

*From the Baltimore Sun*

# Harvest pits life vs. livelihood

## Horseshoe crabs and watermen struggle to coexist

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SLAUGHTER BEACH, DEL. -- This time of year, the horseshoe crabs practically have the place to themselves. With only a sunbather and a smattering of greenhead flies in the distance, the spiderlike creatures mate undisturbed on the sandy shores.

But just a few miles away sits what the crab's protectors consider a major threat to a species that is older than dinosaurs - Charlie Auman, a waterman who has spent much of his adult life catching horseshoe crabs and selling them for bait.

For the past decade, Delaware officials have been pushing to protect the crabs, which swim into the bay each spring from the ocean and mate by the millions on its shores. Their eggs nourish colorful shorebirds that stop here for a last meal before resuming their long trip to the Arctic.

Wildlife officials became so worried about the fate of the shorebirds, particularly the red knot, that they imposed a harvesting moratorium on horseshoe crabs. But Auman, who had sparred with the state over previous regulations, sued, arguing that the crabs were not in danger. A judge agreed and threw out the moratorium, resulting in a three-week harvest period that ends today.

The court's decision is forcing Delaware to grapple with complicated questions: How do you manage a species in the water whose primary value is as food for another species on the land? How do you prove that the species is in decline when millions still show up to mate on your state's beaches every year?

John Hughes, secretary of the Delaware Department of Natural Resources and Environmental Control, said he will continue to fight for the crab and the birds, despite the court defeat.

"I took the strongest, best position I could for the red knots," Hughes said. "It wasn't an easy decision to make. But there is very little we can do to perpetuate the species other than make sure every egg is available for these birds. That's the only trick we have."

Auman, for his part, will keep fighting to make sure he and the state's three dozen other horseshoe crab fishermen have an industry to work in - albeit one that's shrinking with each new state regulation restricting it.

"Someone has to fight, because otherwise the state will take everything from you, whether it's right or wrong," Auman said. "This was a matter of survival for us. Without any bait, you would lose the whole fishery."

Delaware Bay has one of the world's largest populations of horseshoe crabs - the creatures have been coming here en masse for more than a thousand years. For much of that time, nobody paid much attention to the creature with the helmet-like shell and spindly legs. It didn't have any meat on it for humans to eat, and it wasn't particularly pretty to look at. It was so unloved that, by the early 20th century, it was often crushed up for use in pig feed or fertilizer.

But in the early 1990s, conch and eel fishermen discovered that horseshoe crabs, particularly pregnant females, were an excellent source of free bait. Fishermen like Auman would strap the crab into a trap, put it in the water, and catch dozens of conch, a snail-like mollusk that's a delicacy in Asia.

Watermen would pull trucks up to the beach and load up all the horseshoe crabs they could take. Sometimes, wildlife managers said, the fishermen would pull apart a cluster of mating crabs to get at the female, which is larger and can mate with several males at once to produce thousands of eggs in a day.

"There was really a gold-rush mentality. They harvested the heck out of them," said Roy Miller, fisheries administrator for Delaware's Natural Resources Department. "We worried about it, but we didn't have any data to show that it was a problem."

But then two pieces of information armed the department to begin regulating the fishery. Beach surveys indicated a decline in the numbers of crabs, leading scientists to assume that fewer eggs were available to the shorebirds.

At the same time, bird counts showed that the number of red knots, around 200,000 in the early 1990s, was plummeting every year. Birding groups began lobbying both Delaware and New Jersey, the two states that have the highest numbers of horseshoe crabs on the East Coast, to put in some restrictions on the fishery.

In 1998, the Atlantic States Marine Fisheries Commission began regulating horseshoe crabs. Since then, Delaware has tightened restrictions on the harvest. It first set the limit at 364,000 crabs, then dropped it to 150,000. The state also moved to protect the crabs during their spawning season - generally from mid-May until mid-June - so that the birds would be able to forage.

After the judge's ruling, which overturned the moratorium, came down on Friday, June 8, Hughes enacted emergency legislation capping the harvest at 100,000 males. By Monday morning, his department's offices were filled with watermen waiting for their permits.

Miller remains worried about the red knot, which needs an abundance of eggs to double its body weight for the arduous trip north. But he doesn't think the crab is in danger, citing a 2003 U.S. Geological Survey report that at least 13 million crabs were in Delaware Bay. And he said the 100,000 male-only harvest is a reasonable

outcome that balances the interests of conservationists and fishermen.

"My view is, if the watermen can make a living, and we can protect the crabs, then that seemed like a reasonable outcome," he said.

But Perry Plumart, a longtime conservation advocate for both the Audubon Society and the American Bird Conservancy, disagrees. The 100,000-male limit is based not on the survival of the shorebirds or the crabs, but on the bait needs of the fishermen - particularly Auman's co-plaintiff, Rick Robins, a large conch processor in Virginia.

"They've been making a living strip-mining, not in harvesting in any responsible way," Plumart said of the watermen who catch horseshoe crabs. "It doesn't take a genius to realize that when you empty the birdfeeder, the birds will suffer, and the birdfeeder of the Delaware Bay has become empty."

New Jersey also put in a horseshoe crab harvest moratorium last year, but it, too, is being challenged in the courts. Maryland doesn't allow a horseshoe crab harvest in the Chesapeake Bay, nor does it allow harvesting on its beaches or during spawning season along the Atlantic Coast, said Howard King, fisheries director for the Department of Natural Resources. But the state does allow for a harvest of about 171,000 crabs from coastal waters.

Plumart, who now works for the U.S. House of Representatives, estimates that if the states do not do more to protect the birds, the red knot will become extinct in about five years. Delaware wildlife officials may have lost the latest court battle, but they are determined to win the war for the birds.

Last month, they opened the DuPont Nature Center at the Mispillion Harbor Reserve, a small museum filled with photographs and history about the horseshoe crabs and the shorebirds. The state also purchased a small beach across from the center that has become a sanctuary for both the crabs and the birds. From the deck, visitors from as far away as Argentina watch the crabs coupling on the beach as American oystercatchers and great blue herons fly overhead.

One person probably won't be visiting often - the center's next-door neighbor, Charlie Auman. He used to harvest crabs from those beaches; now, he has to go somewhere else.

"I kind of don't know how an environmental place and a fish house will survive, side by side," he said. "Odds are, they will probably outlast me."