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ATLANTIC STATES MARINE FISHERIES COMMISSION

SOUTH ATLANTIC STATE/FEDERAL FISHERIES

MANAGEMENT BOARD

The Crowne Plaza Hotel – Old Town
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Proceedings of the South Atlantic State/Federal Fisheries Management Board Meeting
February 2014

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ATTENDANCE

Board Members

Russ Allen, NJ, proxy for D. Chanda (AA)
John Clark, DE, proxy for D. Saveikis (AA)
Bill Goldsborough, MD (GA)
Tom O'Connell, MD (AA)
Joe Grist, VA, proxy for J. Bull, (Acting AA)
Louis Daniel, NC (AA)
Bill Cole, NC (GA)
Spud Woodward, GA (AA)
Patrick Geer, GA, proxy for Rep. Burns (LA)
Jim Estes, FL, proxy for J. McCawley (AA)
Martin Gary, PRFC
Wilson Laney, USFWS
Steve Meyers, NMFS

(AA = Administrative Appointee; GA = Governor Appointee; LA = Legislative Appointee)

Ex-Officio Members

Chris McDonough, Croaker Technical Committee Chair

Staff

Bob Beal
Kirby Rootes-Murdy
Pat Campfield
Melissa Yuen
Toni Kerns

Guests

Kelly Place, VA Watermen's

The South Atlantic State/Federal Fisheries Management Board of the Atlantic States Marine Fisheries Commission convened in the Presidential Ballroom of the Crown Plaza Hotel Old Town, Alexandria, Virginia, February 6, 2014, and was called to order at 3:15 o'clock p.m. by Chairman Patrick Geer.

CALL TO ORDER

CHAIRMAN PATRICK GEER: My name is Pat Geer and welcome to the South Atlantic Board. I'm the new chairman.

APPROVAL OF AGENDA
APPROVAL OF PROCEEDINGS

CHAIRMAN GEER: You all have an agenda and the proceedings. If there are no comments about the proceedings from the August meeting and are there any changes to the agenda? Hearing none, the only thing I would like to add is that we have to elect a vice-chair, so we will do that at the end of the meeting.

If there are no other comments about that, we will consider the agenda and the proceedings from the August meeting approved.

PUBLIC COMMENT

CHAIRMAN GEER: Now is the time for public comments. We've had one person who wants to make a very, very brief comment. He is going to send out an e-mail to all of us with the photograph that is associated with it. Kelly.

MR. KELLY PLACE: Mr. Chairman, I didn't expect to be here, but I just wanted to bring something to the board's attention that has a pretty significant trophic implication at least in the Chesapeake Bay. That is basically that the super abundance of channel bass, puppy drum, red drum that we see right now in the Bay; as far as I can tell from my research is far in excess of whatever has been seen in living memory or recorded history.

I won't trouble you with the empirical observations we've made over time except to say I've never in this cold of temperature seen fish dig crabs out of the mud as deep as they ever go like they are now. That is the one picture I think that Kirby will e-mail to you. I've spent my life kind of protecting red drum. I've never opposed any restrictions.

My family has fished for red drum since the 19th Century and pretty much revered this fish; but I do want to bring to your attention that the sheer unprecedented biomass in all the rivers and estuaries in Virginia and from what I understand Maryland, too, I believe crest ages unsuccessful year classes of just about all the finfish that we will see; and apparently with crabs, too – not my words but the Bay Foundation.

I would suggest people read their centerfold article on the red drum, the reason for their abundance and what the effects will be. You can get it online through the Bay Foundation. But two quick quotes is when drum populations rise, crab populations fall; and that predatory fish, including red drum and striped bass, are likely suspects in this crab disappearance. We had a great abundance of juvenile crabs last year probably as a result of significant crab restrictions that VRMC put on, which were quite warranted. Everybody is happy with the success.

All of a sudden the super abundance of juvenile crabs has just disappeared. I believe that the unprecedented biomass of channel bass there will probably in the future bring some requests to you. I would not be surprised if people come asking that the recreational fishery bag limit, which is three, be trebled or that the commercial fisheries ask for a small bycatch allowance.

I just wanted to put that on your table because from I can see, if it is accurate, we're going to have some serious trophic implications with regard to survival of the young of the year of all of our catadromous and anadromous species as well as any other species such as crabs that are subject to predation from this super abundance. I just wanted to put that on your radar. I'm not asking for action. I suspect someone will in the future. Thank you very much.

REVIEW OF UPDATED TRAFFIC LIGHT ANALYSIS FOR SPOT AND CROAKER

CHAIRMAN GEER: Thank you very much, Kelly; we appreciate that. Okay, the next item on the agenda – at the last meeting back in August we had a discussion about the traffic light analysis for spot and croaker. I think it was Mr. Woodward had asked that the Croaker Technical Committee and the Spot PRT go back and look at that and hash it out a little bit more. They have done that and Chris McDonough from South Carolina is going to go ahead and give us an updated presentation on that.

TECHNICAL COMMITTEE REPORT

MR. CHRIS McDONOUGH: Okay, the concern – and what Harry Rickabaugh – when you guys heard this before in August, was that the current annual trigger exercises for both spot and croaker, because they typically cover the year or two previous index averages for the various trigger indexes, don't really look at changes that occurred over longer periods of time.

In the case of croaker it was looking at 70 percent of the previous two-year average at a minimum where examination of the data would be required; and with spot it was looking at the tenth percentile of those index values. Both species used commercial and recreational harvests as well as the NMFS Fall Groundfish Survey, the SEAMAP Survey in the South Atlantic and then a couple other individual state surveys.

Both of those management trigger schemes, as I said, don't really illustrate long-term declines or increases and don't make comparisons over those longer time periods. Because they're both short-lived species compared to something like red drum, you're going to get a high degree of annual variability.

Looking at an index that is like the traffic light, the advantage is that it fits well with both limited and extensive data-set species. You can set reference points based on stock assessment parameters. You can set them based on long-term catch models, trend analysis. The concept and the color scheme with red, yellow and the green is fairly intuitive, easy to explain for both professionals and non-professionals, and it does take those long-term fluctuations in the population into consideration.

Now, the commercial and recreational harvest for the traffic light analysis typically shows an earlier indication of declines or has shown earlier indication of declines compared to the 70 percent trigger that we're currently using for croaker. In most cases it was about three or four years ahead of time.

The levels maybe weren't as abrupt, but you would start to see that decline earlier. Then in the fishery-independent indices for both adults and juveniles the variability is higher, particularly in the juvenile indexes because, of course, you've got recruitment variability compounding it, but you still had a greater degree of sensitivity. One thing to note – and you will see this with the figures a little bit in the next couple of slides – there were some discrepancies between the harvest indices, which are the commercial and the recreational landings, and the fishery-independent abundance indices. This is mostly detailed in the full report.

However, in a nutshell, you've got difference in age structure between the data sets, particularly with croaker. The commercial and recreational croaker catch is dominated by age three-plus; whereas, most of the fishery-independent indices are dominated by ages zero through two. When you take that age structure into consideration; the composite figures for the traffic light analysis match up a lot better and those trends match up.

This is the commercial and recreational composite figure for croaker and you do see a lot of red on there; but compared to the 70 percent trigger, it only triggered a few times; whereas, you see the proportion of red, which just represents those annual declines, increasing in recent years where we had that kind of big pulse and numbers were high throughout the late nineties and mid-2000's.

And then with the adult index – this would be with the fishery-independent indices – you see a similar trend in the nineties with the red, but actually this is where you see that difference. You see a much lower proportion of red, a greater proportion of green. This is representative of the difference in the age structure with the two data sets.

And then this is the juvenile croaker; and this one basically is much more red. Mainly that has to do with you've just got much greater fluctuations in the recruitment year to year. Although in recent years you see – particularly in 2010, '11 and '12, it has really seesawed back and forth. However, the relative level of red in the index compared to the adults may be a bit exaggerated just because you've got such a high degree of change in that variability.

Now, for the update the commercial and the recreational traffic light particularly for spot was much more indicative of the change than that 10 percentile. The spot fishery; the independent indices offered a pretty good tool for examining year-to-year changes in the index values and it had much more sensitive reference points that can be set using historic data levels and abundance levels that are known, as well as harvest levels.

The current tenth percentile trigger for spot rarely tripped; and when it did, it always occurred at a level that was among the lowest values in the index. Just to give you some examples of this on these figures; this is for the commercial and the recreational harvest. That red line on the bottom is the tenth percentile; and then the blue lines where they overlap are where the traffic light boundaries would sit and how those proportions and whether it is red, green or yellow are set; but basically what you can see is that tenth percentile falls fairly low; and so it is only going to trip when those numbers get down pretty far. Again, this is particularly true with spot.

The same is true with the fishery-independent indices. You see it with the top left one there, which is the NMFS Survey, and the SEAMAP Survey on the bottom where that tenth percentile is only going to trip or only tripping when that index reaches pretty much the lowest levels in the time series. That as a trigger mechanism or using it as a management trigger is not very effective.

Okay, but for the traffic light and looking at these composition diagrams, you will see reflects what you saw in the abundance trends on those previous graphs where you see the increasing proportion in red in recent years for the combined commercial and recreational landings. We have much more limited aged data on spot compared to croaker in trying to differentiate the difference in the age structure between the commercial and recreational harvest data sets and the fishery-independent indexes.

But for the most part what we know about the size and age range, the same trend holds true although they don't have the age range that croaker typically do. Then for the fishery-independent indices, we actually see the opposite occurring. This is a composite of the NMFS Fall Groundfish Survey and the SEAMAP Southeast Atlantic Survey also from the fall where in recent years you start seeing an increase.

This is mostly attributable to quite a big increase in the NMFS Fall Groundfish Survey. Spot have been increasing in numbers in the Mid-Atlantic basically; and that is definitely reflective in this figure. They have been increasing in the South Atlantic, too, but not nearly at the same rate. An example of how the traffic light method is used; one current example is North Carolina's blue crab adaptive management framework.

Basically they implemented the traffic light model such that there were two management-level responses; and they're tied to the relative proportion of red within each of those characteristics. The way they did them, they did them at 25 and 50, but basically the moderate management-level response occurs when a proportion of the red for the traffic light characteristic reaches 50 percent.

This can result in things like limiting harvest, restricting trip-level harvest for sponge crabs, instituting minimum and maximum size limits. Then an elevated management reaction would

occur when the characteristics reach 75 percent or that proportion. This is just going to result in more restrictive management actions such prohibition of sponge crabs or restricting the peeler harvest or closure of the fishery.

In comparing that to spot and croaker, there are some things that we can use in the same way; things like size limits, possession limits and seasonal closures. However, they're not all going to work in quite the same way. In croaker, which is the one that has been up there, that same tiered approach the technical committee looked at and we came up with – you know, felt that it was a fairly viable tool.

Now, one thing that North Carolina does different, their production characteristic is actually related to the recruitment indices and life history aspects of blue crab versus what we're using or the way we're listing it here in our example is actually a harvest characteristic, which would be the commercial and recreational landings.

Now, the level for the management response levels for the red proportion, the technical committee came out at 30 percent for a moderate management level and 60 percent for an elevated management level. We arrived at these basically – we looked at, relative to the different proportion levels, how frequently the index might have tripped relative to how it related to the 70 percent trigger and felt that these two levels at least as a start represented a pretty good balance between where a lot of changes would occur and how those indexes would trip.

Those moderate management levels can include catch limits in numbers for recreational pounds. For commercial it could also include closures, and those could be specific areas within the state, and then gear modifications. One thing; the effort controls may not be as much of a viable option at least for Atlantic croaker and for spot due to the inability to enact limited entry or monitor a quota with those species, because they just aren't as closely monitored compared to a lot of other species.

Bag limit, size restrictions and area closures and possibly gear modifications are probably more effective. And then each level of – similar to the North Carolina one with the traffic light plan, each level of the management response could be enacted on a three-year time series; and then if those management changes occur, they could be held in place for three years to provide a consistent measure throughout the coast and allow for sufficient time to evaluate the impact of those measures.

And then for spot, very similar – and one thing we actually didn't make it on this figure was catch limits on the top there; but that would also be included on here. But with spot, they've got a shorter life history; and there is a little less of kind of that one-to-one applicability to that approach; and that is mostly due to the lack of age data.

The comparison there would be looking at a two-year timeframe and enacting measures over a two-year period and evaluating them. Considering the management tools and limited options that are available again in constraining effort and trying to improve recruitment, reduction of landings through catch limits, size limits and those types of things are probably going to be more effective.

In the areas where we have listed for closures, those were determined based on coast-wide recreational harvest estimates by wave over the last two years and assessed based on when that harvest was highest. Similar to Atlantic croaker, each of those management responses, looking at them over the two-year period you're going to have a better idea of how the management action may affect it.

And then also particularly with spot, we do know typically most of the age data sets we have for spot, most of them don't go above age three, maybe four up in the Mid-Atlantic, but we do have some historical records. I know we've got spot in South Carolina that come out of impoundments that are six and seven years old; so they can live a much longer time.

Implementing some of these measures might potentially allow for improving abundance as well as expanding the age structure of the population as a consequence. Okay, in

conclusion, both species, the application of the overall harvest percentage or application of an overall harvest percentage reduction using a combination of those management tools that were listed in the tables that we saw before at each tier could also be an option for a state-by-state management measure rather than implementing it coastwide.

Basically you're saying at those tiered levels that instead of trying to implement that type of thing coastwide, you could tell the states, okay, you have to come up with a 10 percent reduction or something like that and allow them to make those decisions as another possibility. The proposed management framework for Atlantic croaker and spot is intended to act as an interim measurement measure between stock assessments and not to be implemented in substitution of a stock assessment.

The measures are proposed are aimed at addressing the multi-year changes in trends; and the accuracy of their impacts can only be improved through better age data, particularly with spot, and further highlight the need for updated stock assessments for both species. Croaker have actually had a couple of stock assessments. Spot have actually never had a baseline stock assessment.

However, the traffic light analysis method for use with both croaker and spot do provide – the technical committee and the plan review team for spot feels it provides a better measure of changes in the population and better ways to respond to it. We request that the board review the draft of the management framework and the traffic light analysis for consideration in the interstate fisheries management of Atlantic croaker and spot.

DISCUSSION OF POTENTIAL MANAGEMENT OPTIONS

CHAIRMAN GEER: Thank you very much, Chris, that was very informative. We've done something similar with blue crabs in Georgia and it has worked out really well. It is something that the industry understands. The concepts are easy for the industry to work out. The problem we had was we got them to buy into the approach; but then with the management actions we spent like three years trying to develop those, and that was all-out war. I want to take any comments or any questions you have for Chris at this time. Dr. Daniel.

DR. LOUIS DANIEL: I'm going to bring this up again at this meeting because I'm catching a lot of heat at home for it; and there is the perception – I think it is a perception – that the reason why we're seeing all the red in the stop light model, which I don't think surprises any of us, is the shrimp trawl bycatch in the South Atlantic.

I'm wondering if you all looked at and considered that. Our history in looking at shrimp trawl bycatch for these sciaenids is fairly long and sordid in that we did a stock assessment and tried to incorporate bycatch of shrimp trawls in the weakfish stock assessment back in '96, I believe it was, for Amendment 3. The numbers were all over the board and so the SAW/SARC threw it out and told us not to use shrimp trawl bycatch estimates in the stock assessment and just concentrate age two-plus F; and that is what we've done ever since; so for 15 years now.

We did a croaker assessment; and as I recall when we went to the peer review for the croaker assessment, they wouldn't consider our biomass estimates because we hadn't considered the shrimp trawl bycatch in the assessment. We have gotten sort of a schizophrenic response from peer reviewers on the validity, the accuracy, the utility of shrimp trawl bycatch estimates.

Is there any evidence that you are aware of as the technical committee chairman or any member of the board; is there any evidence to suggest that the reductions, the lack, and the problems with spot and croaker right now not only in North Carolina but in the further south states but more importantly in some producer areas north of North Carolina is directly attributable to shrimp trawl bycatch?

MR. McDONOUGH: Well, I can't say directly. However, it seems like every time both the spot and the croaker committees meet, we set aside at

least a 45-minute time period at every meeting to discuss the shrimp trawl bycatch. As you pointed out with the stock assessment, we did look at that during the 2010 assessment, but we were using fish-to-shrimp ratio bycatch methods, which were not great, but that's what we had. There were some studies from the early nineties when the first implementations of BRDs and TEDs and looking at bycatch affecting this, and there were some estimates in terms of – and we did try and incorporate that, but we just couldn't get satisfactory estimates of the level of bycatch; and that's where it would hit the snag at the peer review every time.

I was going to say North Carolina has actually – I think they're in the second and possibly going into the third year of doing a bycatch study; and we're eagerly anticipating the results of that to see if those shed some light on this. Some of our original estimates that we did in the stock assessment showed that the bycatch levels were in some cases annually greater than the total commercial and recreational harvest. Particularly in the southeast we know that croaker and spot make up a huge component of the bycatch. That all is on the research recommendations and everything else to get a good effective look at that, but it just hasn't been done yet.

MR. PATRICK CAMPFIELD: Mr. Chairman, I just wanted to let the board know related to that question, the SEDAR is holding a procedural workshop later this year to look at shrimp data and the bycatch problem. We're going to try to answer a couple of questions; is it possible to do better South Atlantic shrimp assessments but also try to get a better grip on bycatch of sciaenids and other species. I don't have specific dates, but it is supposed to be some time in 2014.

CHAIRMAN GEER: There is another one that is coming up before that, a crustacean meeting, a workshop, but the one that you're discussing was they're still looking for a date.

MR. CAMPFIELD: Yes, correct, there is a SEDAR Workshop that I was referred to, and there is also a SEAMAP Crustacean Meeting.

DR. DANIEL: And just to follow up – and you're correct; we are in the progress of a bycatch study. The bycatch is high as it always has been. Using ratio methods, which nobody really likes, you're looking at millions, tens of millions of individual fish; and what we're seeing in the study so far is that spot, croaker and weakfish tend to be the top three for North Carolina.

Now, that may be a little different in the more oceanic conditions of the more southern states where they don't allow as much trawling nearer shore than we do; so trying to fit all the pegs into the proper holes is going to be difficult on that because we are so variable north to south in the shrimp trawl fishery.

One of the things that we're moving forward with in North Carolina is in two weeks my commission will be meeting to adopt a new shrimp fishery management plan to require an additional BRD of the fisherman's choice, an additional federally certified BRD in the net while we work with industry to come up with new devices to try to increase our bycatch – our goal is 40 percent. Now, whether or not we can reach that or not, I don't know.

But what continues to be the $64,000 question is we have seen fairly significant reductions in our shrimp trawl bycatch over the last several years, which would make one think that the bycatch problem has been mitigated somewhat by that along with the reductions from the TEDs and the BRDs; and we're still seeing this substantive decline in the spot and croaker and weakfish populations.

One would think that with all the efforts that have been done through this board and the weakfish board to eliminate the flynet fishery south of Hatteras and have all these reductions in shrimp trawl bycatch in the South Atlantic; that we would have seen some quantified number, somewhere or something, would have shown a positive result.

I am not sure we have ever seen any positive result of those management actions; and so those haven't done any good to bring around the spot and croaker populations. We have got a hint

from the technical committee on what the problem is with weakfish. I like your approach and I think the technical committee did an excellent job.

This is exactly what I was hoping to see; very consistent with what Georgia has done in blue crabs and what North Carolina has done with blue crabs. I encourage us to use this information, but I would also encourage us to move forward as the technical committee I believe thinks is appropriate to schedule at some point in time a spot stock assessment. We have seen four- and five-year-old spot fairly recently in North Carolina samples and in Virginia.

I mean Gulf menhaden live to be five years old and they get assessed every year. This is an incredibly important fish from I guess New Jersey and New York down to Florida, and they're gone. There is bound to be something that we can do. The big problem we're going to run into is bycatch in other fisheries and how these things are used as bait in a lot of fisheries and the culling requirements that are going to have to take place in states like North Carolina and Virginia and other multi-species fisheries states where they do have high quantities and size limits are going to create an issue. Those are my comments, Mr. Chairman; thank you.

DR. WILSON LANEY: Mr. Chairman, I have the benefit of being on the technical committee so I've heard all of this. I also commend Chris and the folks that worked more directly on it for having done a tremendous job. I agree with what Louis said; so my question is what is the next step?

I guess at this point do we ask the technical committee to go ahead and refine those potential management measures and come back to us at the May meeting with some specifics about what measures would be triggered by those levels? I know they had put 30 and 60 percent in there as levels for consideration. Does the board need to discuss those further and give them some additional guidance as to what they would like to see in that or just send it back to the technical committee and say, "Hey, guys, take a look at this and come up with some specific recommendations to which the board can respond."

CHAIRMAN GEER: I believe the technical committee and PRT would like the board to give them recommendations of what they want to do with the traffic light analysis model and potential management actions. I hear silence.

MR. McDONOUGH: Well, actually, I'd like to add one thing that Louis brought up and that is with spot in particular. Beyond their importance as a recreational species and commercial species in many cases in different states; but similar to menhaden spot is an extremely important mid-level prey species for just about everything.

That is something that we have brought up frequently in South Carolina for small sciaenid management issues as a way to get people to pay attention to it. It is like, you know, oh, they're spot; but you know what, they're really important for red drum and striped bass and whatever. Everything that is out there is eating them.

MR. JOSEPH GRIST: Mr. Chairman, just two points. Going back to the comment about the spot assessment – and, Chris, you should remember this and Wilson on some of these discussions the committee has had in the past. I think the only reason the combined committees have never recommended a spot assessment to this date has been because of the bycatch issue in the shrimp trawl and trying to get that resolved knowing that was the problem with the croaker assessment.

Knowing they already had a problem in the croaker assessment with it and spot follows along the almost exact identical data set, they knew it needed to be resolved. I think the North Carolina Study, once it is resolved, I would not be surprised to see the committee recommending an assessment not long after they get those results. With that, talking about assessments when is the next croaker assessment scheduled?

MR. McDONOUGH: I was going to say it is either 2015 or '16?

MS. TONI KERNS: It is penciled in for 2016.

MR. SPUD WOODWARD: One thing I think we've got to be very careful about is using any bycatch characterization studies out of North Carolina and applying it southward, as Louis has already alluded to. I mean, those fisheries are prosecuted very differently; and while everybody is still using the same gear, we've certainly seen shrimper behavior change over time in terms of units of effort expended and how many hours of trawling take place during a trip.

It is going to remain a very elusive thing that we're trying to get our hands around. From a management standpoint, if we were to implement something like this and then it translates into management actions that affect the established commercial and recreational fishing for those species, that is what we're going to get hit with.

Well, you know, what is their pound of flesh; what are we going to take away from the trawlers so that there is an equal distribution of the reduction in mortality? That is going to get very difficult to grapple with because we're not going to have the definitive information we need. It's nobody's fault; it is just an exceedingly complicated situation.

DR. LANEY: Well, I agree with everything that has been said about bycatch. I think the thing we have to keep in mind is while it is very elusive to try and get a handle on, I think the problem with the rejection of the previous assessments was not because bycatch was included but because of the variability associated within our inability to come up with an estimate of discard that peer reviewers found credible. That was the problem.

Louis and Spud are both correct; it is a very difficult thing to estimate and to come up with any degree of rigor. But, in the interest of moving us ahead here, I think I'm hearing around the table that everybody likes this approach, again as Chris stressed, as an interim management measure and not a substitute for stock assessments but something that is better than what we have in place now. Again, the devil is in the details; you know, what levels do you want to set for management measures.

I guess for spot we don't have a size limit in place I don't think right now. We've discussed maybe an 8-inch limit, I think. Chris, you might help remind me there. Again, it seems to me, Mr. Chairman, that in the interest of efficiency the best thing to do might be to give technical committee a positive signal that we really like this approach and give them the latitude to refine the list of potential management measures and bring them back to the board at the May meeting if the board is not prepared to go ahead and discuss them and select from that table that you've already presented to us today.

CHAIRMAN GEER: Wilson, would you consider an addendum?

DR. LANEY: Yes. Is that the process, Bob, we would to use; we would have to do an addendum to basically adopt the traffic light approach as a substitute for the present management triggers that we're using for these two species?

MS. KERNS: That is correct, Wilson.

DR. LANEY: Then would you entertain a motion to that effect, Mr. Chairman?

CHAIRMAN GEER: Let me get Joe first.

MR. GRIST: Mr. Chairman, just a quick question, and I will direct this for the technical committee. Is there any concern from the technical committee with whether the assessment is two or three years off for croaker; that if we change our trigger strategy midstream before that, that we're going to have any impact on the data inputs to the assessment?

MR. McDONOUGH: The short answer to that is no. I can't say that the issue has been specifically discussed, but we've discussed just about everything else and that concern has not been brought up as something that would be an issue; so I wouldn't think so.

DR. LANEY: Mr. Chairman, I guess **I would move that the board task the staff and technical committee with development of a**

draft addendum that would employ the traffic light approach, which they have developed, for use in management of spot and croaker. This would be with the understanding that this would be used as an interim approach until we have approved stock assessments for both species.

CHAIRMAN GEER: Seconded by Joe Grist. Is there any discussion? Louis.

DR. DANIEL: If Wilson is all right and Joe is all right, I think it would be clearer, maybe, to say "develop a draft addendum that will adopt and employ the traffic light approach." That way we're doing an addendum that changes it from the method we use now to the traffic light and would give us the ability to go ahead and select management measures based on what the technical committee's recommendations are.

DR. LANEY: Yes; I'm fine with that, Mr. Chairman, as a friendly amendment. Louis, the one other thing that occurred to me is do we need to say anything in there about tasking the technical committee to provide a suite of management options for our consideration or do you think that is understood when we ask them to develop the draft addendum, that would be part of that?

MS. KERNS: Wilson, I think it is understood, but it might be helpful for the technical committee and the PRT for you to give them some direction. They have given you guys some examples of what they have put together, and then they were asking you all for feedback on do you want us to go higher or lower, what range are you all looking for.

DR. LANEY: The ranges that they included in there were fine with me; but there again in the interest of full closure, I was part of the group that discussed them and helped develop them. I would love to hear feedback from other board members as to whether they think those levels are appropriate or not conservative enough or too conservative or what.

MR. RUSS ALLEN: Well, obviously, I think you should have – when you're developing an addendum, you have your status quo and you might have different percentages in there. I have looked it over a little bit. I can't say that I've been studying the traffic light approach. We haven't used it in New Jersey too much. I think the 30 percent and 60 percent are fine, but maybe 15 percent, 45 percent just to fill in the gaps. That is pretty similar to other species that we've done. We can do those kinds of approaches if that's okay.

MR. McDONOUGH: When we were looking at those kinds of proportion levels actually on the figures, the horizontal grid lines were all in the 10 percent increments. We were trying to figure out, okay, you don't want it tripping too much, but we don't want it – you know, like the tenth percentile, you don't want it tripping once every 40 years when it just absolutely crashes.

Then we looked at the way we have been doing it with, say, the 70 percent trigger with croaker and how often that had been tripped, so that there could be some continuity going from one to the other and they're just not going off to something completely different. But, yes, I think in moving forward, we'd take a much deeper look at those proportions and where things change and how frequently based on the whole time series.

DR. DANIEL: I would like to see the PRT and the technical committee look at I think the range of options of status quo, maybe 25/50 and 30/60, and then consolidate the reports like you've done in your presentation for spot and then indicate where we've tripped triggers and then what those management measures would be and then do the same thing for croaker.

What I would find particularly enlightening would be if all the stars align and we end up putting this into place and we end up monitoring spot and croaker with the traffic light approach, then we get some better estimates of shrimp trawl bycatch that we may be able to include in the croaker assessment and then a spot assessment, and then see how the stock assessment reflects what we did with the stop light approach. Was it close, were we heading in the right direction with the stop light approach?

For a lot of these data-poor species that we all deal with not only at this level but at our home level and the council level, this could be an opportunity to show the utility of that method that is far less data-intensive and far less complicated, for lack of a better term, and it is something that the fishermen generally can buy into and agree.

If we find that those assessments are consistent with what we've done with the stop light, that would be very valuable information on two stocks that right now we're seeing pretty extraordinary and historic lows in those populations.

CHAIRMAN GEER: Are you suggesting that we have those specific percentages put into the motion?

DR. DANIEL: No; just as direction. I think, as Toni said, they were looking for direction from the board to the technical committee and the PRT, and that was my intent of my comment.

DR. LANEY: Well, perhaps if my seconder would agree, if we just add after the word "addendum", stick a comma in there and put "with an appropriate suite of management options," then maybe that gets us to where we need to be. Is that sufficient guidance to the technical committee, Chris? We had talked about what some of those are and those are on the record. Russ mentioned some and Louis mentioned some.

From my perspective, that seems to be sufficient guidance to the technical committee. The only thing we haven't really talked about is when we did put the table together, we did not put any numbers in there in terms of a potential size limit for spot or potential bag limits for spot, but there again we have routinely just put pick a range there of status quo, which would be no size limit to whatever the minimum would be to allow reproduction at age one or something like that. I don't know whether that is six or eight or what, but those are the kinds of things I think we would expect to see included in the addendum for the board's consideration and for public input, I guess.

MR. WOODWARD: How about bag limits for the two of them? I don't see those.

DR. LANEY: Yes, we left those with an X, too, Spud. We had it in the table but we didn't pretend to begin to discuss those. I know right now there are none, I guess, for either species. I know, Louis, in particular North Carolina and probably the other South Atlantic states as well have fairly significant and large pier fisheries for these species.

It is not uncommon for people to depart the pier with several coolers full of spot and/or croaker. There again I would look to the technical committee for advice on that point; what sort of numbers. If board members have any thoughts on that, that would be good to give the technical committee some further direction.

MR. WOODWARD: We actually do have a bag limit. It is 25, which is obviously a very liberal bag limit, but it is a bag limit, nonetheless. We're leaving shrimp trawl bycatch off the table for management? I just want to make sure of that. You start talking about closures of this and closures of that; is that –

DR. LANEY: Well, I think, Spud, based on the record that we've generated, I don't think we're leaving it off the table. I think we clearly said that North Carolina has got a study underway; and as soon as that study is completed and the technical committee has an opportunity to look at the results, I think we said what we'd like to do is go ahead and generate a new stock assessment and try to come up with a definable estimate of bycatch discards; so too me that is not off the table.

That is just saying that for this interim measure for the moment, unless we run into something unanticipated, then I think the suite of management measures that is proposed at the moment doesn't include addressing the bycatch directly although we know North Carolina is attempting to address it by making some changes to their trawl fishery.

Again, I guess North Carolina right now from the standpoint of the amount of trawling that is going on in inshore areas where they're

encountering large numbers of juvenile sciaenids, probably that is the place where most of it is happening. South Carolina and Georgia and Florida all have management measures in place that greatly restricts the amount of inshore trawl use, so it may be less of an issue there. I don't know; but I wouldn't say we're taking it off the table.

I would say we're just deferring consideration of it, maybe, but I would leave that up to the technical committee. If there is some management measure that could be put in place that addressed the commercial side, then, fine. I don't know what that would be at the moment. I don't remember, Chris, that we talked about that a whole lot.

MR. McDONOUGH: Well, what we discussed at least for commercial fisheries, it definitely did not really – I don't think any of the discussions had the shrimp fishery in mind. It was looking at more like the directed bait fisheries, scrap fisheries and things like that. At this point I don't think the technical committee would be comfortable trying to put a management action in that would in some way, shape or form impact the shrimp fishery because we just don't know. We know there is an issue, but we don't have the data to support it, so we can't necessarily start telling them what to do.

DR. DANIEL: My thought would be that with the traffic light approach, we would address those issues that the technical committee has already developed and then if; and when we get a stock assessment that incorporates shrimp trawl bycatch and we can point to a definitive impact of shrimp trawl bycatch on those stocks, then we might have to go back and start looking at better mousetraps on bycatch reduction or something else; but I see that three, four-plus years down the road before we go in that direction. That is my thought.

MR. GRIST: Just a point on the motion; on the last line, "This will be an interim approach until the next stock assessment" – I know croaker has the next stock assessment, but spot is not on the list. Is this implying that we will now put on the list spot for a stock assessment?

CHAIRMAN GEER: That would be up to the board and it is not scheduled at any time.

MS. KERNS: It is not on the stock assessment list currently.

DR. DANIEL: Where are we, Toni, with the – how far along are we on the list; how late does it go?

MS. KERNS: 2016.

DR. DANIEL: And is that staff recommended to the Policy Board in the Action Plan?

MS. KERNS: Management and Science Committee makes those recommendations to the Policy Board.

DR. LANEY: Mr. Chairman, is that really a problem? The fact that one is not scheduled; that just means the traffic light approach is going to be our management approach until there is one. We know one is coming up for croaker or at least one is scheduled for croaker within a couple of years so we could deal with croaker once that assessment is completed.

Then we would just continue to use this method until at some point we have the sufficient amount of data to do a spot assessment if that is something that the board decides they want to do. I guess I don't see a problem with it. I think we've heard pretty definitively that this approach is better -- you know, would be a more effective management tool than what we have in place currently, so to me this represents progress.

If we can't afford to go ahead and schedule and do a spot assessment and we may not have sufficient data to do a spot assessment, then this would just remain in place, wouldn't it, until at some future date when we do have the resources to do a spot assessment? I don't see that as a huge problem, but correct me if I'm wrong.

DR. DANIEL: Let's take care of this – my suggestion would be to take care of this motion and then I'd like to have some more discussion on that. That is going to bottle up this motion I think if we want to move forward with this

approach. I do have some comments on a possible option with a spot assessment.

CHAIRMAN GEER: Also, the FMPs are independent of each other, so that is something to consider. The motion stands so I'm going to read the motion: Move that the board task the staff and technical committee to develop a draft addendum with an appropriate suite of options that will adopt and employ the traffic light approach to manage spot and croaker. This will be an interim approach until the next stock assessment. Motion by Dr. Laney and seconded by Mr. Grist. All those in favor; opposed; abstain; null. **Okay, it carries unanimously.**

DR. DANIEL: We have tasked the staff with a lot of stuff this week. Bob and I have talked about this, and I think Bob and Doug and I are going to be sitting down and prioritizing what we're going to be able to accomplish by the May meeting. It is my intent to put this as one of my priorities, so we will see how it carries out to the May meeting after our discussion.

We haven't tasked the Management and Science Committee with anything this week, and I don't want them to feel left out. **What I would like to do is make a motion that the South Atlantic Board request the Assessment Science Committee consider developing a spot benchmark stock assessment.** I'm up for any perfections, Toni.

CHAIRMAN GEER: We have a second by Russ. Dr. Laney.

DR. LANEY: Just a process question, Mr. Chairman. I know normally we would have this done by a stock assessment subcommittee of the Spot Plan Development Team or technical committee. I don't recall that we have tasked the Assessment Science Committee with doing a stock assessment. There is no reason we couldn't, but I just I'd ask the process question.

MR. CAMPFIELD: We do not have a Spot Stock Assessment Subcommittee because we haven't attempted an assessment yet, but I believe the Spot Technical Committee could – members from that could –

MS. KERNS: You don't have a Spot Technical Committee.

MR. CAMPFIELD: We need to develop an assessment team. We will seek nominations.

CHAIRMAN GEER: Okay, are there any other comments on the motion? Those in favor raise your hand; those opposed; null. **Carried unanimously.** All right, moving on to the next item is the consideration for the FMP Reviews and the State Compliance Reports.

FMP REVIEWS AND STATE COMPLIANCE REPORTS FOR SPOT, SPOTTED SEATROUT, AND SPANISH MACKEREL

MR. KIRBY ROOTES-MURDY: In the interest of time, I'll try to go through these quickly; but again if you have any questions, feel free to stop me at the end. First is the Spot FMP Review. As was noted by the traffic light analysis, we've been noticing declines in both commercial and recreational landings. In 2012 total landings were estimated at 3.2 million pounds; a decrease of 59 percent from 2011 and a 60 percent decrease from the previous ten-year average.

For 2012 the breakdown was approximately 39 percent commercial and 60 percent recreational. Virginia accounts for the highest percentage of any state for both recreational and commercial landings. With regards to recommendations, research and monitoring is a top priority as was noted in the previous agenda item.

Other elements are continue to state monitoring and reporting on the extent of bycatch and fishing mortality and to evaluate the effects of mandated bycatch reduction devices. With regards to state compliance and de minimis, the PRT finds that all state compliance reports are consistent with the Omnibus Amendment.

In terms of de minimis criteria, a state qualifies for de minimis status if its past three-year average of the combined commercial and recreational catch is less than 1 percent of that combined commercial and recreational catch during that period. When states qualify for this,

they are not required to implement any monitoring requirements, which none of them are included in the plan. Current requests of de minimis were South Carolina and Georgia for the 2012 fishing year. The PRT finds that these states meet the de minimis criteria. That's for spot.

If there are no questions, I will move on to spotted seatrout. Seeing none, with regards spotted seatrout, a coast-wide stock assessment has still not been conducted given the largely migratory nature of the species and lack of data on migration and where it occurs. State-level stock assessments have been conducted for Florida, South Carolina and North Carolina and Georgia in the past years.

With regards to the commercial and recreational breakdown, from 2002 to 2011 commercial landings averaged approximately 292,000 pounds. In 2012 commercial landings were estimated at approximately 408,000 pounds, which represented a 161 percent increase from the previous year's harvest and approximately a 40 percent increase from the previous ten-year average.

North Carolina accounted for approximately 65 percent of the total coast-wide catch, with Virginia and Florida comprising the next largest at 19 and 15 percent, respectively. Regarding recreational catch, the catch and release of spot and croaker has had a strong upward trend, increasing from 1.1 million fish in 1981 up to 8.8 million fish in 2012.

Harvest has remained relatively stable at about 1 million fish. In 2012 the recreational harvest was approximately 1.8 million fish; and Georgia anglers take approximately 29 percent of the harvest while North Carolina has the second highest of that at 27 percent. Recommendations with regards to research and monitoring, continuing the state-specific stock assessments is key in collecting data on size and age data, as well as work on stock structure at the regional level.

The other priorities, but not quite as high, are identifying essential fish habitat requirements and working to better understand environmental factors that might have influences on the stock status. Because it is part of the Omnibus Amendment as well, spot, spotted and Spanish mackerel, the PRT finds all state compliance reports are consistent with the Omnibus Amendment. The de minimis requirements are the same. The state of New Jersey requested de minimis status and the PRT finds that New Jersey has met that criteria. Are there any questions?

If there are no questions, I will move on to Spanish mackerel. The last stock assessment for Spanish mackerel was SEDAR 28. I don't believe the board was given an update on that. Essentially, as you see in the charts above, Bmsy has recently, in the last seven years, gotten above the target and the overfished ratio currently is below the Fmsy.

As such, the resource is determined to not be experiencing overfishing of the stock and it is not overfished for the Atlantic Spanish Mackerel. With regards to landings, total landings in 2012 were approximately 4.7 million pounds. The commercial fishery consisted largely of this harvest; whereas, the recreational side was 30 percent and commercial was approximately 70 percent.

Spanish mackerel total landings represented less than a 1 percent increase from 2011, but an approximate 9 decrease from the previous ten-year average. With regards to commercial numbers, as was noted the commercial numbers make up largely the bulk of landings at 3.5 million pounds with Florida having the highest percentage of that at 73 percent.

With regards to recreational landings in 2012, 835,263 Spanish mackerel were harvest in numbers of fish with Florida harvesting approximately 30 percent of the total coastwide. With regards to recommendations, again research and monitoring are high priorities with regards to length, sex, age, catch-per-unit effort for improving stock assessment accuracy; evaluating weight and length at age data is also critical; and the development of fishery-independent methods to monitor stock size.

And then last, medium priorities, yield-per-recruit analysis is also something that the PRT noted. The PRT finds that all state compliance reports are consistent with the Omnibus Amendment. States requesting de minimis status are New York, New Jersey, Delaware and Georgia. The PRT finds that these states meet the de minimis criteria. I'll take any questions that folks have. One other thing to note the PRT requests that these FMP reviews and state compliances be approved as well as the de minimis status requests.

CHAIRMAN GEER: Are there any questions or comments? Okay, we're going to need a motion. Mr. Woodward.

MR. WOODWARD: Do these need to be done separately or can they be bundled all together, because I can bundle them real easy.

MR. ROOTES-MURDY: It is basically that you can do the FMP Review and the State Compliance Reports as one and the de minimis criteria as a separate motion.

MR. WOODWARD: Okay, I move we accept the state compliance reports for spot, spotted seatrout and Spanish mackerel as presented.
DR. DANIEL: Second.

CHAIRMAN GEER: Seconded by Dr. Daniel. Is there any objection? Hearing none; **the motion is carried.**

MR. WOODWARD: **Move to approve the de minimis request as presented to spot, spotted seatrout and Spanish mackerel.**

DR. DANIEL: Second.

CHAIRMAN GEER: Seconded by Dr. Daniel. Okay, I will read this one: move to approve the de minimis status for the states of New York for Spanish mackerel; New Jersey, Spanish mackerel and spotted seatrout; Delaware, Spanish mackerel; South Carolina for spot; and Georgia for spot and Spanish mackerel. Motion by Mr. Woodward and seconded by Dr. Daniel. Are there any objections**? Seeing none; the motion is carried**. Okay, the second to last item we have on the agenda is the proposed change by Virginia for the red drum commercial management measures for 2014. I will turn it over to Kirby.

VIRGINIA PROPOSED COMMERCIAL RED DRUM MEASURES FOR 2014

MR. ROOTES-MURDY: The next item is the Virginia proposed commercial red drum measures for 2014. With regards to just a quick background on the red drum, Amendment 2 to the FMP was approved in 2002. It set a few requirements for state compliance. The major one for management measures was with regards to size limits.

The maximum size limit for red drum was at 27 inches. The other key component was that states must have measures in place that keep the spawning stock ratio at approximately 40 percent. That can be done through the combination of the slot limits and bag limits. I have a table at the end of this if anyone has any questions on how that ratio was calculated.

It was done back in I believe 2000, but it is in the amendment. With regards to Virginia commercial landings over the last five years, this gives just a breakdown of how it has faired with regards to coastwide. Red drum is managed in two regions essentially. There is the northern and southern.

For the northern region, which is the states of North Carolina through New Jersey, recruitment at age one has fluctuated widely without any apparent trend since about 1989. The trend in the three-year average SSPR indicates that it was low at the beginning of the time series from about 1990 to 1997; and since then the average SSPR has been well above the overfishing threshold, which is approximately 30 percent; so the SSPR is set at 40, with the exception of just one year, which was 2002. Since then it has been considerably higher than that.

There is high probability that the stock in turn is not subject to overfishing and that the average SSPR is likely well above the target, as I mentioned. With regards to Virginia's proposal, it is included in the meeting materials, but the change is in that 2013 Virginia's slot limit was

18 inches to 26 inches and three fish possession limit.

The proposed measure is to reduce the slot limit by an inch and increase their possession limit by two fish, from three to five. The technical committee reviewed this proposal; and as was mentioned in the memo it is largely done to reduce the discard mortality. All technical committee members were in agreement that the proposed measures don't pose significant risk to maintaining the spawning potential ratio of approximately 40 percent.

The only concerns technical committee members had raised was with regards to the language in the Amendment 2 for allowing states to make changes to their measures. It was pointed out that there are at least two sections within Amendment 2 that allow for states to have alternative management regimes so long as they achieve an approximate 40 percent spawning stock ratio.

These are in Section 4.5, which is the alternative state management regime; and 4.6, adaptive management. In terms of next steps, the board must consider or Virginia asks the board to consider approval of their proposed commercial measures in 2014. I would ask that if anyone has any specific questions about this proposal, we have Joe Grist in attendance and he'd be happy to expand on anything that I just provided.

CHAIRMAN GEER: Does anybody have any questions? Louis.

DR. DANIEL: I'm trying to go back in an old file box in my head. We have a one-fish bag limit, 18 to 27; and that meets the criteria; so just dropping the upper bound two inches gives you five fish? Never mind!

CHAIRMAN GEER: Joe, is there anything you want to add?

MR. GRIST: I will offer a motion when the board is ready.

CHAIRMAN GEER: At your pleasure.

MR. GRIST: Move to accept Virginia's proposal to lower its commercial maximum size limit from 26 inches to 25 inches and increase the Virginia commercial possession limit from three fish to five fish.

CHAIRMAN GEER: Joe, while we wait for that to get up, is that just for 2014 or ongoing?

MR. GRIST: Ongoing. And as a point of clarification to the board while it is getting up, we still have to take this to our own state commission and for public hearings; so this isn't a done deal out of this board. We still have to get it through our commission process; so we could still end up at the same place we are right now, but this allows us to move forward with that process.

CHAIRMAN GEER: Okay, is there a second to that; Martin.

MR. ROOTES-MURDY: Joe, if you can just clarify that the motion is correct.

MR. GRIST: In perpetuity looked kind of good to us. (Laughter) That looks correct.

CHAIRMAN GEER: That was by Martin Gary; Mr. Gary seconded. Is there any other discussion? All those in favor raise your hand; all those opposed. **That looks like it is unanimous; the motion carries.** Okay, last but not least, we need a vice-chair. Mr. Woodward.

MR. WOODWARD: I would like to nominate Jim Estes from the beautiful sunshine state of Florida.

DR. DANIEL: Second.

CHAIRMAN GEER: It there are no other considerations, all those in favor –

MR. WOODWARD: Let me try. Move to close nominations and cast one vote for Jim Estes.

CHAIRMAN GEER: There we go. Seeing no objections; the motion carried. Is there any other business to come before this board at this time? Dr. Daniel.

DR. DANIEL: Just one real quick thing; most everybody was affected by the Polar Vortex. We have some pretty substantive ice down in North Carolina. When that ice started to melt on Friday and Saturday, we had probably the biggest cold stunt event on speckled trout that I've seen; very widespread.

It was termed catastrophic in some water bodies; and so I issued a proclamation on Monday that went into effect Wednesday at noon, closing the fishery for everybody until after peak spawning, which we define as June 1st. It is going to be closed until June 15th to try to let what made it through the cold event to spawn this spring. It is part of this board's purview and I just wanted to let you all know what we had done.

ADJOURNMENT

CHAIRMAN GEER: Okay, thank you. Is there anything else? Motion to adjourn; we're done.

(Whereupon, the meeting was adjourned at 4:35 o'clock p.m., February 6, 2014.)

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