

Meeting of the Tidal Fisheries Advisory Commission

July 21, 2022

Online and in-person at
Tawes State Office Building
C-1 Conference Room
Annapolis, MD 21401

(See below for connection information)

3:00 - 6:00 p.m.

* Preliminary

- 3:00 - 3:20 Administrative, Updates, and Announcements – Chair Steve Lay and Acting Director, Michael Luisi, MD DNR
- **Public Comment - Two minutes allowed per speaker
 - Desired Outcome - Public's opportunity to speak to the commission
 - Roll Call - Steve Lay
 - Desired Outcome - A quorum
 - Commission Officers Voting - Michael Luisi
 - Desired Outcome - Identify chair, vice-chair and SFAC liaison for next 12 months
 - April 14, 2022 Commission Meeting Summary Approval
 - Desired Outcome - Commission vote
- 3:20 - 3:30 Natural Resource Police Activities and Upcoming Priorities - Sgt. Jamie Tyler, MD NRP
- Desired Outcome - Inform and Q & A
- 3:30 - 4:00 Shellfish
- Ever Forward - Heather Nelson, MDE
 - Desired Outcome = Update
 - Amendment to the Oyster Management Plan - Jodi Baxter, MD DNR
 - Desired Outcome - Feedback on Amendment
 - Harvest Reporting Discrepancies
 - Desired Outcome - Commissioners encourage harvesters to submit reports
- 4:00 - 4:30 Policy Program – Sarah Widman, MD DNR
- Regulatory, Penalty, and Scoping Updates
 - Desired Outcome - Feedback and inform constituents
- 4:30 - 5:00 Reporting
- Fisheries Penalty Work Group - Jacob Holtz, MD DNR
 - Blue Crab Industry Advisory Committee - Genine McClair, MD DNR
 - Statewide Oyster Industry Committee - Troy Wilkins, Commissioner
 - Oyster Advisory Commission - Chris Judy
 - Shrimp Work Group - Michael Luisi

- 5:00 - 5:30 Interjurisdictional Management
- ASMFC / MAFMC Updates and Announcements - Michael Luisi
- 5:30 - 5:45 Additional Business
- Blue Catfish - Moochie Gilmer, Vice-Chair
 - Desired Outcome - Explore ideas to address growing population
- 5:45 Adjourn

* Agenda is subject to change

** For topics on the agenda the chair will attempt to provide an opportunity for public comment during the time allotted for the topic. Additional public comment will be allowed at the designated time period, a maximum of two minutes per individual.

Connection (through CISCO's Webex Meeting)

By internet

<https://marylanddnr.webex.com/marylanddnr/j.php?MTID=me8d402fccfe7253f419cb1b2484a7cd8>

(Once the link is clicked from a desktop, most participants should select 'Having trouble with the app? Join from your browser.')

By Phone

1-415-655-0001

Access code: 2553 708 0547#

Handouts

July 21, 2022 TFAC Agenda-Draft, Motions and Actions-04142022 TFAC Meeting-Draft, Scoping July 2022, Regulatory and Penalty Update July 2022, 2022 SFAC_TFAC Joint Penalty Workgroup Meeting Summary, Blue Crab Industry Advisory Committee June Meeting Minutes, Commercial Blue Crab Regulations by Public Notice - June 28, 2022 (2 each), ASMFC Presents Annual Awards of Excellence for 2020 and 2021, ASMFC's Amendment 7 to the Interstate Fishery Management Plan for Atlantic Striped Bass, Recreational Suspensions, Commercial Suspensions and Revocations.

Draft of April 14, 2022 Commission Meeting

Action Items

- Reminder - the commission will vote on the chair, vice-chair, and liaison to the Sport Fisheries Advisory Commission during its July meeting. Commissioners should be prepared to vote during the meeting.
- Public comment will move to the beginning of each commission meeting starting during the July meeting.
- Commissioners asked Maryland Department of the Environment (MDE) staff member Heather Nelson a number of questions related to the M/V Forever Forward that could not be answered during the meeting. Ms. Nelson (hnelson@maryland.gov) will compile answers to the questions which will be distributed via email to the commission members.
- During the NRP quarterly report, Commissioner Wilkins referenced the recreational fishing and crabbing suspension report. To clarify, this is a continuous list of all those who are currently suspended, individuals will stay on the list until their suspension ends. Commissioners suggest working through the penalty

workgroup to discuss changes in penalties in an effort to curb what seems to be a large list of recreational suspensions.

- The chair reminds all committees and workgroups that they serve an important function and they should continue moving forward, even when they do not come to a consensus on a particular issue. Committees are subject experts and they give the commission direction.
- Based upon the commission's request, the Oyster Industry Committee will schedule a meeting in order to review the upcoming scoping item related to the oyster culling law. The committee will review and submit any findings it identifies that may give more clarity to the item.
- Concerns regarding the oyster tags, individuals can only get a certain amount at a time. What can be done to increase the amount received at one time.
 - *Response: This is a service center item and Chris Judy will move this to Licensing in hopes to have a change for next season.*
- The department is asking all users of the FACTS reporting system to please log in, review and accept the new terms and conditions by April 30, 2022 if they wish to continue using the service.
- During the next ASMFC menhaden meeting, the coastwide allocation quota will be revisited. The allocation will be changed up and down the coast, be on the lookout for a public comment period on this topic. The department believes Maryland's quota will change once the hearings take place later this year but there shouldn't be any change to our fisheries operations. The coastwide quota will not be changing.
 - Transfers between states will remain an option, both giving and receiving. The department does not believe the state will lose its bycatch allowance.
 - Question by commission: Given our current passive harvest practices (pound nets), could the state look into utilizing the small purse seines, similar to what some northern states utilize?
 - Are menhaden allowed to be harvested by gill nets, similar to Virginia?
 - *Response: There is a gill net menhaden fishery in Maryland. Full regulations will be reviewed and reported out during the next meeting.*
- Final round of CARES Act 1.0 checks will be mailed soon to 1,074 successful CARES applicants.
- From the reporting end, everyone needs to continue to submit their reports, both paper and through the FACTS system, all is important.
- A description on commissioner parking options will accompany the July agenda.
- An update on the Chesapeake National Recreation Area will be distributed when available.
- Commissioner recommends a change in the current process establishing SAV lines.
 - *Response: The department recognizes the process/data is not time sensitive or responsive to real time conditions and will hold an internal meeting in an attempt to form a response for the July meeting. This is entirely in statute, the department cannot address through regulations.*
- Commissioner Brown will contact Jacob Holtz if he has follow up questions regarding haul seines and county laws.
- Commissioner Nesspor request an update on the Back River sewage treatment plant's water discharge, the plant was taken over by the state, specifically MDE, after repeated discharge violations.
 - *Response: Though he understands the importance of the question, the chair questions the request, it may not be a part of the purpose or charge of the commission, it may go beyond the scope of the body. The department recommends a letter from the commission that could be moved forward to MDE. Additionally, the department will coordinate with MDE and bring information to the next meeting if possible.*

Motions

- *Commission approves January 20, 2022 meeting summary.* Motion by Bill Sieling, seconded by Robert T. Brown. Vote: Yea - Unanimous.
- Commission supports the following blue crab committee motion: By Bill Sieling, seconded by Bubby. (Vote: Yea - Unanimous).
 - A motion was made for support of the Department “removing the requirement for the vessel to take a day off.” The motion was amended to include, “while maintaining the day off requirement for the license” (Vote: 11 yes, 1 no and 1 abstain – motion passed).