

Department of Legislative Services

Maryland General Assembly

2002 Session

FISCAL NOTE

Senate Bill 717

(Senator Colburn, *et al.*)

Education, Health, and Environmental Affairs

Natural Resources - Hard Crabs - Minimum Size Limits

This bill prohibits the Department of Natural Resources (DNR) from adopting by regulation any size limits for hard crabs that are different from regulations in other jurisdictions where the same stock of blue crab is harvested.

Fiscal Summary

State Effect: The bill's changes could be handled with existing budgeted resources.

Local Effect: The bill would not directly affect local operations or finances.

Small Business Effect: Meaningful.

Analysis

Current Law: A person may not catch or possess more than 10 hard crabs per bushel or 25 hard crabs per barrel which measure less than 5 inches across the shell from tip to tip of spike.

Background: The blue crab, one of the most important species harvested in the bay, generates approximately \$90 million in economic benefit to the State. In the past several years, the blue crab harvest has decreased substantially. DNR reports that about 57 million pounds of blue crab were landed in 1993; in 2000, landings of blue crab totaled only about 21.6 million pounds. In 2001, Maryland's crab harvest hit a record low, with watermen landing a reported 14.0 million pounds between April and August, the first five months of the season.

Although not entirely understood, factors contributing to the small catch include a 70% decrease in female spawning crabs and male crabs smaller in size and number that are producing less sperm to fertilize the females' eggs. The resurgence of predators such as the striped bass, for which blue crabs are a primary food source, is also thought to affect the blue crab population. In addition, fewer baby crabs are finding their way to submerged aquatic vegetation (SAV) beds and other shallow vegetated areas throughout the bay where they can grow to harvestable sizes. SAV beds remain at 10% of their historic levels of about 600,000 acres baywide.

In 1999 the Chesapeake Bay Commission's Bi-State Blue Crab Advisory Committee began a two-year study to determine the status of the blue crab fishery in the Chesapeake Bay. In January 2001 the committee published its final report and recommended a three-year, 15% reduction in fishing effort, stating that blue crabs were being fished almost to the point of collapse. Maryland and Virginia agreed to reduce their harvests.

During the 2001 session, the Maryland General Assembly approved a two-year tightening of regulations on recreational crabbers, capping their daily catch at about a bushel per person. Commercial crabbing regulations effective July 23, 2001 reduced the workday from 14 hours to 8 hours, strengthened a mandatory day off provision, and closed the fishery a month early. Virginia and the Potomac River Fisheries Commission implemented new regulations in time for the beginning of the 2001 crabbing season. Pursuant to those regulations, commercial crabbers in Virginia can no longer work Wednesdays in June, July, and August. In addition, the daily landing limit in the crab dredge fishery was decreased from 20 to 17 barrels per day. The Potomac River Fisheries Commission also shortened the Potomac crabbing season by one month and reduced the crab pot limits by 10%.

In an effort to meet the 15% reduction goal in Maryland, DNR has proposed regulations that, among other things, would increase the minimum size of male hard crabs, peeler crabs, and soft crabs that may be caught by commercial or recreational means in Maryland or possessed in the State during the crabbing season. Specifically, the proposed regulations would increase the minimum size of male hard crabs from 5 to 5 ¼ inches. According to the Chesapeake Bay Commission, the minimum size of hard crabs in Virginia is currently 5 inches; Virginia is not currently considering a proposal to increase the minimum size of hard crabs above that level.

The University of Maryland (Maryland Sea Grant Extension Program) recently conducted an economic impact study of the proposed regulations on the State's crabmeat processing industry. The study found that the proposed action regarding possession of sponge crabs and male crabs less than 5 ¼ inches would result in annual lost sales to the

Maryland processing industry of \$13.5 million. The study also found that some 459 processing jobs would be lost under the proposed regulations. According to the study, these estimates are considered minimum impacts; to the extent the proposed regulations result in any processing plant closings, the figures would be significantly higher. In addition to direct losses, the University of Maryland notes that indirect and induced effects of diminished spending by crab processing plants would result in an additional \$4.4 million to the Maryland economy and an additional 80 jobs lost.

Small Business Effect: The proposed regulations are anticipated to have a significant impact on the commercial crab industry in Maryland. According to the University of Maryland study, the proposed size limit for possession of hard crabs only is estimated to result in a decrease in crabmeat industry revenues of an estimated \$10.5 million annually (the multiplier effects on the rest of the State's economy result in a total impact of an estimated \$13.95 million annually). This estimate reflects only the impact on crabmeat processors; the impact on harvesters and buyers cannot be reliably estimated at this time. Assuming Virginia does not increase its size limit to the level proposed in Maryland, under this bill DNR would be prohibited from adopting the proposed regulations regarding the size limit for hard crabs.

Additional Information

Prior Introductions: None.

Cross File: HB 1321 (Delegate Cane, *et al.*) – Environmental Matters.

Information Source(s): Department of Natural Resources, Chesapeake Bay Commission, University of Maryland (Maryland Sea Grant Extension Program), Department of Legislative Services

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