

**PROCEEDINGS OF THE**  
**ATLANTIC STATES MARINE FISHERIES COMMISSION**  
**SOUTH ATLANTIC STATE/FEDERAL FISHERIES MANAGEMENT BOARD**

**The Westin Crystal City**  
Arlington, Virginia  
**August 9, 2018**

**Approved October 25, 2018**

Proceedings of the South Atlantic State/Federal Fisheries Management Board Meeting  
August 2018

**TABLE OF CONTENTS**

Call to Order, Chairman Pat Geer .....	1
Approval of Agenda.....	1
Approval of Proceedings, May 2018 .....	1
Public Comment .....	1
Consider 2018 Traffic Light Analysis for Atlantic Croaker and Spot .....	1
Consider Postponed Motion from May, 2018 Board Meeting .....	5
Plan Development Team Recommendations .....	5
Update of the Revised SEDAR 58 Schedule.....	16
Review Cobia Technical Committee Report on Recreational Landings .....	17
Consider Draft Public Information Document from Amendment 1 for Cobia for Public Comment.....	18
Review and Populate Advisory Panel.....	21
Election of Vice Chair .....	21
Other Business .....	21
Adjournment .....	22

**INDEX OF MOTIONS**

1. **Approval of Agenda** by Consent (Page 1).
2. **Approval of Proceedings of May 2018** by Consent (Page 1).
3. Postponed Motion from May 3, 2018:  
**Move to initiate an addendum to the spot and croaker fishery management plans that incorporates the new traffic light analyses and management response to those analyses** (Page 11). Motion by Chris Batsavage; second by Marty Gary. Motion failed (Page 17).
4. **Move to approve the Public Information Document for Draft Amendment 1 to the Cobia Fishery Management Plan for Public Comment** (Page 21). Motion by Lynn Fegley; second by Spud Woodward. Motion carried (Page 21).
5. **Move to approve Craig Freeman as a member of the South Atlantic Species Advisory Panel** (Page 21). Motion by Joe Cimino; second by Lynn Fegley. Motion carried (Page 21).
6. **Move to elect Mr. Robert Boyles as Vice Chair** (Page 21). Motion by Spud Woodward; second by Malcolm Rhodes. Motion carried (Page 21).
7. **Motion to adjourn** by Consent (Page 22).

Proceedings of the South Atlantic State/Federal Fisheries Management Board Meeting  
August 2018

**ATTENDANCE**

**BOARD MEMBERS**

Adam Nowalsky, NJ, proxy for Asm. Andrzejczak (LA)	Mel Bell, SC, proxy for Sen. Cromer (LA)
Roy Miller, DE (GA)	Malcolm Rhodes, SC (GA)
John Clark, DE, proxy for David Saveikas (AA)	Spud Woodward, GA (AA)
Russell Dize, MD (GA)	Doug Haymans, GA (GA)
Lynn Fegley, MD, proxy for D. Blazer (AA)	Krista Shipley, FL, proxy for J. McCawley (AA)
Pat Geer, VA, proxy for S. Bowman (AA), Chair	Marty Gary, PRFC
Michael Blanton, NC, proxy for Rep. Steinburg (LA)	Jack McGovern, NMFS
Chris Batsavage, NC, proxy for S. Murphy (AA)	John Carmichael, SAFMC
Robert Boyles, SC (AA)	

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

**Ex-Officio Members**

Chris McDonough, Atl. Croaker Technical Committee Chair

**Staff**

Toni Kerns	Tina Berger
Robert Beal	Jessica Kuesel
Mike Schmidtke	

**Guests**

Joe Cimino, NJ DFW	Mike Millard, USFWS
John Clark, DE DFW	

The South Atlantic State/Federal Fisheries Management Board of the Atlantic States Marine Fisheries Commission convened in the Jefferson Ballroom of the Westin Crystal City Hotel, Arlington, Virginia; Wednesday August 9, 2018, and was called to order at 10:45 o'clock a.m. by Chairman Pat Geer.

#### **CALL TO ORDER**

CHAIRMAN PAT GEER: Okay folks let's get started and begin the South Atlantic State/Federal Fisheries Management Board meeting. My name is Pat Geer of Virginia; and I am the Chairman.

#### **APPROVAL OF AGENDA**

CHAIRMAN GEER: The first order of business is approval of the agenda. Are there any modifications to the agenda? What we will probably do, letting you know since we're starting early, we're probably going to try to go right through this and then have lunch after we're done.

We hopefully can get through this in the two hour period we have; but we're going to try to go through this as quickly as possible. If we go any longer we'll break for lunch. We'll see how things go on that one. Hearing any changes to the agenda? Hearing none they are approved by consent.

#### **APPROVAL OF PROCEEDINGS**

CHAIRMAN GEER: Approval of the proceedings from the May 3rd. Lynn.

MS. LYNN FEGLEY: I just noticed that in the proceedings from the last meeting under the Index of Motions, Item 3. The motion is listed as to reopen Maryland's commercial fishery for red drum. We would love to have a correction for that. Thank you.

CHAIRMAN GEER: Also that Georgia is still dear to my heart, but I am now in Virginia, so I am no longer the proxy for the delegate in Georgia.

#### **PUBLIC COMMENT**

CHAIRMAN GEER: All right moving on, any public comment on the issues that is not on the agenda today? Hearing none; move on to Item Number 4, and this is Consideration of the Traffic Light Approach for Atlantic Croaker and Spot.

#### **CONSIDER 2018 TRAFFIC LIGHT ANALYSIS FOR ATLANTIC CROAKER AND SPOT**

CHAIRMAN GEER: We've been working on this for some time now; and Chris McDonough is going to give a brief overview of what they've been working on, so Chris, you have the floor.

MR. CHRIS McDONOUGH: I like the way he said brief. A lot of this stuff you guys have seen before; so I'm going to start off with spot, covering the regular traffic light that we've been doing up to now, and then the regional approach, starting off with the traffic light for the harvest and adult composite indices.

For the harvest composite, the top one there that did trip in 2017, which would have been the second year in a row for that one. Then the adult composite index did not trip in 2017. Since both of them didn't trip, there wasn't any management concern for that; at least for spot the way that was done. The juvenile composite index indicated, this is using the Maryland juvenile survey, didn't exceed the 30 percent threshold in 2017, but it would have triggered since it was carried over from the two previous years that had. These declines in the traffic light indicate continued poor recruitment in the Chesapeake for spot.

For the shrimp trawl discards, this is the late addition, it wasn't in the report. But the shrimp trawl discards also didn't change a great deal from 2016. Discard levels are still pretty low; particularly using that 1989 to 2012 reference period for the traffic light. But a few things to consider are both the Mid-Atlantic and South Atlantic commercial harvest for spot continue to decline; although there was a slight uptick in the Mid-Atlantic compared to the South Atlantic.

One trend you see with the Mid-Atlantic is you would see a lot of year-to-year angler variability; which that points more towards stability issues. Then for recreational landings, the trends are a little more varied. But one thing to point out in 2017 was that the Mid-Atlantic recreational landings were up quite a bit; whereas the South Atlantic continued to decline.

The summary for the traffic light for the current method did not trigger in 2017 at the 30 percent threshold level. Then neither the juvenile shrimp fishery survey would have triggered in 2017 as well; but since they are advisory indices that we're mainly concerned with the harvest in the adult indexes.

Now for the regional, as the Board directed back in the last meeting, upon the recommendations from the Technical Committee looking at how to improve it. We were looking at adding the CHESMAP Survey and the North Carolina DMF Program 195 for juveniles; the CHESMAP Survey being used for juveniles and adults.

The regional metric approach was a little bit more in line with what we were seeing with harvest surveys; and then also partitioning them by age. I'm not going to read all these. Then the last major change was instead of having triggering occurring of two consecutive years, it was recommended triggering would occur if that red proportion exceeds a 30 percent or more for two of any of the three terminal years in the index.

For the regional TLAs, the Mid-Atlantic did trigger as well as the South Atlantic. The traffic light pretty much shows what you saw in both the harvest figures, where you've got a general decline; although the harvest composite in the Mid-Atlantic actually had low proportion of red, but it would have still triggered in 2017.

In the South Atlantic you're seeing a more steady decline; which is indicated by those increasing proportions of red. For the abundance composites compared to the coastwide one, the

Mid-Atlantic did trigger in 2017 above the 30 percent threshold. Then for the South Atlantic it did not trigger in 2017; however the last two years have seen increasing proportions of red.

It was above 30 percent in 2017; so that declining trend continues, or at least that indicates a declining trend. Particularly in the Mid-Atlantic, the addition of the CHESMAP Survey is really what is driving that increased proportion. But it does bring it more in line with what we're seeing in the harvest metric. For the juvenile composite, in this case we're still using for the Mid-Atlantic we're using the Maryland Survey and it also did trigger in 2017. It just illustrates that continued poor recruitment, the fifth year in a row it would have triggered. Then finally, the shrimp fishery which isn't regional that's just in the southern. But the main difference on this one is that now it's using a 2002 to 2016 reference period; which gets rid of the really high levels of discard that were in the other reference timeframe. There was actually a slight increase the last couple years of discards in the shrimp fishery; which is showing up in those increased proportions of red.

However, in 2017 it did actually go down. The summary for the regional traffic light, the harvest composite for both regions triggered in 2017; which did agree with what was happening coastwide. The adult composite triggered in the Mid-Atlantic but did not in the South Atlantic; and the juvenile traffic light in the Mid-Atlantic still showed that pattern to decline, high proportions of red in both the harvest and the adult traffic light.

At this point management response moderate concern would be triggered under this for the Mid-Atlantic; while no management response would be triggered for the South Atlantic. The regional TLA basically, bottom line is the addition of the other indices is giving us much better synchrony between the harvest and the abundance characteristics within the traffic light. With that that's for spot. We can take some questions on spot and then we can go on to croaker.

CHAIRMAN GEER: Why don't we do that? Are there any questions for Chris at this point on spot? I think the questions are probably going to be the same; moving on.

MR. McDONOUGH: Okay moving on. Croaker, the same format, we'll go over the coastwide TLA and then we'll hit the regional one. For croaker harvest composite continues to show decline, did trigger in 2017. It would have been the fifth year in a row that it's triggered for croaker; and the adult composite index, while it does have declining proportions of green, hasn't hit red yet so it would not have triggered in 2017.

We're seeing disparity there between the two. For the juvenile composite index, which in this case for croaker are the VIMS Juvenile Index and the North Carolina Program 195; they actually in 2017 show completely opposite trends. The VIMS Survey was at one of the lowest values in the entire time series, whereas the North Carolina Survey was up; which is why you get that kind of just red and green on 2017 was a bit unusual. But it did not trip.

Then the shrimp survey, and this is using that 1989 to 2012 reference period, shows a slight increase in recent years in discards; but we still haven't hit that 30 percent level. Like with spot we see a decline in commercial landings; both Mid-Atlantic and the South Atlantic for croaker that peaked in the early 2000s, and basically has just been in decline ever since. Most of the coastwide trends for commercial landings are driven primarily by Virginia and North Carolina where the bulk of the landings occur.

Recreational landings show similar trends with both regions; although the Mid-Atlantic matches up almost exactly the same with commercial for recreational, whereas the South Atlantic had peaks much earlier in the time series, and it has declined but it's kind of maintained a relative steady state since the mid '90s. For the traffic light for the coastwide under the current management scheme, management concern was not triggered in 2017 for croaker; and

neither of the juvenile composite or the shrimp traffic light tripped in 2017 either. But you do see that pattern of high variability with juvenile croaker like you do with spot. Just like with spot, with the improvement recommendations going with a regional approach in South Atlantic and Mid-Atlantic, as well as adding additional surveys; the CHESMAP Survey in the Mid-Atlantic and the South Carolina DNR Trammel Net Survey in the South Atlantic. The age split between adults and juveniles, adults being fished Age 2 or older.

The same regional divide between the Virginia/North Carolina Boarder. Updated reference period of 2002 to 2012, and then instead of consecutive years for triggering three out of four in croaker, it would be triggering any three out of four terminal years in the traffic light. Actually Mid-Atlantic and South Atlantic, both triggered in 2017; and a continuing pattern has been triggering for the last couple of years, matching up with that decline we're seeing in landings both recreationally and commercially in croaker.

One thing, in recent years we're approaching the 60 percent level, so actually those declines continue. For the regional adult composite, the addition of the CHESMAP Survey brought the Mid-Atlantic traffic light more in greater agreement with the harvest composite. You see the Mid-Atlantic did trip in 2017, which is following right in line with what we see with the harvest composite.

South Atlantic did not trigger in 2017; it was actually over 30 percent in 2016, but in 2017 actually it had gone up. That is mainly because the SEAMAP Survey had an increase. For the juvenile composite, the Mid-Atlantic juvenile composite did trip in 2017; and it actually was above 60 percent. It was actually because the value was so, particularly for the VIMS survey, the index value was so low. That is why that red proportion is so high.

Then in the South Atlantic the juvenile index did not trip, where you've got slight it was the

increase in the North Carolina Survey, which we saw in the other coastwide as well. Finally the shrimp fishery did exceed 30 percent in three of the last five years; but it would not have tripped in 2017.

But this again, using the updated or reference period of 2002 to 2016 that increase in the shrimp trawl discards for croaker is showing up as the higher proportions of red in recent years. For the regional croaker summary, harvest composite triggered for both regions; again agreeing with the coastwide TLA, and then the adult and juvenile composite characteristics triggered in the Mid-Atlantic but did not in the South Atlantic.

Again, we're looking at a moderate management concern that would have been triggered in the Mid-Atlantic, whereas it would not have been triggered in the South Atlantic. I know I went through that rather quickly, but I'll take questions on both I guess, and we can go through it.

CHAIRMAN GEER: Are there any questions for Chris? Roy.

MR. ROY W. MILLER: Just trying to wrap my head around the results. Thank you for the report, Chris. It would appear that there is a concern over both spot and croaker for the Mid-Atlantic Region. Is that a fair summary of this analysis?

MR. McDONOUGH: Yes.

MR. MILLER: The next obvious question obviously, and this is for this Board to decide, is what if anything do we do about it? We all know that both of these species are prone to large fluctuations in their abundance; and natural events may be a driver in these fluctuations, and probably are, events beyond our control.

The question is how extreme does it have to get before we take some management action; and would management action even benefit stocks like spot and croaker? Those are just some questions. I know well, I would appreciate any

advice from the Technical Committee in this regard, any advice they could give to the Board.

CHAIRMAN GEER: I have Lynn.

MS. FEGLEY: Thank you for the presentation. Could you talk a little bit about, because we have this issue where especially with croaker we've tripped in the Mid-Atlantic but not the South Atlantic? I know there was some conversation in the TC that if the Mid-Atlantic would take action the South Atlantic should follow suite; because there is some movement of the fish between the areas. I was just wondering if you could offer us some clarity on that.

MR. McDONOUGH: Yes that was quite a point of discussion with the Technical Committee as well as the Plan Development Team. We did feel that if it was triggering in one region and not in another, to try and impose or make management recommendations just for one region would be difficult.

If things were done, some type of management guidelines, whatever they end up being was done. We would think it would probably encompass both the South Atlantic and the Mid-Atlantic; because it would be a lot easier to oversee and some of those trends as you pointed out. Some of them, particularly croaker indicate that it's more likely some of it is environmentally driven; for these long term cycles, particularly when you look at the real long term commercial landings.

With that in mind we're actually kind of right in the middle of a down period for croaker. Whether if we do something now, and I think this is going to be addressed coming up with the Plan Development Team recommendations and stuff that actually directly address that. But yes those are things that we've been wrestling with.

CHAIRMAN GEER: Anyone else? Roy, I mean John.

MR. JOHN CLARK: Look at that. I got mistaken for Roy Miller. That's pretty impressive. Thank

you, Mr. Chair. Chris, I was just curious as to whether these long cycles with both these species have been looked at in relation to like the Atlantic Multi-decadal Oscillation or the NAO, because I know in Delaware they did some work with weakfish and saw some pretty interesting correlations there.

MR. McDONOUGH: Yes. There have been a couple of studies done by Jon Hare looking at particular with croaker, not so much with spot, in changes in population overwintering temperatures in the NAO. Actually one of the recommendations that are going to be covered with the Plan Development Team recommendations was to further examine, and try and model some of the longer term trends as something of a prediction tool with the surveys as well as some of these things, and being able to draw in. But that's kind of going above and beyond. But yes that is certainly on the table to look at.

CHAIRMAN GEER: We're kind of moving right into our next agenda item. I have a technical question to ask of Chris. I know the VIMS Trawl Survey had a major vessel and gear change starting in July of 2015; were they accounted for? Were those adjustments accounted for in the numbers?

MR. McDONOUGH: I believe they were, because the last two years when they had to do the survey it took longer, because they had to kind of bring it back to the previous adjusted units for their conversion.

#### **CONSIDER POSTPONED MOTION FROM MAY, 2018 BOARD MEETING**

CHAIRMAN GEER: Are there any other questions about the data or technical questions for Chris? Hearing none; we'll move on to our next agenda item, which is concerning postponement of the motion from the Addendum.

CHAIRMAN GEER: Mike is going to give a presentation of the PDTs recommendations for potential response management triggers.

#### **PLAN DEVELOPMENT TEAM RECOMMENDATIONS**

DR. MIKE SCHMIDTKE: In the last South Atlantic Board meeting a motion was postponed. It was a motion to initiate an addendum to the spot and croaker fishery management plans that would incorporate the new traffic light analyses as well as management response to triggers from those analyses. In the aftermath of that meeting a Joint Species Plan Development Team was populated; and they started looking at potential management responses to the TLA updates.

The initial guidance coming out of the meeting was that they would try to look at what responses would achieve a percent red of 35 percent or less. As we got into some of the discussions, the team interpreted that the Board direction for the percent red was applicable to the abundance index rather than the harvest; achieving lower proportion red of harvest would mean that we would need to harvest more.

We interpreted that to be applicable to the abundance index; but one difficulty that the PDT ran into was the lack of a relationship between the harvest and abundance, which is the entire motivation for the task that they were given, as well as the lack of any well- defined stock recruit relationship with either of these species.

That makes it very difficult to try to get any reasonable prediction of an increase in abundance that would result from a harvest reduction. There was more of a larger goal that the PDT wanted to achieve in that they wanted to establish some type of management for these species to begin with; rather than shooting for a certain percent red.

It's been mentioned already, looking at the landings history for croaker especially, these cycles of high and low harvest throughout the history of the fishery. We're clearly in a low

point of the cycle; and the overarching goal that the PDT has is that while we're at this low point we don't want to have the stock be fished to the point that it can't recover again. While we recognize that the low fluctuation isn't necessarily due to the fishing, we want to still have the stock at a point where it can recover as it has in the past. Along those lines, we're thinking more about measures that the fishery can kind of deal with as long term management measures that would continue to have this position established; and they would be reevaluated after they're put in place for croaker after three years and for spot after two years, in accordance with what is spelled out in the TLA addenda for those species.

Once we got into discussions about what types of options from a regulatory standpoint would be at our disposal, and could be potentially implemented, seasons were one of those that were given some consideration as well as trip limits; in the form of either vessel or bag limits. Size limits would be really only applicable to croaker. Spot, just the way that the fishery is executed and the biology of the species, the size limits may not be as useful for that.

But those were some of the options that the PDT recommends the Board consider including in a potential management response to the triggers from the updated TLA. There is some precedent for these types of regulations at the state level. There are some states that have implemented bag, size, possession limits and seasons for croaker; as well as creel and aggregate bag limits for spot.

There are a couple reference points that we could look at the state level then, considering the coastwide management response. The other point that the PDT wanted to make was the consideration of a coastwide management response to the regional triggers. We need to keep in mind that spot and croaker are both single stocks along the coast; they are not divided at the Virginia/North Carolina line.

The regional approach to the TLAs is an artifact of the survey sampling; it is not a construct of the biological stocks or the assessment stocks. These are not distinct populations; therefore any type of downturn in one and action taken in one area is going to have effects in the other region as well. In addition there is an overlap of the fisheries among states.

There has been a lot talked about, particularly with fishermen crossing over between Virginia and North Carolina and fishing croaker on either side of there; because of the connections between the fisheries in the regions there is also some motivation for a coastwide response. If the Board wants to have consideration to the specific regions and how local fisheries are conducted, the PDT would recommend consideration of some type of regionally apportioned TLA response.

We included an example in the memo that we submitted for supplemental materials. That example is if the long term management regime that was established were 100 pound trip limit, and there were a trigger in the Mid-Atlantic under that regime, then a potential response would be an 80 pound trip limit, so a 20 pound trip limit reduction in the Mid-Atlantic and a 90 pound trip limit in the South Atlantic, so a 10 pound trip limit reduction there.

This isn't to indicate any type of actual numbers that would be applied; but more of the idea that if there were a regional trigger there could be a stronger response within that region. But there needs to be some type of coastwide interaction to take into account that these fish and the fisheries themselves are connected throughout the coast. Then one final point that the PDT discussed, I didn't really include it here, because it's not particularly relevant to the Addendum. But they did discuss that there may be some use in the long term of considering some type of workshop or something to look at those environmental fluctuations relative to the abundance; and consider if there is possibility of an environmental forecasting type of model,

based off of the North Atlantic Oscillation or some other environmental metric.

Getting back to the Addendum that was postponed from the last meeting, I just wanted to provide an idea of a timeline. There has been some, in discussions I've had with Board members, there has been some interest in getting a little bit more public input on this Addendum. From the standpoint of how that would be conducted, there is the potential that states could hold their own public hearings, or they could solicit input from their own stakeholders and then kind of send that to the Plan Development Team; for us to incorporate in a draft addendum.

To give a little bit more time for this type of process to happen, I've developed two different schedules for this Addendum, a faster and slower track. The difference would be one meeting period, so we would either have final Board action in February or May of next year; depending on the Board's direction and whether states want to solicit that public input on their own.

The Commission would still attend and hold public hearings after the draft Addendum is approved for public comment that would occur, depending on the track either in October of this year or February of next year. Just as a review before the Board votes on the postponed motion, I just wanted to put kind of a summary table here that highlights the differences between the current TLA and the proposed new TLA.

Those are shown in bold in the various categories of the new indices that would be incorporated. The age structuring that would be incorporated, a new reference time period, the updated triggering mechanism as well as now with what Chris has shown you, you see the TLA result for this year using the current versus the new method. With that I can turn it back over.

CHAIRMAN GEER: Thank you very much, Mike. Thank you for doing this for us; it's nice to have it. This is the motion that's we postponed from

last meeting. First of all if there are any questions for Mike, I see several hands going up. Chris.

MR. CHRIS BATSAVAGE: Thanks for going through the potential process, Mike. That is very helpful. In terms of coming up with management options relative to trip limits and seasons, I mean you gave a general timeline for the development of a potential addendum. What kind of timeline do you expect for the Plan Development Team to put options together; and I guess what level of detail. This may be a question for the Board. What level of detail are we looking for, for options such as trip limits and seasons; especially if we start looking to this at a state or regional level?

DR. SCHMIDTKE: That's something that I think that I would probably ask for Board member input, and Board members would probably, from a couple that I've talked to. That was part of the motivation for them wanting to get a little bit more public input; because we're not trying to have necessarily a drastic harvest reduction. That is not necessarily what is being recommended here, but to have some type of management in place that constrains harvest so that the fishery is put in a good position for the population to come back whenever conditions allow. But at the same time, to have something there that the fishery can deal with that the fishery can survive on.

CHAIRMAN GEER: I have Krista and Lynn.

MS. KRISTA SHIPLEY: I'll apologize, since I haven't been part of the conversations in the past. I just want to make sure I understand. This motion and then the PDT recommendations, the PDT recommendations were to include long term management into the addendum in addition to potential management triggers, is that correct?

DR. SCHMIDTKE: Yes.

MS. SHIPLEY: Since this motion was from the last meeting when we didn't have that PDT

recommendation, does that motion include those long term management measures as well?

DR. SCHMIDTKE: One of the items that we were tasked with; we had the mindset of what can be done. What changes can be applied to this fishery? The PDT were of the mindset that long term management measures would probably be more beneficial than necessarily anything that was trying to be applied in a short term; as far as whether that is part of the motion, I might have to look for guidance on that.

MS. TONI KERNS: I'm sorry Mike; I was having a sidebar conversation with Caitlin about a compliance report.

DR. SCHMIDTKE: As far as whether the recommended long term management that was not available in the last meeting would inherently be incorporated into this motion.

MS. KERNS: I think the Board can decide here today if you would like to include that and that can be added; and it would be on the record here today and you would be fine.

CHAIRMAN GEER: Okay. Then I have Lynn.

MS. FEGLEY: Could you go back to the slide that outlines the timeline that you had up? I'll say that I was one of the people that I had a great anxiety over the idea of implementing management measures on a fishery like spot that has never been managed through an addendum. Spot is a really big deal in our state; it is fished by many different, often conflicting sectors.

We already struggle a little bit to smooth those waters. It's going to require some pretty hefty public outreach on our end. I recognize that an amendment probably isn't the right thing to do here; but we're going to need that time, I think to get out to our stakeholders. Just to be clear. If we choose to pass this motion today, the states would go out and have those meetings with their people.

We would bring our management ideas, submit them to the PDT, and they would develop an addendum with our management options for Board review in February. That would then go out to public comment, and we would approve in May. I think that's fine. But my one concern is because these initial hearings that we would do as states, they wouldn't be ASMFC hearings, they would be us talking to our states. We need to make sure amongst the states I think that we have a consistent message. I think Mike, your point that what we're looking for is we're not looking so much for reductions as we're looking for a break. We're looking for just a cap on where we're harvesting so the fisheries aren't growing.

Maybe what we need, could you provide to us, would it make sense to have a table of all of the states? I looked for this for spot; a table for what all of the states has in terms of regulations. In Maryland for spot we have nothing. But Virginia has, I don't know what Virginia has. Maybe it would be something that we could propose to our stakeholders that we match Virginia; or Virginia matches North Carolina.

Because I have a little bit of a concern that what I don't want to have happen is to have all the states come back and have very disparate ideas of what they can stomach; in terms of a regulation. I'm looking for some way to get some consistency and some equity, and maybe the start there is to just have that understanding of what everybody already has in place, so maybe we can try to find some consistency.

CHAIRMAN GEER: Those regulations for croaker are in the FMP review; which is in our packets that we have for the review this year. Now, there aren't any for spot as you said then that's the issue. I don't know if there are any regulations for spot.

MS. FEGLEY: Does anybody have regulations for spot?

DR. SCHMIDTKE: South Carolina has spot in an aggregate bag limit, and I believe there is a creel limit for Georgia. Is that correct? Yes.

CHAIRMAN GEER: But that's it. I mean if you're interested, those regulations for croaker are in our information packet that we have. Follow up, Lynn.

MS. FEGLEY: Yes thank you. I guess I'm still interested in getting some. I'm getting some feedback from the PDT or from the Technical Group that these long term measurements. I think what your words were, we're looking for long term management; not necessarily a reduction. How do we ask that question to our stakeholders?

How do we couch that to them? You know when we say okay management is coming on spot, what is that going to look like? Do we say we're going to cap harvest, so by our estimation harvest won't be able to increase over the next five years? I'm just trying to understand how we give them some box of what those management measures might look like.

CHAIRMAN GEER: Toni.

MS. KERNS: I was going to address Lynn's other question before. I think that one Lynn, you are correct. We should probably make sure that everybody is using the same information or base information. I think Mike can provide to each of the states the information on the traffic light, and then tables for what each state have for regulations; so that you can start with those. Then when you and I were talking earlier, I was envisioning these state hearings to sort of give the PDT some additional information from the fishery or from the fishermen about sort of what types of management might be feasible to them; or you know what their vision is in terms of getting at addressing the concerns that we have in this fishery. I don't know, and I would turn to you to say, all of you and ask. Do you have to put these questions into specific box or not; or can it be a little bit open ended? I don't know.

CHAIRMAN GEER: Lynn, follow up?

MS. FEGLEY: I think the nature of how open ended our hearings is depends on how specific we want those options to look in this addendum. If this addendum is going to have options, for example trip limits of 100 pounds per vessel per day. Then that is a very specific and could be an Armageddon option for some states and not for others.

But if the option is going to look more like implement a trip limit such that. I don't know what such that something happens. Then that is open ended. I'm trying to understand what level of detail those options are going to look like in that final addendum, so that we can guide our people to give us the input to create those.

CHAIRMAN GEER: Any additional discussion? Chris and then Krista.

MR. BATSAVAGE: From Lynn's comments, I guess a thought I have on how to frame this for the hearings is I think for the technical folks in our state to do some work on looking at what the average catch per trip is or the range of landings per trip. Just thinking about like the commercial fishery and the different commercial fisheries, to get a sense of what are we dealing with today?

I mean we see what the landings are, but I think what we're really trying to get to with trip limits is how is the fishery behaving? What are they catching right now? It could be a situation, probably a situation where a one-size-fits-all trip limit won't achieve what we're trying to do. We don't want to turn landings into discards in this exercise; at least try to avoid it as much as possible.

There may be some work that needs to be done ahead of time just by the technical staff from the states before we go out to public hearings. Give the fisherman, the public something to work from. You know we don't want it too prescriptive, as Lynn talked about, you know saying we're thinking about this trip limit. At the same time, we don't want it too open-ended

either. Just trying to find that happy medium is a challenge we face right now.

MS. SHIPLEY: I think Florida might be in a little bit of an unusual situation; at least with croaker, not having any species specific regulations for that for croaker specifically. I don't think we have them for spot either, but I would have to verify that. I'm having a really hard time wrapping my head around implementing long term management measures for a species that we don't currently specifically regulate, and when TLA measures are not being tripped. I wanted to put that on the record. I'm a little bit uncomfortable with that. I'm certainly uncomfortable with any fast tracking of that in the timeline. If long term measures are going to be implemented, without having the data in front of me I have no idea if the per trip landings are very consistent, or if they are incredibly variable; things like that. I'm certainly uncomfortable with fast tracking that and I'm relatively uncomfortable with including long term measurements without looking at the data a lot more before we figure out what those could potentially be; and talking to people about that.

CHAIRMAN GEER: Robert and then Roy.

MR. ROBERT H. BOYLES, JR.: Just maybe for the Board's knowledge. I wanted to share kind of what South Carolina's motivation was for our spot/croaker. We put basically a backstop management measure in place; really with a lot of support from our constituents, who were looking at potential exploitation, large variability year to year in that exploitation, and came to us and said hey.

Don't you think we ought to have something in place? We've got a relatively modest 50 fish aggregate bag limit on spot, croaker, and whiting. It really was designed really just to be a backstop, not necessarily in response to any management issues. That got favorably received by our General Assembly, so just for the Board's edification. Just know that was kind of our thinking when we went down this road several years ago.

CHAIRMAN GEER: Roy.

MR. MILLER: I'm thinking of things that we could do today. Just to take off on the idea that Krista proposed, perhaps. I see these two species as ones of concern for the Mid-Atlantic; but not necessarily a crisis. Therefore, I see no compelling need to use the fast track approach, using that diagram up before us now.

I think we could eliminate that and consider a slow track approach now. What we should do is the next question; but I think we need public input as to what management mechanisms are palatable, would not put people out of business, and would be conducive to furtherance of these stocks. I'm still struggling for, frankly what those management measures should be. I kind of like South Carolina's model of a backstop aggregate limits.

It sort of reminds me of the old maxim that if you maximize the amount of eggs in the water, eventually good things are going to happen; that environmental conditions will be favorable, and year class success will benefit. Beyond that I'm groping for specifics. I like the idea I've seen on one document, what everyone's size limit and/or season or bag limits are. That would be helpful, and maybe we can go from there.

CHAIRMAN GEER: Are there any other comments? All right, well, we have a motion that we postpone this and we have to take care of that. I'm hearing in general people want to slow things down. I see two hands, I see Robert and then I've got Bryan.

MR. BOYLES: Mr. Chairman, just a question for staff. What does it look like when we are kind of going down this road where we're kind of casting about for answers; not really sure we want to do an addendum or amendment? But we really do want to get feedback on kind of what the potentials are. Can you all help us? Have we been down this road with other species before; you know trying to engage our constituents and stakeholders with hey, what do you all think?

This is what we see. Can they prescribe something for us to chew on?

CHAIRMAN GEER: Toni.

MS. KERNS: I think what you're describing is scoping, right? While yes we can do scoping through an amendment process, a lot of times we don't get the feedback that you all get when you hold hearings for smaller group meetings with your states. When I was discussing this with Lynn, we talked about this alternative path; not because we're not trying to do the work, but just that a lot of the public hearings that we've been having, people haven't been showing up.

If we're looking for some real feedback from industry and the fishery, I thought we might be more successful in having these state meetings to come back to us. I think that you know in terms of the process of what we do here. If you all are not comfortable initiating an addendum until you've gotten that feedback from the public. That is certainly fine. I don't think that it's problematic. You can get that feedback and then come back to this Board and determine how you want to move forward. Then we go from there.

CHAIRMAN GEER: Bryan, then Adam.

MR. J. BRYAN PLUMLEE: My question was very similar to Roberts. I was curious about the quality of the public comments through the amendment process. I'm sort of surprised as a new member, at the lack of public comment at these proceedings. I know how much we debated the actions that are taken here on a state level, our VMRC. I would imagine at these various jurisdictions you have the same type of debates that we do, very vigorous.

But not seeing it here, and I think the public comment process is a very important one, when you're talking about initiating management where there has not been management. I wouldn't mind seeing, I guess a similar timeline with an amendment process, but it may not be a significant difference from what I'm hearing from Toni, to go that path. I don't know if that is

very helpful to the discussion, but I wanted to bring it up.

CHAIRMAN GEER: Okay, I had Adam and then Joe.

MR. ADAM NOWALSKY: Just looking at these I understand what staff was trying to do in providing this table. Just from anybody listening to this conversation though, I'm not really sure this is from a perception standpoint. We're talking about fast tracking or slow tracking anything here.

The fast track is pretty much a normal addendum schedule; so in this case it's the fastest track, but I wouldn't really say it's anything expeditious from a perception standpoint, nor do I think the slower track is necessarily a slow track, allowing an extra meeting cycle to go through is not uncommon in anything we go through in these deliberative processes. From that perspective, again for anybody listening, I think either of these aren't fast, aren't slow. One just allows for more deliberation. Where I think we're struggling with though, when we go back to that motion that is before us right now is it was really a two-part motion. We had information brought forward to us about incorporating some new pieces to the traffic light analyses that I think we're pretty much all in agreement we want to use, and want to see move forward. What we're struggling with though is then how quickly we need to craft and enact the management responses.

Building on what Toni just said, if we want to not initiate this addendum, vote this down, withdraw it, whatever the process would be. I think another potential path forward here might be to move forward with an addendum. Purely on the basis of incorporating those new TLAs that we want to use, so we have them available to us, and use that timeframe to work with our constituents on considering what management responses might be, and take that up as a separate addendum next year.

CHAIRMAN GEER: Joe and then Robert.

MR. JOE CIMINO: I don't have any issues with the timelines discussed if it is a slow track. One thought for me being part of this process for a long time is we tend to forget that spot doesn't even have a technical committee, and it's really just part of an omnibus amendment. I think issues are here to stay for a bit. I think management action is going to be needed at some point. I think it may be appropriate to start moving on that. I certainly see a lot of overlap.

I wouldn't be opposed to seeing spot in the croaker FMP. Being the only state that sits on both the South and the Atlantic Herring Section, which is soon to become a Board. There was talk about what may be a great bait crisis with the loss of Atlantic Herring coming forward. I definitely, without question see ripple effects for the South Atlantic and the spot and croaker fisheries with that bait crisis.

CHAIRMAN GEER: Robert.

MR. BOYLES: Mr. Chairman, I think I'm ready to make a motion; if you're ready to receive one.

CHAIRMAN GEER: I'm not seeing any other hands go up. Okay, you have the floor.

MR. BOYLES: Oh man. I would move to amend the postponed motion. Is that in line from a parliamentary perspective, or do we need to deal with this postponed motion first? A substitute, excuse me.

CHAIRMAN GEER: Go ahead, Bob.

EXECUTIVE DIRECTOR ROBERT E. BEAL: I think parliamentary; the postponed motion is the motion that is before the Board now so treat that as just a motion that was made today if you want. You know, move to amend or move to substitute; anything you want to do is available to this motion Rob.

CHAIRMAN GEER: Robert.

MR. BOYLES: **Mr. Chairman, I would move to amend that motion by striking the words of the**

**postponed motion "and management response to those analyses." In other words, the move to initiate an addendum to the spot and croaker FMP then incorporates a new traffic light analyses,** and if I get a second I'll explain.

CHAIRMAN GEER: Second by Lynn.

MR. BOYLES: Mr. Chairman, what I'm thinking is that we've got a recommendation from the TC to look at the new traffic light analyses to incorporate that in these plans. It strikes me that we could use some discussion with our constituents back home, on terms of potential future management. The way I look at this is simply an addendum to update it with a new traffic light analyses; and then to give the rest of us time to go home and talk to our constituents and say look.

This is what we're seeing coastwide with respect to these species. What do we think we need to do? You know South Carolina has moved, Georgia has moved, or we've got management measures in place now. Maybe other jurisdictions might want to consider that. Then maybe we can get back on the same page. My intention is to just simplify this, with respect to updating with the new traffic light analyses.

CHAIRMAN GEER: Lynn.

MS. FEGLEY: I like this approach and I like this idea of simplifying and separating. What I want to make sure, especially given Joe's point about what is happening with herring and other bait issues. I want to make sure we're not, there is a balance here. You know we don't want to drag our feet.

I think once we go down this road we need to really make that commitment amongst ourselves that we are going to go back and have these conversations with our constituents. I really like the idea of figuring out for each of our states what that backstop would be. What is a tolerable backstop, and then having that discussion here, so we can figure out what to do with that information?

CHAIRMAN GEER: Mike and then Toni.

DR. SCHMIDTKE: Just I guess a reminder kind of, of what the implications of simplifying the motion would mean. Should an addendum go through that only incorporates the new traffic light updates, the same management responses that are in the current addendum, it would be Addendum I think it is II for croaker and I for spot.

But the same management responses would still apply. As written right now, those are rather vague as is. Those are things that would need to be addressed probably in fairly short order; because what's going to happen is should this motion pass, and the addendum go through and we incorporate the new TLA. Next year when we have the TLA update, there is going to be management action initiated; and it's going to be defined as either management action with moderate or significant concern. That's the guidance on it. The Plan Development Team at that point would then be looking back to the Board for direction on what does a moderate concern management response look like; in crafting whatever that would be, just a reminder of that.

CHAIRMAN GEER: I've got Toni and then Roy.

MS. KERNS: Mike started part of what I was going to say, and as a reminder. Taking out the TLA is sort of like taking out reference points to the public. It's not always a straightforward piece of information for comment. Having that disjointedness, because you'll have the old management triggers and the new traffic light may also be a little bit confusing to the public.

It's okay. If we need to take this time to figure out where we are we can do that. We don't have to do the traffic light response immediately. We can pause, in order to get this information from the public if necessary. I think that it's on record and we're having this conversation that we are moving forward. It's just that we're gathering all the information that we think we need, in order to move forward in a logical stepwise approach.

CHAIRMAN GEER: Robert.

MR. BOYLES: Mr. Chairman, if it pleases the Board I would move to withdraw my motion then.

CHAIRMAN GEER: Consider it. Okay. Now we're back to where we were to start with. Roy.

MR. MILLER: In consideration of Robert's offer to withdraw the motion. I have to wonder, do we really need an addendum to adopt the traffic light analyses? Can't we just do that like any other tool in our tool boxes? You know when we moved away from virtual population analysis to newer updated models; we didn't use the addendum process to do that.

DR. SCHMIDTKE: If the Board wants to adopt all of the recommendations then an addendum would be required. I think probably the biggest factor in determining that is the updated triggering mechanism. Right now the triggering mechanism is three consecutive years for croaker, two consecutive years for spot.

One of the proposed recommendations from the TC is for three out of four terminal years, and two out of three terminal years for croaker and spot respectively; because that impacts the management coming out of the previous addenda that would require a new addendum.

CHAIRMAN GEER: Excuse me, but I didn't follow protocol. I should have asked was there any opposition to Mr. Boyles removing his motion; hearing none, well, Lynn?

MS. FEGLEY: Just one more question about this motion. I think we all as Adam said, we all agree that the new traffic light method is something we need to proceed with. If we were to approve this motion, do we need to be specific that we're going to deviate somewhat from the typical addendum process, which is you know the three meeting and take a little more time for public input? Do we need to specify that in the motion?

CHAIRMAN GEER: Toni.

MS. KERNS: If you're not ready to initiate the addendum you don't have to do that today. You guys can wait and do your public process. Get this information. Then come back to the Board and figure out how you want to move forward. You may get information from the public and decide you want to do something that requires an amendment.

I can't predict what the Board will want to do. But you don't have to initiate. But Lynn, no you don't have to put in the motion the timeframe in which you do this. Oftentimes we skip a meeting in between, in order to do analyses in order to draft the addendum. It's just a matter of on record saying that here is the timeline that we're working on.

CHAIRMAN GEER: I've got John then Lynn and Adam.

MR. JOHN CARMICHAEL: Yes, from trying to catch up with this and see what's going on; it definitely seems like we need to slow down and figure out what we're trying to do. I certainly learned more about the traffic light in relation to management just now with the favored substitute. We have this early discussion that we need some sort of tapping the brakes or backstopping or general broad action perhaps.

But then the traffic light seems to lend itself to more of the right here and now type of actions that the Board doesn't seem to think is the appropriate move. I think this needs a slower consideration to figure out what do you do with the traffic light? When the traffic light says you're triggering, what do you do? Our current plan apparently doesn't describe that well enough.

But I also think as Lynn started out. There needs to be, to go out and do this addendum, we need to get the feedback and we need to be on the same page, which says we need to know what the goal is. If anything it would seem that in October we need to maybe if the states can go

out and get some feedback, discuss what the goal would be of the addendum and the management, and certainly one is to define what you do when you trigger a traffic light.

But we'll have to put that in terms of long term type things, instead of the short term which it really seems to be geared to. To me that is kind of a challenge; and it might take the PDT having to hear from the state feedback as to what the tolerance is, or what do people even perceive as the need? Then we can maybe go from there.

CHAIRMAN GEER: Then I had Lynn and then Adam. All right Lynn, Adam.

MR. NOWALSY: What are the recommendations from staff versus the merits of voting this motion down, postponing it again, or adding some text to it to indicate that we need this time to go out to the public, or substitute for it to go ahead and let the public know what we're doing?

CHAIRMAN GEER: Okay, Bob.

EXECUTIVE DIRECTOR BEAL: Well, you know it does sound like there is a consensus building to slow things down and think about it and hear from the public a little bit. I would almost recommend, it's up to the group obviously, but postpone this again until the annual meeting in October.

In the meantime states can make an effort to reach out to their fishing public and see if they can find any folks that are interested in spot and croaker and get some feedback on that. I would suggest that we as staff try to get the AP together, or APs? It's one AP, one South Atlantic AP, right? Yes so the Advisory Panel together and talk about these.

I also think you know online survey and maybe a couple webinars; something sort of this multi-faceted approach to reach out to the public and get some perspective on what's going on out there, what they would like to see as far as management. Bring that back to the October

meeting, and then based on that knowledge hopefully substantial knowledge.

This Board can then decide where to go. That would just be my recommendation, sort of this multi-pronged approach between now and October trying to get some data and feedback from the public, and just postpone this again until you get back together at the annual meeting. Just hearing what you're saying that seems to be maybe one way out.

CHAIRMAN GEER: I would have a question about that. Do we want to postpone or do we want to turn this down and start over; because if we postpone it we have to bring it back up at the next meeting. It's just kind of leaving it out there. We can always have a motion later on.

EXECUTIVE DIRECTOR BEAL: Sure, yes I think either approach is similar, you know. You'll get what you get from the public and you can decide where to go at the next meeting.

CHAIRMAN GEER: I had Adam and then Marty.

MR. NOWALSKY: I just wonder if another seven to eight weeks is enough time to get the information we need. This was initiated in May, three months ago. I think it's quite clear that some of these conversations have already been occurring; but yet we don't have that information now. I'm not sure the annual meeting would give us enough time to simply postpone until then; and might encourage me to go in the direction of moving this question, voting on it, and then should it not pass taking it up at some future date.

CHAIRMAN GEER: All right, we've been going around on this so I think. Marty, you have the last words.

MR. MARTIN GARY: I don't want to muddy the waters. Thanks, Mr. Chairman. I like what Bob just suggested, and I appreciate what Adam just said. I can't speak for any other jurisdictions other than my own. We have this ongoing conversation with our constituents, and it's

always is anything being done about spot and croaker, same thing over and over and over.

We don't see them. They remember the hay days, and I think they understand there are some cyclical components to this. But they saw what they had at what point and it's not been good since then. They keep asking, are you guys doing anything about this? I say it is being discussed; so just from our perspective, I like what Bob said. It isn't a problem for us to between now and the annual meeting to meet with our advisors and talk to them and come back. But I appreciate what Adam said. Maybe for the other states it's a little more problematic. But I like the idea of postponing. I'm not sure when we revisit it, but I would be supportive of that.

CHAIRMAN GEER: A whole bunch of hands going up, let's go with Lynn then Roy, Chris.

MS. FEGLEY: I was just going to say that I would be in favor of voting this motion down and starting again, and allowing us. You know we have had a conversation in Maryland, but what we haven't provided is any sort of real tangible, okay this is actually what we could do in terms of actual regulatory ideas.

I think those are the conversations that we need to start having. As somebody said, we may all come back and find that we are considering something more appropriate for an amendment. If we come back with information, I think we just need to get the information and start over. We just have to be committed to going forward with it.

CHAIRMAN GEER: Then I had Roy.

MR. MILLER: I hear what Lynn is saying, and I also heard what Bob said. I'm not sure that voting this motion down sends the right message. Postponing action is a reasonable alternative. In terms of proactive things we can do between now and when we next take up this motion again, certainly we can cut and paste information that is already available to us, to show what each state does in the way of

management measures for spot and croaker, if any for spot.

We can have that in front of us and be able to hand that to the general public. We could have a list of potential management responses to triggers being tripped. We know that some, particularly for the Mid-Atlantic already tripped using the traffic light analyses; presuming we are going to continue with the traffic light analyses.

You know having it on paper, ready to distribute to the public to get their feedback would be beneficial, I think. Give them a heads up; these are our concerns. These are the things we could do, and have that available to us when we next take up this motion. That's kind of my recommendation.

CHAIRMAN GEER: Chris.

MR. BATSAVAGE: I think a lot has already been said what I was thinking. But getting to the timing of the public hearings and when we take this back up again. Going back to comments I had earlier about trying to characterize the fisheries in our state, each of our states. It is going to take a little bit of time.

You know we just started talking about going, reaching out to our stakeholders. From my perspective I think I'll need to go back home and talk to our staff to see what's feasible, see existing meeting schedules for our advisory committees for instance, getting the information together. Again, we're maybe more than tapping the brakes right now. I think we need to do a little more planning to figure out the path forward; as far as moving ahead with meetings, what is the expectation of getting these done. What do we hope to get out of it? There so almost afraid to say assembling a workgroup to talk about this more after this meeting. But I think there are still a lot of questions as far as timing overall right now.

CHAIRMAN GEER: John.

MR. CLARK: I think I'll be nulling out with Roy here, because I think we should wait on this. This just reminded me of another sciaenid whose abundance seems to be controlled by factors not related to fishing; weakfish. We took action years ago, they haven't come back. Now we get complaints about why did you cut it back?

The few times I'm out there and there are weakfish, I can only keep one. I mean the public will obviously, when these actions don't bring the stock back, which they may very well not, because we don't know why they are crashing. It could just be something beyond our control. I don't see any reason to hurry on this.

CHAIRMAN GEER: Okay. All right, we will need a motion if we want to postpone again, or to vote this down. I'm not seeing any hands going up. **Call the vote. It's a postponed motion from last meeting; move to initiate the addendum to the spot and croaker fishery management plans that incorporates the new traffic light analyses and the management response to those analyses. Motion by Mr. Batsavage and seconded by Mr. Gary. All those in favor raise your right hand; all those against, null votes, abstentions, the vote fails 0 to 8 to 1 to 2.**

All right well thank you very much for that lively discussion; and we will be taking this up and everyone needs to go to their states, and that is the key to this. We need to go out and communicate to our stakeholders; as Marty was saying, people are asking what's happening with spot and croaker.

Why aren't we doing anything; but starting to have those conversations, so we can come back to this table with some thoughts and some ideas. Thank you very much for that and we're moving on.

#### **UPDATE OF THE REVISED SEDAR 58 SCHEDULE**

CHAIRMAN GEER: We're going to go right through our Item Number 6, which is lunch; because I'm sure it's not out there yet, and we'll go to Item Number 7, which is the update of the

revised SEDAR 58 Schedule, and that is on Page 36 of your materials. Mike.

DR. SCHMIDTKE: As you all are probably very aware, MRIP updated their estimates of recreational catch and landings earlier this year. With that information SEDAR has decided to push back the activity for the Cobia SEDAR 58 Stock Assessment. The new dates are shown up on the screen that in effect is about two months.

Everything is pushed back about two months from when it was originally scheduled. But the main highlights are shown there on the screen. The date that the Board would have a final document ready to review and to potentially respond to would be February of 2020. I just wanted to make the Board aware of that date change.

#### **REVIEW COBIA TECHNICAL COMMITTEE REPORT ON RECREATIONAL LANDINGS**

CHAIRMAN GEER: Are there any questions to this? Moving on to Item Number 8, which is the review of the Cobia Technical Committee report on recreational landings.

DR. SCHMIDTKE: Our Technical Committee has had a lot of turnover in the last couple months especially. We have lost both our Chair and maybe we could potentially have some other movements, so right now I'm going to just give the Technical Committee report; and we will have a new cobia TC Chair established by the next meeting.

In February of this year the TC was tasked with evaluating recreational management using pounds and numbers of fish, and providing a recommendation on alternative techniques. One that was specifically talked about was done with black sea bass; and looking into some smoothing techniques, things of that nature.

The TC addressed this with three conference calls; and the main conclusions from each of those calls are listed there on the screen. The first one they decided that they needed more

information on how MRIP conducts their estimation process, in order to fully evaluate any type of smoothing or outlier analysis or anything like that.

The second call was a call with MRIP staff. We had Dr. Van Voorhees, as well as John Foster and Richard Cody on the phone; and they answered some questions about the MRIP estimation process, specifically as it pertains to cobia. Upon review of the information provided on that call, the TC was then able to form some conclusions and recommendations for the Board.

The TCs recommendation is that if it is practically feasible that management be based on numbers of fish rather than pounds. This removes additional error that is associated with either MRIP or the Southeast Fisheries Science Center; whichever average weight technique is being considered applying an average weight, especially when that average weight will be based on either a small sample size or a sample that is grouped among multiple states or multiple years.

The TC did not see any type of violation of MRIP survey design in 2015 or '16, when cobia recreational landings were very high; thus they did not find any justification for altering these estimates via smoothing or outlier techniques. One of the main points made by the TC, and that was conveyed to the TC with that call with MRIP is that if those high years are moved, you also have to give some consideration that there are low outliers, in which the lows of 2011 or 2012 would potentially be looked at for removal as well.

It was reiterated that MRIP is best suited for evaluating landings trends as opposed to the year-to-year effects; and there has already been action taken related to cobia through a commission to account for this using the current three-year-evaluation process as opposed to evaluating landings on that year-to-year basis.

The TC also recommended the use of alternative metrics for stock monitoring; such as those from age or length data. For example, one of these

could be evaluating trends in age distribution over time. This would require states that don't have programs collecting this type of data to begin collections. This information would not be intended to replace any type of information coming out of MRIP; as far as the catch estimates. But it would be more to provide context to any management actions that are taken in response to MRIP estimates. This information was also reflected by the Cobia Plan Development Team; and it is incorporated as a topic in the Public Information Document for draft Amendment 1. It will be brought up later on in our meeting today as well. But that is the end of the TC report; and I can take any questions on that.

CHAIRMAN GEER: Any questions for Mike on this topic? Chris.

MR. BATSAVAGE: I might have missed this. I apologize in advance if I did. Under the scenario of managing by numbers of fish, would we be converting basically the pounds in the numbers in a similar manner how we do that for black sea bass and summer flounder?

DR. SCHMIDTKE: Under the current FMP there would need to be some type of conversion; because the recreational harvest limit is in pounds. There would need to be some numbers/pounds conversion there. But I think that kind of the spirit of the TCs tasking was for more of the longer term view and in light of the draft Amendment that is underway right now.

The potential to change the management regime from an evaluation of coastwide poundage limit to something else; and if that be some type of numbers limit or something like that. But the TC was more trying to say that the effect of the harvest is better evaluated by the numbers of fish that are removed by the fishery; rather than the poundage. This more associated more error associated with the poundage.

CHAIRMAN GEER: Any other questions for Mike on this? Let's move forward.

### **CONSIDER DRAFT PUBLIC INFORMATION DOCUMENT FROM AMENDMENT 1 FOR COBIA FOR PUBLIC COMMENT**

CHAIRMAN GEER: Up to Item Number 9, which is Consider the Draft Public Information Document from Amendment 1 for Cobia for Public Comment; and Mike, you have the floor again. This is Page 39 of your materials; if you're following along.

DR. SCHMIDTKE: First I'm going to just do a review of the amendment process, where we are in our timeline, and then I'll go into some of the items talked about in the Public Information Document. The first step of our amendment process is a public information document. It's the Commission's way of scoping.

That provides the public the opportunity to identify issues, management alternatives, contribute to any type of topics that are not currently being considered. They are able to provide input in that way. After the public information document has gone out, public hearings are held; and then a draft amendment is then developed in light of the information that's received during those initial public hearings.

The draft amendment is a more focused document; which lays out a suite of options; and those options can then be selected for the final amendment. There is another opportunity for the public to comment on the options that are listed in the draft amendment as well, before final Board review.

The timeline that we're currently on for draft Amendment 1 is to have a final Board review in August of 2019. In the aftermath of this meeting, should this document be approved for public comment, we would hold public hearings in the time period between now and annual meeting, and there would be a review of the public comment at annual meeting. The written public comment period would begin shortly after this meeting; as long as there is time there to incorporate any changes that the Board has for

the Public Information Document. We would then send that out and we would begin scheduling public hearings. The dates that you see there for the public hearings are approximate.

There is some flexibility in those; depending on whether we need to have the public comment summary completed in time for briefing or supplemental materials in the next meeting. But that would be around the timeframe in that mid-September area that we would be looking to schedule public hearings in the various states.

The issues that are covered by the PID as of now are recommended management for federal waters, a harvest specification process, and biological monitoring. The Board is able at this meeting to add or to edit these topics before the PID goes out for public comment. I'll give a bit of background on each of these issues; and then pose some of the questions that are listed in the PID that we're hoping to get Board and public input on.

The first topic is recommended management for federal waters. The motivation for this is that several of the management measures that are listed in the current FMP are directly tied to a federal FMP. For example, the RHL is set equivalent to 99 percent of and monitored concurrently with the recreational allocation of the federal ACL.

With the action that has been taken by the Gulf and South Atlantic Councils, they've approved the removal of Atlantic cobia from the coastal migratory pelagics FMP, and that is now pending secretarial review. But should the secretary approve that removal as well, there would no longer be a federal plan for cobia. That federal ACL for Atlantic cobia would no longer exist; and would need to be replaced with something else.

The Atlantic Coastal Act allows the Commission to recommend measures for promulgation in federal waters. NOAA Fisheries would be the body that implements these measures. There is a need to address both commercial and

recreational measures in the FMP. There has been a lot of focus with the cobia fishery on the recreational side of things; but there are both commercial and recreational measures that would need to be addressed in a draft amendment.

There is a list for both the recreational and commercial fisheries of the types of measures that are currently in place; and those are some of the things that could be considered for implementation in federal waters. One of the big questions is the process of how these measures should be implemented in federal waters; for example, should separate measures be considered for federal versus state waters.

Should state regulations be essentially extended latitudinally by sectioning off portions of federal waters with different regulations; or should vessels fishing in federal waters be subject to regulations of their state of landing or some other type of method of implementation? That is a question that we're posing to the Board and to the public for input. The second topic covered in the PID is the harvest specification process. There has been a Board desire to consider alternative management strategies to a coastwide quota type of system that is in place right now. SEDAR 58 is underway. It will be released along the timeline that was specified earlier. This harvest specification process would really allow the Board the ability to select from a range of management measures and response to the assessment; as well as potentially move away from a coastwide quota type of system, if that is the Board's desire. This specification process would need to be established for, again both commercial and recreational fisheries for cobia.

There are several questions listed in the PID along with this; but some of those to highlight are what measures should be considered with this specification process? How often should measures be set? Should they be set around an annual basis, or right now there is kind of a three-year-evaluation process of landings;

should that timeframe be applied to a harvest specification process?

Should there be an annual harvest limit for both or either fishery? Should harvest be evaluated in pounds or numbers? Then there are some questions about commercial permitting that have been raised. They were somewhat inherited with the cobia fishery; as it's being transferred to the Commission from the Council, in the sense that there is some confusion about what defines a commercial fisherman when it pertains to cobia.

Are commercial, and this is an area that we would probably look towards the Board and those states that have had confusion along the lines of their commercial permitting for input on what should be done at the state level versus what should be done at the Commission level along those lines. The final topic that is addressed in the PID is biological monitoring.

It was brought up by the Technical Committee in evaluating the impact of recreational landings. The gist of it is again, to provide context to the Board in response to, well in addition to landings information that would also give some information on the health of the stock. This could potentially be implemented through biological monitoring requirements; as are seen in other FMPs.

A question posed to the Board and the public is should the FMP require biological sampling; for which fisheries should that be required, and what would the requirements or the specifications of this sampling process be? Finally just kind of a cover all, if the Board has any other issues that are not addressed in the Public Information Document that you would like to see added, those are things that can be discussed and added in the aftermath of this meeting. That's all I have.

CHAIRMAN GEER: Thank you very much, Mike and Robert has his hand up.

MR. BOYLES: Mike, great presentation. Brave new world as we enter into this realm with cobia management. I just wanted to put on record, I'm a little concerned about the requirements for biological monitoring; with respect to you know this is a rarely encountered species.

I certainly don't dispute the fact that we need to have some provisions to get a handle on what's going on with the stock. But I am concerned about sampling availability. I would submit to you South Carolina anglers, and certainly our staff, you know have spent a lot of time in the water chasing cobia, sometimes to little avail. I just would hate to get us painted in that box.

CHAIRMAN GEER: Robert, I think some of that was I think along the lines of maybe the carcass recovery program that's in Georgia, the freezer programs that we have in Virginia; those kinds of things where it's by opportunity. If states have those kind of programs already, maybe adding cobia to that list of species that could be collected through that program. That is one option that is relatively, if the state already has one of those programs, relatively easy to initiate for the species. Are there any other comments or additions? Krista.

MS. SHIPLEY: This is pretty minor. Would it be possible to get Atlantic or Atlantic Migratory Group or something like that into the title of the document, just to alleviate any confusion? I know that it's in the first paragraph of the document; but I think it would be great to have that in the title.

CHAIRMAN GEER: That can be done, thank you. Are there any other comments, and additions anybody wants to add to the PID? Okay we need to have an action on this. Do we want to consider this for public comment, this PID? I don't see any hands go up. Lynn.

MS. FEGLEY: You need a motion. **I would move to approve the PID, there we go that.**

CHAIRMAN GEER: I see a lot of hands go up. It's getting close to lunch; seconded by Spud

Woodward. **Move to approve the Public Information Document for Draft Amendment 1 to the Cobia Fishery Management Plan for Public Comment; motion by Ms. Fegley, seconded by Mr. Woodward, hearing no opposition approved by consent.** Thank you for that.

I'm going to in the sake of time, unless somebody has an objection to it. Oh, I'm sorry. I have to say that it was approved without objection. I apologize. Thank you.

#### **Fisheries Management Plan Reviews and State Compliance Reports for Croaker and Red Drum**

If there is no objections, Item Number 10 the Fisheries Management Plan Reviews and State Compliance Reports for Croaker and Red Drum.

**I'm going to suggest we approve those via e-mail.** Are there any objections to that?

#### **REVIEW AND POPULATE ADVISORY PANEL**

CHAIRMAN GEER: So, we're going to move on to Item Number 11. Is Tina here? We have a nomination for a new AP member from Virginia, Craig Freeman. Do you want me to do it? We have a new member, Craig Freeman who is an Advisory Panel member. You have his information in your packet. Joe Cimino when he was at Virginia kindly recommended him; and so we need to approve him to the Advisory Panel, so I need a motion. Joe.

MR CIMINO: **I think it's only fitting, Mr. Chair. I move to approve Mr. Freeman.** As you can see from the packet, he really checks all the boxes here. I think he would be a great addition.

CHAIRMAN GEER: Do we have a second to that. Lynn Fegley. Move to approve Craig Freeman as a member of the South Atlantic Board Advisory Panel. Motion by Mr. Cimino, seconded by Ms. Fegley, is there any opposition to this motion? **The motion is carried.**

#### **ELECTION OF VICE CHAIR**

CHAIRMAN GEER: All right, getting us back on schedule, the last item we have is election of a Vice Chair. Mr. Woodward.

MR. A. G. "SPUD" WOODWARD: **It is my privilege to nominate the sage of the low country, Robert Boyles, Jr.**

CHAIRMAN GEER: Second the motion by Mr. Haymans. We will close nominations; any opposition? Welcome aboard, Robert, and I look forward to many Jeffersonian and I like the Lombardi.

MS. KERNS: We need someone else to second it.

CHAIRMAN GEER: He did. Oh same state, I'm sorry. Malcolm. I apologize for that. Well, thank you again, Robert, we appreciate it.

#### **OTHER BUSINESS**

CHAIRMAN GEER: Is there any other business to come before the Board? Hearing none, all right so the main thing is I want everyone to go back to your states, talk about spot and croaker.

As far as the PID, please as soon as possible talk to Mike for scheduling public hearing dates. Do that as soon as possible. You'll be getting an e-mail from us concerning the red drum and Atlantic croaker approval of the management plan and state compliance. Is there anything else to come before this Board? Mike.

DR. SCHMIDTKE: Sorry, just one more thing. This was at the end of the red drum presentation, so that is why it wasn't addressed directly. The Assessment Science Committee tasked the Red Drum Stock Assessment Subcommittee with several pieces of guidance coming out of the last red drum assessment. There has been quite a bit of changeover for the Red Drum Stock Assessment Subcommittee; so that needs to be repopulated, so that they can start addressing some of the guidance from the ASC.

That is something that can be taken care of by e-mail. But I just wanted to make you aware of

that. We're going to be looking at particularly areas for tagging information as well as the use of stock synthesis related to red drum. Please be mindful of that. Watch out for your e-mail, and talk to your state scientists or anybody else that you would be interested in putting on that SAS.

**ADJOURNMENT**

CHAIRMAN GEER: Okay, anything else; motion to adjourn, thank you?

(Whereupon the meeting adjourned at 12:10  
o'clock p.m. on August 9, 2018)