. GILMER: I think just want thank the Department
for the work on the clam thing and I know everybody put a lot
of time into and a lot of phone calls were made and working
with NRP and all that. I just want to thank everybody.

MR. HOLTZ: Sure thing.

MR. BLAZER: We appreciate your patience, as well.

It is something that we have to work through to try to make
sure that we -- you know, it gets to where it needs to be.

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

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

MR. VILNIT: I must have.

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

Striped Bass Marketing Opportunities


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

(Slide)

I think one of the biggest things that we can do is paying attention to the other seasons and the other states. Rhode Island, Massachusetts, New York, Virginia and the Potomac River are pretty much your main competition we will call it here in terms of fighting for the fish in the market. Staying away from this early season of the June/July with Rhode Island and Massachusetts and New York is typically the best idea because there is a lot of competition there. Chefs typically want those larger fish that those New England states are providing. So you are going to get less dollars for your fish during that time period. What we have noticed with this quota system is that most people aren’t fishing at this time of year. And that is smart. This is not time, A, the water is hot. You are not catching a lot of fish. You can go for crabs and you can go for other things. But just the main thing is you are competing with these fish out of New England and those are catching high dollars right now. I mean, those fish are $5.50, $5.75 a pound right now out of New England. And again when those large fish are available out of those northern states, most people will not buy those 2 to 4, 3 to 5, 5 to 8 pound fish from our area.

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

(Slide)

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

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

This is -- what is really funny is I compare this to 2012 and I don’t have a chart on that but this is about a $1.75 a pound higher than we were getting in 2012. And that is before the quota system was in place. So that is a huge
difference. And I think everybody is kind of seeing that across the market.

(Slide)

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

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

(Slide)

So I did some numbers here. $2.50 a pound. If we are paying that, it is a 42 percent yield on a striped bass to a filet. Put in an 18 percent market up, that is how much we charge for processing, boxing, delivering, accounts payable or
accounts receivable. That means a $5.95 off the nice cost, that means we are selling it for $7.25 a pound and we make $1.30 a pound. That is what it comes down to. If you take that $4.50 a pound striped bass, same yield, same mark up, our costs is $10.71 on the filet, we are selling it for $13.06 and we are making $2.35 a pound.

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

(Slide)

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

Brilliant strategy because if everybody goes out fishing the same week, prices -- you know what happens, prices
drop. That is when we used to see the $2.50 a pound rockfish. They all coordinate their efforts and so they are not all going out in the same week. Because they have a certain amount of quota. And they can use it whenever like we can. So they go out and they coordinate their efforts between the fishermen and they talk to us about how much fish we are going to need the week ahead of time. We actually work out a price with them ahead of time and they know how much they are going to get before the fish has even landed.

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

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

(Slide)

One of the biggest things that we see from this area is people do not ice their fish. This is imperative. The New England states bury their fish in ice because they know it makes a huge difference. That shelf life -- as soon as that fish comes out of that water, that clock is ticking and that shelf life is dropping.
A lot of times we won’t buy local fish that are coming off some of these boats this time of year because people are not icing their fish, they are sitting out on the deck for a long time and the quality is bad. We know that three days after that fish comes in, it is done. Where the New English fish, no problem a week or 10 days.

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

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

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

(Slide)

So basically a quick summary. Pay attentions to the seasons in the other states. Don’t use your quota when the
fish are running small if you can avoid it. Coordinate your
efforts and take care of your product. The more you take care
of your product, the more money you are going to get. We
definitely do pay more money even more than what the market is
bearing for high quality fish. Those fish coming out of New
England are still in rigor and they are ice cold. They get
more money for their product. They get 25 to 50 cents a pound
more. That is it. Any questions?

Questions and Answers

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

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

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

MR. VILNIT: Well, it depends on what you are
talking about proximity. New England here -- no. Here to
Chicago, yes. Yes, so I mean it depends on -- the trucking
lines on the East Coast are so strong that we can get anything
on the East Coast. I mean, I get product to Atlanta the next
MR. SUTHERLAND: Can I get a copy of this?

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

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

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

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

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

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

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

MR. RICE: Dave?

MR. SUTHERLAND: Just one more question, can you go
back to the first slide -- go back to the one where you had it broken down. So, in terms of seasons, I am thinking about Maryland now. So at what point given the big fish that you were talking about, at what point is Maryland product available in a competitive --

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

People don’t go out to eat during the summer. It is just -- our business slows way down. Come September we get busy again and that is when you are going to get more people in the restaurants, you are going to get more volume and there is more demand for the product. So I say that January, February or early March and then the September October. And then if anybody -- we just talked about having the pound net season go to the end of the year, honestly if you can hold off or if you had some quota in December, you would make a killing.
MR. SUTHERLAND: That is kind of where I am --
trying to figure out where does Maryland fit in to this in
terms of --

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

MR. RICE: Dave, you got something?

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

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

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

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

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

And we just need to figure out things around this.

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

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

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

MR. BLAZER: But that is something that we need to
be thinking about in the very near future and you know, wanted
to kind of tea that up a little bit today. Just to be
thinking about that. Look, I have got 3 of those 21 to 34
year old children that buy Blue Apron. I mean, my kids do it.
I mean, they get it 2 or 3 times a week. They like the pre-
package. All their friends are in that mode. And I just see
that coming on more and more. And anything we can do to kind
MR. VILNIT: Amazon buying Whole Foods. I mean, this is going to be huge going into the future. Huge. So we have to just get ahead of it. And I mean, seafood is the choices that people are making is seafood. People are going away from the meats and things like that. They are going towards seafood because they are looking for a healthier lifestyle.

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

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

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

MR. GILMER: And when you were talking about the tags, you know, do we need to come up with a system that once you get a tagged fish and you record it, I mean, I am not sure how it is recorded to you when you get it, but then -- and I
know do we need to come a way where you as a buyer can then --
let’s just say our tag is blue, but for this year, that you
would be able to put per pound in whatever quota we want to
make it, where you are allowed to crimp the tags for -- as a
distributor for pieces of fish that would not be allowed on a
regular fish?

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

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

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

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

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

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

MR. RICE: Rachel?

MS. DEAN: Steve, are you finding that anybody is
questioning you on whether or not striped bass are marked
sustainable? I know that we saw that with the blue crabs and Jack asked Brenda and Brenda Davis had gone through the ringer trying to get them identified as sustainable. Are you seeing any of those questions?

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

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

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

MR. RICE: Well, definitely you are spot on because number one, that is your business. We have a local example at
home, Dave --- this little place, there is a small restaurant in Colonial Beach and he does not serve anything that isn’t local or wild caught. When I say local, his hamburgers and his steaks are bought from a farm that processes their own meats. He only serves fresh, not frozen wild caught seafood. Most of the time he can walk over to the table and tell you who caught it. Not just who he bought it from. People love him. He has a small place. If you want to eat there this weekend, I am sorry you are too late because he was booked up two days ago.

MR. VILNIT: Zurocki(sic)?

MR. RICE: Yes.

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

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

MR. VILNIT: That is pretty much all of the chefs. And you know I just sent out a survey to all of our -- we have 1800 customers. I sent it out to them asking them questions about sustainability. Do you care about sustainability? Do you care about local? What is your definition of local? And it was really interesting to see maybe in a future -- one of these meetings, I can release some of those results because it is kind of -- it is really interesting what the definition of
And most chefs said within 200 miles. That is good to know. So what can we -- we can really capitalize on that. Is traceability important to the boat level? 98 percent of the chefs said yes. They want that information right down to the boat level. And so we have to give that. And it makes it -- you know we have a great benefit here because we know everybody. We are buying from Rachel, we buy from you -- so I can tell them that my catfish comes from Billy.

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

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

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

MR. RICE: Does anybody else have any questions for...
Steve? Well, Steve we sure thank you. It was very informative and you keep up the good work.

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

MR. RICE: Next on our list --

MR. BLAZER: Is that New England in June?

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

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

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

MR. : Not today.

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

NRP Activity Report

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

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

Audio Associates
301-577-5882
I did -- we did hand out a listing of the last quarter’s enforcement actions. I don’t know if he has talked to you much about our transition but the first page is -- the first page of this is going to be our citations. It is in one reporting format. The other couple of pages are new warnings that were issued during this time frame. Which are in another format. We have been transitioning to e-tickets format. The courts are not going to be accepting paper. And no one wants to take paper any more.

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

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

So it gives a -- gives us a much better database to pull from. So you can look over those and of course, the
clamming and the oystering not much this last quarter on that
type of thing. But if you have any questions with regard to
any of these, let us know. I will tell you just -- NRP is
currently in the hiring process. We have been hopefully told
that we can hire 17 officers positions right now. Hopefully
starting sometime in -- after January, maybe February and get
a class started. So right now one of NRP’s priorities is
getting those people hired, that means getting them through
our background processes and stuff.

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

So hopefully we will -- they said we could be doing
anywhere between 400 and 500 backgrounds to determine those 17
positions. So that is going to be a priority of the agency.
So a lot of our -- I will tell you that a lot of our probably
proactive enforcement may drop off a little bit just because
officers are going to have to spend some time doing these
background investigations.
But we will still be out there, don’t worry about them. But that is one of our major priorities. Of course, over the summer months, the enforcement on the water for boating activities, you know, we are on a unusually safe summer. Which we are all thankful for so far this year. And that is going to -- that pressure and enforcement activity is going to continue throughout the summer to try to make it a much better year than last year.

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

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

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

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

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

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

MR. HOLTZ: Just on that one day. And also you know another issue that we have talked about it at sport fish that state parks -- 14 of the state parks were closed or reached their capacity and they weren’t allowing other people in. You know, Sandy Point, Patapsco, I know a bunch of the ones up in
this area, I don’t know if Point Lookout and some of the other areas but 14 of the state parks reached capacity that morning. So people are out and using the resources. So I am sorry I just wanted to interject that.

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

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

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

And basically that is done by four officers in three months. 245 plus citations issued in those three months at that one location. Most of the activities happened between 10:00 p.m. and 4:00 a.m. in the morning. So the officers are
splitting their shifts and changing their shifts and trying to
do what they can because we only have six people that work in
the county. So there is definitely a strain on us. Just like
he said about you know, they are doing backgrounds.

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

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

So this is not people that don’t know what they are
doing. And most of the times they do have empty coolers in
their truck because if they get stopped and checked, they are
like we don’t have any fish, they are right there which we
already know they do because we have been watching them the
whole time. So there was three people in that period of time that were caught that have been caught for fishing on a suspended license. Which one of those individuals was caught, this is his third time for being caught on a suspended license.

MR. : Is it a recreational license?

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

MR. : Were they selling the fish?

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

So it sounds like a big number and it would be if they were 5 or 10 pounds. But the fish are not 5 or 10 pounds. The majority of them are probably 14 to 16 inches at this time. So -- and I will talk about the court a little bit. The other day I didn’t have this much time to get prepared for this because Roy said go down and talk to them Tuesday. So I have tried to put a little bit more together today.
So with the three people that were caught on suspended, the gentleman that I told you has been caught three times, he has gotten the maximum fine two years in a row. The last two years. And then we had a visiting judge last June, in June and he had two guys -- and he wasn’t quite sure if they received their letter of suspension -- whether the Department is going to have a hearing, just like they do with the commercial watermen. They send them a notice and they can have a hearing.

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

So there is no season open. So we had a 100 percent conviction rate. I don’t -- one of the officers that -- one of the four officers that worked down there, I don’t have their numbers because they were off today. But the three other officers had 30 people in total that day and they received $16,850 worth of fines in court that day. And now it is
higher than that with — if I had had the other numbers, probably $20,000 worth of fines for those people that day.

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

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

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

So in July, out of the 31 people that either made a plea agreement or had a trial, there was $12,750 worth of
fines just given to those people yesterday. And we also had
two cases -- because what the officers run into many occasions
is they keep these fish in bags at their feet in the car and
they throw them out the window if they see somebody coming.
So we had two separate occasions with two different people
that they watched and they threw these fish out the window.

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

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

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

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

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

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

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

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

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

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

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

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

MR. GILMER: Randy, and I don’t know if you can
answer this or not, but is there a time after so many time
that you have been caught suspended where there is actually
some jail time involved?
SGT. BOWMAN: So if they get charged second addendum, which is your second offender, you have to actually serve papers on a person for that. And basically it is allowing that person to know that you are going to be charged, the judge is going to have your record prior to your conviction and that your penalties actually go up. So at that point, you can get jail time.

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

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

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

MR. GILMER: Right. Sure.

MR. RICE: Well, this seems like you know, like you
said it is an ongoing thing. And you know that those people probably talk amongst one another. Do you think there is any hope that they will figure out one of these days it will be cheaper to go somewhere and buy a legal --- of fish?

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

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

Now, with some of these gentlemen like this guy, they will go to the maximum penalty, so it is good that the penalty is where it is. And I know that our judge will go to the maximum penalty for the correct situation. So because he has made statements in court before that the State and your
attorney did you a good deed because I -- they were nicer to you than I would have been. So I know that we have a little bit more leeway there.

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

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

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

So I am sure it is a tight network. I am sure when they say the fish are there, because we are catching them Mondays, Tuesdays, Wednesdays, Thursdays -- it is not just weekend. Because about four years ago, they said tried Thursdays because they know you get them on the weekends. So then Thursday night seemed to be the hot night and then we
just started catching them every night. So once it is really on, you just catch them. Because if they know the fish are there, hey it is no different if you guys know there is crabs there, you are going to go there, right?

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

SGT. BOWMAN: Yes, sir?

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

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

So I think there is -- we would like to but I think we take the risk of somebody getting sick because we are not giving them fish -- so the majority of the fish unless it is like winter time or when it is cold, are thrown back into the water and I guess the crabs -- not what people want to hear, but it is not -- the way these people do it and the way we have to watch them there is no way for us to get -- go to them...
while it is going on, there is a large number of people.

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

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

SGT. BOWMAN: They must too.

MR. SCERBO: I got a question.

MR. RICE: Billy?

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

Right.

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

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

SGT. BOWMAN: It is.

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

SGT. BOWMAN: Well our --
MR. SCERBO: Potential --

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

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

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

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

SGT. BOWMAN: Well the sheriff’s office in the community we work, basically at night they ride around and check local business and landings and bridges and marinas because that is part of their job as far as the county commission goes. So as far as them just stopping and -- I mean, most of the time at nights, they are riding around I would say --- knows that that is what the sheriff’s office do in the smaller communities. Because it is not like P.G. County where you have P.G. County police force and you have
all of these police officers. We have two troopers in
Dorchester that work at night and probably three or four
deputies -- and if we are working, that is who is working in
the whole county. Probably don’t want the public -- all the
public to know that but that is -- that is the reality in
smaller communities and Queen Anne’s and Caroline and counties
like that, most of them are like that.

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

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

So.

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

SGT. BOWMAN: Thank you.

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

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

**Dr. Linda Barker, MD DNR**

DR. BARKER: Well, hi again. It has been a while
since I have been here to talk to you all. And I know you
will be sad but there aren’t going to be any histograms or
statistics tonight. I am on the agenda after anarchy because
it makes a little bit of a segway in that question might be,
well what is DNR doing to interact with this Hispanic community of recreational anglers?

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

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

MR. : How many?

DR. BARKER: Somewhere between two thirds and three quarters. The database is not searchable by demographic group, the current database. So we have just done about six spot checks because I can get through that physically looking at the names. And so every time we check, it is well over 50
percent are Hispanic surnames. And it is a variety of offenses. Everything from not having license to you know too many or the sizes being wrong or what not. And so I got mad. And so the idea was to start an outreach project to make sure you know as a baseline, that we could communicate effectively to this community in their own language what the rules were.

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

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

So last year we had a very small budget, I had about $3,000. This year the project we did some outreach events. We had two prongs. We did some outreach events partnering with the parks and with NRP water safety. And the other thing
we did was through the regulatory group, they hired a bilingual intern who translated our recreational regulations into Spanish. So that was a big deal. That was the first time in history, you know we have been able to say that we have this information available in that language. This year, we simply updated that, verified it and it is up on the website.

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

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

So there is a huge base in the state parks of folks to reach who are very interested in fishing. And as we know, they do communicate with one another. So we continue this
year partnering more heavily with the parks and I have been able to shift the majority of the work over onto other people. I applied for a grant at the beginning of the year and we got $11,000 to fund the project this year. So no tax money is being used for this. And we are working on grant money for next year. We think we have two sponsors for our work next year.

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

As I said these groups recreate in large multi generational groups and the kids come up and they want to cast casting lines and they want to interact with Splash the safety dog. And these two particular photos, if you could see them well, are of the fact that what we will do -- so now what we are doing with these parks -- partnered with the parks and we have developed the fishing regulations for that park. Not the 53 pages of the fishing guides, but the fish that are in that park, the regulations for that park, the water safety rules for that park, the park use for that park as large posters that people can then take pictures of with their phone.
Because this community doesn’t do e-mail. They don’t do written information but they are all very much -- everybody has a smart phone better than the one I got. So we encourage them to take pictures of the information with their smart phone. When the children come up to play, then we have folks at all of these events that are -- we staff the events with bilingual folks and they will interact with the adults.

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

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

None of the other cultural American groups are
showing growth over the last ten years or projected growth over the next twenty. And particularly with fishing, this cultural group loves to fish. So this group is showing very strong interest in fishing. And the third piece of information I found really interesting is that what is driving that projected growth over the next 10 to 20 years is what is called statistically domestic growth which means American born citizens.

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

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

That is where we are. That is our target group
now. That is what is driving us. That is how we are handling
the project. To my great excitement we hired -- the DNR hired
a diversity coordinator this year and we hope to incorporate
this project as part of that person’s job description so that
we are more and we are building it into the infrastructure of
the DNR.

And as we move forward, we hope for fisheries to
just add our technical expertise. Our next step, I would say
what works and what doesn’t work, our next step -- our weak
link is making good strong connections to the Hispanic
community so that we get the information that we have out to
them through the means that they are using to communicate.
Because as the presentation just showed, they have very strong
networking connections, we just haven’t been able to connect
to those particular --- yet. So that is how we are handling.
And I am glad to take any questions. Rachel, I know you asked
all of you --

MR. RICE: You did a really good job because nobody
has their hand up. Moochie does.

Questions and Answers

MR. GILMER: Yes, I just want to say, I sell bait to
DR. BARKER: At Anglers?

MR. GILMER: Yes.

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

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

DR. BARKER: They are bilingual?

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

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

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301-577-5882
end of June to people going to Sandy Point.

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

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

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

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

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

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

MR. SCERBO: Do you have any of this fishing
information at the DMV for these guys? Because they do get drivers licenses, right?

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

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

    DR. BARKER: That is an awesome idea.

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

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

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

    And we really need to find a way to address that
issue because the -- not only are the truck and trailer spots
taken by vehicles that aren’t truck and trailer, but also they
can’t get passed the vehicles that are waiting in line to get
in the parks. So I can only imagine the frustration that
somebody might have if they have planned a day of fishing.
They don’t even want to use the park. They just want to slide
the boat into the water. And they can’t do that.

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

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

DR. BARKER: And Point Lookout probably.

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

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

MR. SUTHERLAND: You are doing a wonderful job.
DR. BARKER: It has been, yes in -- thank you, yes it has been really good. I am hoping that with the new electronic database, I have an appointment with Candy Thompson to go interact with the NRP folks with their database to see if we can’t start searching through the new database to sort of track effectiveness of the efforts to see if we can see any impact in the numbers. Anybody else?

(No Response)

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

**Monitoring and Assessment**

*Dave Blazer, MD DNR*

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

So Michael Luisi was very excited about that. In fact, he was so excited that he took this week off and so I am really filling in for Mike for this section today. So a couple of things that are going on there. I guess the first one is I will talk about the New Jersey flounder -- recreational flounder decision that NOAA found that New Jersey
was in compliance with the management plan after ASMFC had felt that the New Jersey plan was not compliant.

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

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

One of the aspects that they took credit for and gave a percentage number was providing education for catch and release mortality. They felt that if they put more education
into how to handle fish, you were going to get better
survivability and thus their hooking mortality would be less.
Technical committee didn’t have any data to support that. So
that was just one of the issues why the technical committee
did not find them in compliance.

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

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

So that will be talked about at the ASMFC meeting in
the first week of August but they had a couple of conference
calls with the executive committee and just to give you an
idea, the way that ASMFC is looking at it, is they are looking
at three options if you will. We can live with the decision, let it go and you know continue on with the process that they have used for the last 25 years since the act that put this in place.

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

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

If we develop a plan, the State decides not to follow that plan or their conservation equivalent doesn’t quite meet the expectations that are in the plan, how is NOAA
going to treat that? And how should ASMFC look at that as they are doing their planning as they go through? So a couple of things have already happened. New Jersey has supplied ASMFC with the information that they have sent -- that they sent to NOAA pleading their case and there was like 8 or 9 different studies and documents that they provided to NOAA.

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

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

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

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

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

(No Response)

So we will keep you posted. We will see how it goes and let you know. A couple of other things on -- at tidal fish. The South Atlantic Board will be meeting. They have
assessments for spot and croacker that they will be talking about. We don’t anticipate too much of a change on spot and croacker based on what the assessments are telling us. Also, black drum, we wanted to mention. I think at this commission, we have talked a little bit about commercial activity with black drum, so we are going to start some discussions, not at the board level but start to talk to some of the staff and some of the others to see if there is an opportunity for us to allow for some commercial harvest of black drums. Some of the pound netters have asked us for that. We are investigating the process. What we have to do, what data do we need, how do we come up with it in order to develop a plan to allow that to happen.

So we are initiating that and are going to have those discussions at the next meeting and you -- we will do more about that probably in the fall or winter time.

Menhaden, this will probably be one of the bigger issues other than flounder at ASMFC. They are scheduling a 7 hour meeting on Wednesday afternoon. They basically have three things to do. One is the stock assessment is done and they are going to have a presentation about the updated stock assessment for menhaden. You know we have been working on amendment three for menhaden, the new management plan that has several different options.

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

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

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

If you recall last year, we kind of had the same situation. And it took 6 votes at the August meeting, there was not agreement and so they punt it to November -- October and then they finally got agreement on a total allowable catch
for 2017. So I suspect that there will be a lot of
deliberation and debate about increasing the quota for
menhaden because we are basically in about the same situation
as we were last year at that time.

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

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

MS. FEGLEY: Yes.

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

Eel Update

Lynn Fegley, MD DNR

MS. FEGLEY: Hello. I wanted to give the group of
an update on American eels. I know that most of you are aware
that the commission had set a coast wide trigger for eels of just over \(907,000\) pounds for the whole coast and there are two triggers. There is one where if that number is exceeded at all, the lower triggers is fired or if it is exceeded by \(10\) percent or more, that is the higher trigger. So what I am saying is that if you exceed it just a little bit in two consecutive years, we will go to state by state quotas in the third year.

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

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

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

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

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

So for this group to know, we will be talking to the eel and work group about that. And looking for some recommendations, something we can do to maybe slow us down a
little bit but that is --

MR. RICE:  Gail?

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

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

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

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

MS. FEGLEY: Of their future quota, of what the quota would be if we go to a quota, that is true but that doesn’t matter right now. What matters is that we just don’t, we are trying to keep it under the coastal cap. So our quota if I understand your question would be less than what everybody is currently -- then what Maryland is currently
harvesting. Maryland would have to reduce less to slow the 
train than it would if we went to a quota.

MR. : Right.

MS. : Exactly.

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

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

MR. SCERBO: Some kind of effort?

MS. FEGLEY: Yes.

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

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

MR. SCERBO: Okay.

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

MS. FEGLEY: That would be the thought if we can 
figure it out that we would do something for the, you know 
this back end of the fishery and because it is public notice, 
we can do it pretty quick. And just -- what we probably wind 
up doing is getting a recommendation from an eel group and 
then sending it around to the -- this group just to make sure 
that everybody is on board for the commission approval.
MR. BROWN: I know you got records and stuff on it, is the eel population increasing some? And if we are harvesting at the same rate doing the same --- same working as we are, can we have an increase in population of eels, we all will catch more. And that is because if you have more fish, you can catch more fish. And that may be one of the strategies that we may want to take if we have the data to do it. Say hey look, yes we went over by a little bit but we got so many more fish, look this should have moved up because we have got more eels now than what we used to have.

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

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

MR. RICE: Go ahead, Russell.

MR. DIZE: The problem is with that, that the technical committee in the Atlantic States Marine Fisheries
has set up these quotas -- whether we agree with them or not, they have set them up. And if we exceed it, it is already in writing what is going to happen. So our best option is not to exceed it. Because if you exceed it, you are going to get chopped maybe a third, so you can argue that point but it would be for the future, it wouldn’t be for anything that is coming down the road right now.

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

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

Although I will tell you that the State of New York has already brought up the subject of altering these triggers. Didn’t go well when they brought it up because the eels were
just petitioned to be listed under the ESA. And it was denied
thankfully -- thankfully it was denied. But there was some
sprightly conversation at the board about that. So your point
is well taken Robert T. and we will get that information in
the fall and cross our fingers, maybe that could help. I can
tell you that nobody wants to go to state by state quotas on
this one. So it is going to be an interesting conversation.

MR. RICE: Dave?

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

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

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

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

MR. : Right, right.

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

MR. WILKINS: Because we have 450 people put in for
permits. So if a few only can catch. That one certain piece could be the real losers.

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

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

MS. : That is a good point.

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

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

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

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

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

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

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

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

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

    MR. UPHOFF: We have extremes, I don’t even know where to go with that and I don’t think I probably should at this point but we are having -- the fishery -- the population is driven by dominant year classes. These years of extraordinary reproduction. We are having them at the same
frequency we did basically in the 1960s. And we have had one in 2011, which we are still fishing on. And we had in 2015. You know the population is basically behaving at that kind of a -- that kind of a gross level the way it should. Now whether some of these things may be related to other issues, habitat issues or forage issues and things like that.

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

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

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

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

MR. UPHOFF: I know why we are getting reduced but I just don’t want to get into the many, many details.
MR. JEFFRIES: I know why we are getting reduced too. But that is -

MR. UPHOFF: It is --

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

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

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

MR. : How do you transcribe that?

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

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

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

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

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

And we would like to try and find another way to address this issue and especially with -- because the leases, once you sign for it on August 1 or whatever the date is, the next day it may be wrong because a new lease has come out or
the lease goes way or whatever. So, we are trying to promote
that website, get watermen to use that website if they want to
go to a specific area, the information on that website is
going to be correct and accurate. And they can drill down and
get the information that they need. It is just very difficult
with the closure book to do it the way that I think we talked
about before.

MR. RICE: Robert T.?

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

MR. BLAZER: Yes, you know I think that is the
concept of what we put in there but on a larger scale. We
didn’t put the asterisk on every page or on every map in the
closure book. You know, we have put in the closure book a
website and kind of an explanation and said hey before you go
to an area, check the website, punch in the river system that
you are going to or whatever to see what leases are there. So
again I think this is going to be an evolution kind of a
process.

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

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

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

MS. DEAN: Yes, the closure books have been
something that I have been after for while. And it is two
pronged really. One is for any man who is coming into an area
that he is unfamiliar with to know that there is a lease there. But the second one, which I would really like clarification on whether or not this covers it, is if a lease holder marks their lease with the proper markings and their buoys go missing in the middle of the night, does this now legally give the lease holder a leg to stand on because previously if the lease was not marked, then the lease holder, NRP there wasn’t much they could do.

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

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

MS. DEAN: And NRP to enforce.

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

MR. BLAZER: Well, I was going to ask the folks that went to the meeting today to provide a brief update. I will just kind of tee it up. Blue catfish as you know is something
that we have tried to promote and market as an expanding 
opportunity, especially in the Potomac but it is -- blue 
catfish are showing up in other areas of the bay and may 
provide an opportunity. It is an evasive species, 
ecologically we are very concerned about it. The predation 
and other issues. So we are encouraging the harvest of more 
blue catfish.

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

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

USDA would take over the inspection program. They 
have regulations that are set to go in sometime soon. They 
have had two hearings and they had one down in Richmond. They 
had one this morning over near BWI airport and we have several
people in the room that attended the meeting. So if I can
do kind of defer those folks if they want to give an update about
that meeting or if there is anything else that I kind of
forgotten.

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

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

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

Now two things will happen. The fear is that one of
two things will happen is that they put the small processor
out of business or he is going to cut the price so much to the
harvester that it wouldn’t be lucrative enough to stay in
business to do that. And the unintended consequence of all that is that an invasive species is not being regulated under control now. It is going to put so much more pressure on other marine animals and other species in the ecosystem.

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

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

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

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

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

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

MR. RICE: Correct.

MR. BROWN: But the thing of it is, that is not enough fish to work for. So I mean, the catfish industry is,
just have to see how they make out with it. That doesn’t look good unless we come up with an exemption. Or get Congress to put another bill in and this bill was passed to farm regulations. It was a farm farming(sic) bill that is how it got passed. And it was so much tough into the farming bill that this little bit of catfish just swept right on in.

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

    MR. : Better knock it back down in there.

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

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

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

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

I mean, I think I understood them to say that they
are supposed to send them a letter and let them know what they
are doing. Well why not let Pat from Reliant send them the
same kind of letter. So is --
MR. RICE: It is quite scary to have an industry this large to be impacted but it doesn’t stop there and I tried to say that this morning, that if this industry goes belly up, then it is going to impact so many other things that we are doing in so many different ways. So the one thing the people sure seem like to me they had some common sense and they were easy to understand were — where I have been pulled over by a police officer one time when I was much younger going 70 miles an hour in a 50 mile zone and he was easy to understand too, he told me right where to sign.

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

MR. BROWN: And I would like to add one thing that Billy brought up today and he did an excellent job on it. And it was the way he described to -- and it really caught their attention, the way you described the way we handle fish, the way we put ice at the bottom of the vat and put a layer of fish into and layer of ice and a layer of fish and how we do the quality control on the fish. And I told them well the people who weren’t handling the fish aren’t in business anymore. Of course, buyers wouldn’t buy them.
So I mean, but you did ask them in general and explain how they are --

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

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

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

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

MR. : And we are 15 minutes early.

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

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

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