

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

**Crowne Plaza Hotel
Alexandria, Virginia
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ATTENDANCE

Board Members

Peter Himchak, NJ, proxy for D. Chanda (AA)	Malcolm Rhodes, SC (GA)
Craig Shirey, DE, proxy for P. Emory (AA)	Robert H. Boyles, Jr., SC (LA)
Bernie Pankowski, DE, proxy for Sen. Venables (LA)	Spud Woodward, GA (AA)
Russell Dize, MD, proxy for Sen. Colburn (LA)	John Duren, GA (LA)
Tom O'Connell, MD (AA)	Jessica McCawley, FL (AA)
Bill Goldsborough, MD (GA)	William Orndorf, FL (GA)
Steve Bowman, VA (AA)	Sen. Thad Altman, FL (LA)
Jack Travelstead, VA, Administrative Proxy	Bob Sadler, NMFS
Catherine Davenport, VA (GA)	Wilson Laney, USFWS
Louis Daniel, NC (AA)	A.C. Carpenter, PRFC
Bernie McCants, NC, proxy for B. Cole (GA)	Myra Brouwer for R. Mahood, SAFMC
John Frampton, SC (AA)	

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

Ex-Officio Members

Joe Grist, Technical Committee Chair, Atlantic Croaker

Staff

Bob Beal
Nichola Meserve

Katie Drew
Chris Vonderweidt

Guests

Dave Smith, USGS
Jaime Geiger, USFWS
Greg DiDomenico, GSSA

Larry DeLancey, SC DNR
Rich Robins, Suffolk, VA
Gregory Breese, USFWS

CALL TO ORDER

CHAIRMAN LOUIS DANIEL: Let's get started with the South Atlantic Board. You should have an agenda in front of you as well as the proceedings from our May 5, 2010, meeting. I have one piece of other business in regards to trying to develop a stock status for spotted seatrout. Hopefully, that won't take long, but we hopefully can get them out of the unknown category. Tom, do you have a piece of other business that you would like to address as well?

MR. O'CONNELL: Yes, I would like to make a nomination for the plan review team in place for Harley Speirs retirement.

APPROVAL OF AGENDA AND PROCEEDINGS

CHAIRMAN DANIEL: We'll handle that in other business. Is there any other business that anybody would like to have addressed by the board this morning? Seeing none, is there any objection to approving the minutes and the agenda as modified? Seeing none, those stand approved.

PUBLIC COMMENT

The first item on the agenda is public comment. Is there anyone from the public that would like to speak on items not on our agenda today?

2010 ATLANTIC CROAKER STOCK ASSESSMENT

Seeing none, we will move on to the 2010 Atlantic Croaker Stock Assessment. I think Joe is going to go over the information, and what we ultimately want to do is consider the initiation of an addendum to accept the terms of reference that have been recommended in the new stock assessment. From my review, it looks like they've done a great job; so with that, I'll turn it over to Joe to review that.

MR. JOE GRIST: The Atlantic Croaker Technical Committee met on June 24th and 25th to review the recently completed stock assessment and also develop management advice for this board. Specifically, the technical committee reviewed the review panel's report and the stock assessment subcommittee's report responding to the review panel's last request regarding the calculation of Fmsy.

The board tasked the technical committee with completing the last review's request at its May meeting because the review panel indicated that doing so might result in a more certain stock status determination. The technical committee reviewed and accepted the stock assessment report, the review panel report and all the related follow-up reports.

They agreed with the review panel's recommendation to use ratio-based reference points. The technical committee also agreed with the review panel's findings that ratios of F relative to Fmsy indicate that overfishing was not occurring. The overfished status, though, could not be determined due to the high uncertainty in the shrimp trawl discard estimates. However, the available biological and landings' data suggests that it is unlikely that the stock is currently overfished.

The technical committee re-evaluated the currently available shrimp trawl effort and the Atlantic Croaker CPUE from the shrimp trawls and determined only very modest improvements could be made to discard estimates due to basically the limited data availability. The level of improvement would not significantly decrease the uncertainty in the estimates.

Based on the results of the assessment and the review panel's recommendations, the technical committee is recommending revisions to Amendment 1 through an addendum. The reference points established in Amendment 1 are static point estimates. The panel that reviewed the latest assessment recommended using relative measures to define the overfishing and overfished definitions to Atlantic croaker.

The technical committee is passing this recommendation along to the board. Amendment 1 defines two management regions for Atlantic croaker along the Atlantic coast; a northern and southern region separated by the North Carolina and South Carolina border. The stock assessment subcommittee found no strong evidence supporting the presence of multiple stocks occurring along the Atlantic Coast.

As such, a single coast-wide population was assumed for the stock assessment, and this assumption was considered appropriate by the peer review panel. The technical committee is recommending managing Atlantic croaker along the Atlantic coast as a single coast-wide management stock.

Finally, on management advice the technical committee found no biological basis at this time

recommending additional management restrictions. In summary, overfishing is not occurring. The overfished status cannot be determined and our management recommendations are to use relative ratio-based reference points, a single management region, but no additional management restrictions at this time. That's all we have for the technical committee.

CHAIRMAN DANIEL: Questions for Joe on the technical committee's report on the stock assessment? **Then what we need to do is accept the benchmark stock assessment and the peer review report for management purposes. Motion Mr. Woodward; second by Mr. Frampton. Any discussion on the motion? Any objection to the motion? Seeing none, that motion carries.**

INITIATION OF AN ADDENDUM

The next thing we need to do is consider the initiation of an addendum. Basically, what that addendum will do is adopt these ratio-based reference points, targets and thresholds, as well as change our management unit from a split management unit of a southern group for South Carolina south and North Carolina north to one single coast-wide unit. I believe that would be all that is contained in the addendum with no new management measures suggested at this time. We would run that parallel to the Omnibus Amendment to kind of streamline all these efforts and reduce staff time. Is everybody okay with doing that? Bob.

MR. ROBERT E. BEAL: One of the things that we've been putting in a lot of addenda lately on reference points is the ability for the boards to approve and implement new reference points through board action rather than having to go out to public hearing and go through that lengthy process just to adopt new reference points. If the reference points were developed through a peer review and accepted by the board, et cetera, et cetera – you know, they can't just be reference points that were cobbled together on the fly.

They had to be developed through a stock assessment and peer review process, but then the board can adopt those without having to go through this process. If the South Atlantic Board is comfortable with that, we can include that language in the draft addendum and you can review it when you review the document. If you want that go forward to the public comment, that's great. If not, you can pull it out at that point. Does that sound okay?

CHAIRMAN DANIEL: That's fine with me; is that okay with the board? I see all heads nodding affirmatively, so that is what we will do. **I need a motion to initiate the addendum. So moved by A.C. Carpenter; seconded by Ms. McCawley. Any discussion on the motion? Any objection to the motion? Seeing none, the motion carries.**

APPOINTMENT TO THE PLAN REVIEW TEAM

MR. O'CONNELL: **I would like to move to appoint Harry Rickabaugh to the plan review team.**

CHAIRMAN DANIEL: **Motion by Mr. O'Connell; second by A.C. Carpenter. Any discussion? Any objection? Seeing none, that motion carries.**

SPOTTED SEATROUT STOCK STATUS

All right, let's talk about speckled trout. For those of you at the policy board meeting yesterday, staff has put together a stock status report that lists stocks as being rebuilt/ rebuilding, but then there is concern, overfished, various status.

One of the species under our control as the South Atlantic Board that was listed in the unknown category was spotted seatrout. Now, from my understanding, I believe all the states with an interest in spotted seatrout, speckled trout, Florida, Georgia, South Carolina, North Carolina, Virginia, we have stock assessments that have been done on those species for our respective states.

We have implement what we believe or are implementing what we believe are the appropriate management measures to take to maintain or achieve sustainable harvests, whatever you want to call it. I don't know precisely the stock status. I know our requirement or the recommendation in the Speckled Trout Plan is for a 20 percent spawning potential ratio.

I believe only Florida has achieved that level of spawning stock biomass, I think. From my understanding, some of the other states that even at a healthy level they're around 18, I think is what South Carolina is at. I'm not sure about Georgia. North Carolina is at about 9. We have developed a fishery management plan and have already implemented a 14-inch size limit effective last October.

In November we'll be implementing some additional restrictions on the commercial harvest as well as a

reduction in the bag limit and actually put a cap on the number of large fish that can be taken; so kind of a slot limit and not really. I would like to get feedback from other states, especially those that have assessments on speckled trout.

From my perspective, it would seem to me based on at least my understanding of what the other states have done, along with the concern over cold stunt events that can have a varying impact on the population, that it may be reasonable for us to recommend to the policy board that they consider speckled trout as concern. That is my introduction to that topic. If folks have a different opinion of that, but it seems to me that would be the appropriate thing because it's kind of like dealing with four different stocks. Spud.

MR. SPUD WOODWARD: Louis, just a little status report from Georgia. I've been trying to get a stock assessment done for the last few years; and since my principal stock assessment scientist is the chair of the South Atlantic SSC, she has been a little distracted, but I've got her back on task now.

Our plan is to have an assessment using current methodology with the most recent data by the end of this calendar year so that we'll be able to have something to evaluate stock status in comparison to the biological reference points of the interstate plan. Back when I was sitting in your chair, I kind of did what you did and I said we're at a point with spotted trout; and if we're not going to require states to invest some effort in monitoring stock status, vis-à-vis the interstate plan, then why do we have a plan?

Nobody was interested in getting rid of the plan and things just sort of stalled. It is obviously a high priority for us at the state level, and we've always grappled with how do we do this? We're doing a regional red drum assessment when a lot of us know we've got a lot of the same problems in terms of isolated population dynamics, but we making that leap of faith. I do think that it would be good for the states to at least show that if we're going to have an interstate plan, we ought to at least put some effort into seeing where we are with regard to that plan. That's why I've been pushing for an assessment and hope to have one by the end of this year.

CHAIRMAN DANIEL: Well, I agree with you; I think one of the points that was brought up when you were in this seat was the speckled trout plan and the fact that they are unique populations in the various states; and that really it's a blanket plan that if we're not held to that 20 percent standard, it's not like if we

don't achieve it we're out of compliance or whatever. It's just a recommended benchmark.

My understanding was is that there was a need to maintain the plan or to have certain states have plans that they're involved in, but I don't know if separate plans in the South Atlantic Board count individually or if it's a board issue for who serves on what boards and that kind of thing. I'm not exactly sure, but certainly speckled trout is critical to all of us that have them. It's kind of what is the board's pleasure?

MR. JOHN DUREN: Louis, just a question; given the nature of speckled trout or spotted seatrout, if we do a assessment will we end up with a stock assessment or a collection of local stock assessments?

CHAIRMAN DANIEL: Yes, it would be a collection of local stock assessments. Based on a tremendous amount of tagging work that has been done, we see very little interchange at least between North Carolina and South Carolina. From my experience in South Carolina, we didn't see a lot of fish travel to Georgia at least while I was doing it.

Now we do see some interchange between North Carolina and Virginia and that's the reason why we included Virginia in our North Carolina stock assessment because we do know we do have some interchange there. I'm not aware of them going much further north of Virginia to any common degree. You would have a North Carolina/Virginia assessment; South Carolina, Georgia, Florida separate assessments. I think Florida if does an east coast or statewide.

MS. JESSICA McCRAWLEY: Florida has four management regions; so when we look at the Atlantic Coast, we have two separate regions over there.

CHAIRMAN DANIEL: Yes, and I know Florida has the most – I mean, they have some very significant restrictions on speckled trout compared to the other three states.

MS. McCRAWLEY: Yes, we still have a commercial fishery, but it is a very small commercial fishery. I know you mentioned in other states maybe the SPR isn't doing so great. In Florida, in the region that encompasses around Jacksonville, we're like at 80 percent SPR.

CHAIRMAN DANIEL: Yes, you all are definitely light years ahead of at least from my understanding than the rest of us. I know we're nowhere close to

that. I think we're at 9 percent and we're trying to get it to the 20. Spud.

MR. WOODWARD: Didn't we include spotted seatrout in the omnibus? Okay, which means that it's going to now become a species where ACFCMA bears down on it; and then if we have a 20 percent SPR threshold in the plan, then aren't we going to be required –

CHAIRMAN DANIEL: No, in the Omnibus Amendment that was still a suggested target. It wasn't a required target. That was a specific discussion that we had about that was that it wasn't going to hold us to that 20 percent. It's still recommended. The only thing I think that's required in the Speckled Trout Plan is that everybody has to have at least a 12-inch size limit, and I think everybody is above that. I know Florida has a slot. I think South Carolina is 13. Georgia and North Carolina are 14.

MR. ROBERT H. BOYLES, JR.: South Carolina is 14, Mr. Chairman.

CHAIRMAN DANIEL: Okay, I've got it backwards, so that's really it. Is there any objection from the board to recommend to the policy board that we list speckled trout as concern? The only two options I see are for concern or overfished. Except for Florida, I think we're below 20 percent everywhere else. Robert.

MR. BOYLES: Mr. Chairman, are you looking for a motion to that effect?

CHAIRMAN DANIEL: Yes, sir.

MR. BOYLES: I would so move.

CHAIRMAN DANIEL: **I have a motion from Robert Boyles to recommend to the policy board that speckled trout be declared "concern"**. Is there a second to that motion? Second by John Duren. Robert, do you have an updated stock assessment planned for speckled trout in South Carolina?

MR. BOYLES: No, sir, not at the moment. Of course, we continue to have extensive – we see them a lot in our trammel net sampling programs. We've got a fairly good data set. In South Carolina it's a game fish, so there are no commercial landings. I think the question really is what I think Spud got to or John got was these are going to be a series of kind of many state assessments. I've love to tell you we had the capacity to do an assessment in South

Carolina, but we'd need some assistance from the commission.

CHAIRMAN DANIEL: Is there any discussion on the motion?

MS. McCAWLEY: I had a question about if it is listed as a species of concern, is that a qualitative or quantitative designation; what exactly does that mean?

CHAIRMAN DANIEL: From my perspective it is qualitative. It's kind of like snapper grouper or maybe another complex. I think sharks was the example that Bob used where you've got some species that are okay, you've got other species that are overfished. In this case you've got Florida is not overfished and not overfishing, but you do have concerns in the three other jurisdictions or at least concerns if we're not – I don't believe any of us are above the 20 percent except for Florida.

Also, I think concern would characterize issues that are outside of a fishery, which would include cold stunt events. I would that once we get the four jurisdictions with assessments that have achieved whatever target the individual states set, then we would be able to list them as rebuilt, if that is satisfied. Spud.

MR. WOODWARD: Just one little minor thing; I think it should be spotted seatrout instead of speckled trout just to be consistent with the name on the plan. We know what that means, but just in case it falls in the hands of somebody who doesn't. The other thing is, okay, we make this recommendation; what happens next? What does this compel us to do or not do in light of the fact that it's a recommended SPR?

CHAIRMAN DANIEL: My understanding is it is simply being used to track our progress on the various plans. Robert.

MR. BOYLES: That is my understanding as well. Again, we have invested heavily in a fishery-independent survey trammel netting, but I think we would need some assistance to do an assessment. I guess my view of this would be perhaps this would put this on the commission's radar screen to allow a regional assessment to get us a handle on where we are.

MR. WOODWARD: Not to belabor this, but if I've got somebody queued up to do an assessment and now we're considering possibly a regional approach, then I've got to know where to go with this, whether

to stand her down or to do what because I don't want her to get in front of something and her be plowing ground that we're going to replot six months from now or a year from now in a regional approach.

CHAIRMAN DANIEL: Well, I used to be a biologist; and when I was a biologist, all the information available on speckled trout would suggest that a regional assessment would not be meaningful; that it is going to have to be done state by state because of the lack of any – I mean, we could have a workshop to help those states that aren't doing one to see exactly how we're approaching the various assessments, but I really don't think a combining of all the information from Florida to Virginia is going to provide us with anything meaningful. In my opinion it is going to have to be done state by state with the exception of combining Virginia and North Carolina.

MR. WOODWARD: Yes, and I agree with that and I think we all know that. It's just if we're going to have a team approach versus individual states and their scientists doing it, I'd just like to know so that I can tell her, hey, you're not in this by yourself now, you might can count on a team in terms of methodologies and just all the various things.

At least in the case of Georgia we have this persistent problem of selectivity both in the fisheries-independent and the fisheries-dependent data. We don't see the larger, older fish represented in those catches and it has a tendency to bias the results towards I think higher estimates of mortality than actually occur in the population, which might be one of the reasons we have the SPRs we do. That's a methodology thing that could benefit from some brainpower assigned to it, I think. Anyway, I just want to know whether to kind of say hold on for a little bit or just proceed like you're doing.

MR. BOYLES: Mr. Chairman, I wonder if we could – is it reasonable to perhaps seek staff guidance on whether or not we could schedule a regional workshop to discuss these kinds of issues about how to proceed and maybe have some staff resources devoted to it?

CHAIRMAN DANIEL: Bob, do you want to address that.

MR. BEAL: We haven't set aside any resources for this calendar year of 2010. As we work on the Action Plan for 2011, if this board would like to recommend that make that a priority and work it into the Action Plan, we can consider that.

CHAIRMAN DANIEL: I guess I see the issue is really South Carolina. I know what level of information you have on it. We had to fall back to a very simple analysis because we don't have a stock-relationship based on our stuff. I think it would be a fairly simple exercise with all the information that you do have on speckled trout to utilize the expertise of a Carolyn or a Luiz Barbieri or whoever is working on them in the various states as well as my staff to help with that. I think Georgia is prepared to move forward. I know Florida has been doing these assessments.

MS. McCAWLEY: I just wanted to express my concern that we already have our stock assessment folks overcommitted. We already have an update to our spotted seatrout assessment underway and it's due out in December of this year. Although we would be willing to participate in a regional workshop, I'm hesitant because it seems like every time we do that we end up chairing the assessment workshop committee, and I don't want to overcommit our assessment folks because they're already overcommitted.

CHAIRMAN DANIEL: Yes, we're in the exact same boat, and we just got ours through peer review three or four months ago. We don't have a plan to update at this point for three years.

MR. BOYLES: Mr. Chairman, I'm suffering perhaps the result of 83 percent budget reduction over the last seven or eight years. Let me go back to my staff before we ask commission staff to throw us a line here and let me see what our capabilities may be in South Carolina. I guess maybe we go back to the motion and this is simply to list spotted seatrout as a species of concern on our stock status report.

CHAIRMAN DANIEL: Yes, is there any objection to that motion? I see an objection and I want to clarify that. Jessica.

MS. McCAWLEY: I'm concerned with the fact that Florida is doing so great and we would be looking hopefully in the near future, based on the updated assessment, to relax our regulations some since we have pretty strict regulations right now. I am concerned about listing this as a species of concern. Even though it is doing poorly in other states, I don't want that to hamper Florida's ability to modify our regulations.

CHAIRMAN DANIEL: Would it give you comfort if there was clarifying language? I think all the stock

status reports that were out there could specifically list the positive aspect of the Florida situation versus the other states to make that clarification. I don't think there is any harm in doing that if that would give more comfort.

MS. McCAWLEY: Yes, that would make me feel better.

CHAIRMAN DANIEL: Can we do that by just agreement that when we write up the stock status report for speckled trout, that we would indicate the positive stock status in Florida versus the other states?

MR. BEAL: Sure, we can do that, and we can draft that and run it by this board or the administrative commissioners from this board, however you want to do it, and then the policy board asked that document come back at the annual meeting for another look. We can make sure this board is fine with the wording and put that in the document and then run it back past the policy board at the annual meeting, if you're comfortable with that.

CHAIRMAN DANIEL: Is that okay, Jessica, because I would like to have consensus on the stock status.

MS. McCAWLEY: I'm fine with that.

CHAIRMAN DANIEL: Okay. The motion is move to recommend to the policy board that spotted seatrout be listed as concern in the stock performance document. Motion by Mr. Boyles; second by Mr. Duren. Is there any objection to the motion? **Seeing none, the motion carries.**

MR. BEAL: On the stock assessment, if there is value in the commission putting together a conference call of a half dozen assessment folks just to kind of chat about methodologies and where they are and what the status of their assessment is, we can do that essentially at anytime. We have the resources for a conference call, but my comments earlier were referring to kind of a face-to-face multi-day workshop.

We don't have the resources for that, but if there is value in some of the assessment folks from the South Atlantic states just talking about how they're going about these assessments and where they stand, we can do that if that helps you out.

CHAIRMAN DANIEL: Personally I think that would be very helpful to have that just for all of our

edification; you know, for Carolyn working in Georgia, what did Florida and North Carolina do; what did South Carolina do. Maybe something like that with a conference call just amongst the principal assessment folks, that could be a real benefit to everybody, I think. I'd like to see Florida's assessment because I'm sure it's well done and I'm sure it's comprehensive and see how they addressed some of the problems that we ran into in North Carolina and maybe in the next iteration we could learn something to improve our technique.

ADJOURNMENT

Does that sound reasonable to everybody to try to pursue that? Cool! All right, I don't have anything else, so is there any other business to come before the South Atlantic Board? If not, we are adjourned.