

**PROCEEDINGS OF THE
ATLANTIC STATES MARINE FISHERIES COMMISSION
COASTAL PELAGICS MANAGEMENT BOARD**

**The Westin Crystal City
Arlington, Virginia
Hybrid Meeting**

May 1, 2024

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1. **Approval of Agenda** by consent (Page 1).
2. **Approval of Proceedings from January 24, 2024** by consent (Page 1).
3. **Move to postpone Draft Addendum II to Amendment I until such time the final MRIP FES Report has been presented to the Commission** (Page 12). Motion by Doug Haymans; second by John Clark. Motion fails (2 in favor, 8 opposed, 3 abstentions) (Page 13).
4. **Move to remove the timeframes for the weighted 10-year/3-year averages from Draft Addendum II Section 3.1 (Option B3, C3, C6, C9, and C12)** (Page 14). Motion by Shanna Madsen; second by Lynn Fegley. Motion approved without opposition (Page 14).
5. **Move to remove any of the options considering 3 regions from section 3.1 C4, C5, C10, C11** (Page 14). Motion by Shanna Madsen; second by Jesse Hornstein. Motion approved without opposition (Page 15).
6. **Move to approve Atlantic Cobia Draft Addendum II for public comment as modified today** (Page 15). Motion by Lynn Fegley; second by John Clark. Motion carries with one objection (Page 15).
7. **Move to adjourn** by consent (Page 19).

ATTENDANCE

Board Members

Jason McNamee, RI (AA)	Shanna Madsen, VA, proxy for J. Green (AA)
Eric Reid, RI, proxy for Sen. Sosnowski (LA)	Chris Batsavage, NC, proxy for K. Rawls (AA)
Jesse Hornstein, NY, proxy for M. Gary (AA)	Chad Thomas, NC, proxy for Rep. Wray (LA)
Emerson Hasbrouck, NY (GA)	Ben Dyar, SC, proxy, Blaik Keppler (AA)
Amy Karlnoski, NY, proxy for Assemb. Thiele	Chris McDonough, SC, proxy, M. Rhodes (GA)
Joe Cimino, NJ (AA)	Mel Bell, SC, proxy for Sen. Cromer (LA)
Jeff Kaelin, NJ (GA)	Doug Haymans, GA (AA)
Adam Nowalsky, NJ, proxy for Sen. Gopal (LA)	Spud Woodward, GA (GA)
John Clark, DE (AA)	Jeff Renchen, FL, proxy for J. McCawley (AA)
Roy Miller, DE (GA)	Gary Jennings, FL (GA)
Craig Pugh, DE, proxy for Rep. Carson (LA)	Rep. Thad Altman, FL (LA)
Lynn Fegley, MD (AA, Acting)	Ron Owens, PRFC
Russell Dize, MD (GA)	John Carmichael, SAFMC
David Sikorski, MD, proxy for Del. Stein	Jack McGovern, NMFS

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

Ex-Officio Members

Angela Giuliano, Technical Committee Chair

Staff

Bob Beal	James Boyle	Jainita Patel
Toni Kerns	Caitlin Starks	Kristen Anstead
Tina Berger	Emilie Franke	Jeff Kipp
Madeline Musante	Tracey Bauer	
Chelsea Tuohy	Katie Drew	

Guests

Coly Ares, RI DEM	Julie Evans	Ja MacFarlan, RI DEM
Mike Armstrong, MA DMF	James Fletcher, Unites National Fisherman's Assn.	John Maniscalco, NYS DEC
Russ Babb, NJ DEP	Anthony Friedrich, ASGA	Genine McClair, FL FWC
Alan Bianchi, DC DMF	Keilin Gamboa-Salazar, SC DNR	Joshua McGilly, VMRC
Michael Bowen, Cornell Uni.	Pat Geer, VMRC	Daniel McKiernan, MA (AA)
Jeffrey Brust, NJ DFW	Lewis Gillingham, VMRC	Steve Meyers
Jessica Clawson, FL FWC	Angela Giuliano, MD DNR	Jeff Moore, NC DMF
Haley Clinton, NC DEQ	Blaik Keppler, SC DNR	Allison Murphy, NOAA
Heather Corbett, NJ DEP	Kathy Knowlton, GA DNR	Thomas Newman, North Carolina Fisheries Assn.
Scott Curatolo-Wagemann, Cornell Cooperative Extension of Suffolk County	Andrew Konchek	Jeffrey Pierce
Judd Curtis, SAFMC	Robert LaFrance	Will Poston, ASGA
Tanya Darden, SC DNR MRR	Sarah Lazo, NOAA	Harry Rickabaugh, MD DNR
	Nicole Lengyel Costa, RI DMF	Mike Ruccio, NOAA

Guests (Continued)

Zachary Schuller, NYS DEC
Tara Scott, NOAA
Amanda Small, MD DNR
Somers Smott, VMRC
Kristen Thiebault, MA DMF

Chad Thomas, NC Marine &
Estuary Foundation
Taylor Vavra, Stripers Forever
Kelly Whitmore, MADMF
Christina Wiegand, SAFMC

Travis Williams, NC DEQ
Steven Witthuhn, NY MRAC
Gregory Wojcik, CT DEEP
Chris Wright, NOAA
Daniel Zapf, NC DEQ

The Coastal Pelagics Management Board of the Atlantic States Marine Fisheries Commission convened in the Jefferson Ballroom of the Westin Crystal City Hotel, Arlington, Virginia, via hybrid meeting, in-person and webinar; Wednesday, May 1, 2024, and was called to order at 10:15 a.m. by Chair Spud Woodward.

CALL TO ORDER

CHAIR SPUD WOODWARD: Good morning, everyone. I'm going to call the meeting of the Coastal Pelagics Management Board to order. For those of you online, this is Spud Woodward; Georgia's Governors Appointee Commissioner and current chair of the Board.

APPROVAL OF AGENDA

CHAIR WOODWARD: Our first item on our agenda is Approval of the Agenda. Are there any recommended modifications or additions to the agenda? Any online, probably not. I don't see any in the room, okay we'll consider the agenda approved by unanimous consent.

APPROVAL OF PROCEEDINGS

CHAIR WOODWARD: We also have the proceedings from our January, 2024 meeting in the briefing materials. Are there any edits, corrections or additions to the proceedings? I don't see any hand raised in the room. Anyone online with any? All right, we'll consider those accepted by unanimous consent as well.

PUBLIC COMMENT

CHAIR WOODWARD: Next item is Public Comment. I know we have one person online, Thomas Newman, that wishes to make a public comment. I assume this is about items that are not on the agenda, so Thomas, I'm going to call on you.

MR. THOMAS NEWMAN: Yes, my name is Thomas Newman. I want to make a comment about Spanish mackerel. I am a North Carolina commercial fisherman. I also work part time in the North Carolina Fisheries Association. I am also on the

Mackerel Cobia Advisory Panel for the South Atlantic.

I just wanted to stress the importance of these fisheries to our state especially, like they were making everything work right now. Before we do any hard and fast changes, we need to take our time and look at the issues and do the right thing. Also, I talked with Mr. Batsavage earlier, last week, and all those 374 fishermen are state catch Spanish mackerel. They are all over our state for six to eight month part of the year.

They are really just a few core communities that really depend on this fish. A few dozen fishermen, less than 50, that depend on this fish to make the majority of a yearly income, and is a very, very important fish for our state and for our commercial fishermen. As this process goes along, I will be involved, and I hope anyone here on the Board will reach out and contact me if they need anything. I appreciate you guys' time, and for looking at these issues. Thank you.

CHAIR WOODWARD: Thank you, Thomas. Is there anyone in the room that would like to make a comment about anything on our Board agenda? Don't see any hands, then we'll move along.

CONSIDER APPROVAL OF ATLANTIC COBIA DRAFT ADDENDUM II ON RECREATIONAL ALLOCATION, HARVEST TARGET EVALUATION, AND MEASURES SETTING FOR PUBLIC COMMENT

CHAIR WOODWARD: Our next agenda item is an action item, and that is to Consider Approval of Atlantic Cobia Draft Addendum II, which is on Recreational Allocation Harvest Target Evaluation and Measures Setting for Public Comment. I'm going to turn it over to Emilie to walk us through, and we'll make sure we check our time, and we do this deliberatively, and everybody is comfortable with the final product of this. We'll turn it over to you.

MS. EMILIE FRANKE: Thank you, Chair. I'll review the timeline for the Addendum and also the current management process to get started, because I think that is helpful context. Then I will get into the

Statement of the Problem, and the management options. I'll also highlight some points from the Plan Development Team.

The PDT submitted a memo in your materials as well, so I'll note those in red throughout the presentation. As a reminder, as the Chair stated, this is a Board action for consideration to potentially approve this document for public comment today. The Board initiated this Addendum in October of last year to address recreational reallocation using more recent harvest data, and also to consider alternatives to the current state-by-state management framework.

Then most recently at the last meeting, the Board did provide some additional guidance to add some options addressing future updates to allocations, to consider uncertainty, and also the timeline for setting measures. Based on that additional Board guidance in January, the PDT developed the draft document, which you have in front of you today.

The Board is considering approving that draft addendum for public comment today, and if it is approved, we would conduct public hearings, and the public comment period this summer. Then the Board could review the public comment and select final management options at the next meeting in August.

Just a brief review of the current recreational management process regarding allocations and harvest target evaluations. The Board can set the total harvest quota for cobia for both sectors for up to three years, and 96 percent of that quota is allocated to the recreational sector, 4 percent to the commercial sector.

Then that recreational portion of the quota is then allocated further to the non de minimis states, so that is Virginia, North Carolina, South Carolina and Georgia. Then there is a 1 percent set-aside for de minimis states. Then those allocations are based on the state's historical landings, with 50 percent based on landings from 2006 to 2015, and then 50 percent based on landings from 2011 to 2015.

Then those allocation percentages are used to calculate a soft harvest target for each of those non de minimis states. Then four of those states with soft targets, the realized harvest is evaluated against those soft targets every time the Board sets the total harvest quota. That is up to every three years, or sometimes more frequently.

To do that evaluation, we take an average of up to three years of harvest because that has been under the same set of recreational management measures, and if the state's average harvest exceeds their target, that state must adjust their measures to reduce back down to their target.

If a state's harvest has been less than their target for two consecutive years, then the state can choose to liberalize measures to reach their target. Then any changes to measures have to be reviewed by the TC and then by the Board. Most recently, last year the Board set the total harvest quota for 2024 to 2026.

Then we did conduct an evaluation of state average harvest for the years 2021 and 2022, and compared that to the state harvest targets. However, based on some TC analysis and recommendations, the Board decided to actually maintain status quo state management measures for this year, 2024, instead of requiring reductions for states that exceeded their targets. Essentially this new addendum the Board discussed is intended to dictate what will happen in 2025.

What the allocation framework will look like and going through that evaluation process, which might include updated harvest targets, depending on the outcome of this Addendum. In addition to having this addendum to determine what happens next year, we also have the upcoming stock assessment, which is just getting started on that SEDAR 95.

We anticipate that stock assessment will be available to inform management in either 2026 or 2027, depending on exactly when we get the assessment results. Sort of a lot to think about coming up the next few years. Getting into the statement of the problem for this draft addendum. The original

Interstate FMP established and used state-by-state allocations.

Then Amendment 1 in 2019 updated those allocations to add that de minimis set-aside of 1 percent. Those allocations are based on data, as I mentioned from 2015, but the distribution of cobia recreational landings has changed since 2015. We see an increase in some Mid-Atlantic states, but landings have been relatively stable in many of the southern states, so this indicates more of a range expansion versus a range shift.

We also had Rhode Island and New York declare into the fishery recently, due to the increasing presence of cobia in their state waters. Updating the allocation data timeframe used for cobia would account for these changes in landings that we've been seeing. Originally the state-by-state allocation framework was implemented to provide flexibility to the states.

However, there is concerns that the MRIP estimates for cobia has very high PSEs because of the pulse rare event fishery. There are also concerns about using these highly uncertain state estimates to continue to evaluate performance and make management changes at the state level. One way to reduce that uncertainty is to potentially increase the sample size by switching to a regional or coastwide allocation framework.

Uncertainty with these harvest estimates could also be addressed by thinking about how many years we're including in our average when we do these evaluations, whether to use point estimates or not, and also, whether a state or region's performance should be considered on its own, or should also take into account the performance of other states or regions. Additionally, we know that allocation percentages may need to be updated in the future. There are a few potential scenarios.

One is if a current de minimis state loses their de minimis status. That means that de minimis state would have to be factored in to the allocation calculation, and get their own harvest target. If that happens, all of the allocation percentages will need

to be updated. Then the percentages might also need to be updated if MRIP updates their harvest estimates, based on the work that they're doing right now to look into the bias in some of their estimates.

If future updates to these allocation percentages are considered through our typical addendum process, those updates could take several months. But if the Board could make those updates via Board action or Board vote, those updates could be accomplished more quickly. There has also been a concern about changing measures too frequently for the cobia fishery.

Right now, the Board can set the total harvest quota for up to 3 years. There was discussion about, to avoid management whiplash in changing those measures frequently, the Board could consider setting specifications for a longer period of time. I will get into the management options for this draft addendum.

Again, a huge thanks to the Plan Development Team. We had a great team working on this, and it has also been a joint effort on the staff end between myself and Chelsea. There are five sections in the management option portion, so I'll just go section by section, in terms of the options here.

Section 3.1 is the allocation framework itself. This section considers both how the quota is allocated on a geographic scale, so either state by state, regional or coastwide. Then it also considers the data timeframes at the basis for allocation. Status quo we have the weighted timeframes, 50 percent based on 2006 to 2015 landings, 50 percent based on 2011 to 2015; that's our status quo.

The alternative timeframes to consider here would be basing allocation on 2018 to 2023, or we have two additional weighted options, so 50 percent based on 2014 to 2023, so the previous 10 years, and then 50 percent based on 2018 to 2023, so the previous 6 years, or a weighted combination of that 10-year time span plus the most recent 3 years, 2021 to '23.

Just a note that 2016 and 2017 are excluded from these allocation calculations due to fishery closures,

and 2020 is also excluded, due to the COVID 19 impacts on MRIP. But just to clarify in the draft addendum. It is inconsistent in some places right now, you know it's a 2018 to 2023 the 6-year time span, but we have 5 years of data, 2014 to 2023 the 10-year time span, we have 7 years of data.

If this Addendum is approved for public comment, we'll make sure that that is clear in the Addendum. Just also a note before I go any further. The final MRIP estimates for 2023 are now available. The Addendum was drafted with preliminary estimates, because that is what we had at the time. But there were very minor updates to the cobia harvest estimates. Some of the allocation percentages changed by less than 0.01 percent, so not much change with the final MRIP data for this year. Getting into the specific options about how the quota could be allocated on the geographic scale and the timeframes.

We start with our status quo of course, Option A, state by state allocation with our 2006 to 2015 data. Option B would be continuing with a state-by-state allocation, but the allocations could be updated to either of the 3 alternative timeframes that I mentioned, so either the past 6 years, the combination of the past 10 years and the past 6 years, or the combination of the past 10 years and the past 3 years.

Then for the updated state by state allocations, the de minimis set aside would increase to 5 percent, and that would be to account for the increased landings that we've seen across de minimis states over the past few years. Status quo, we only have a 1 percent de minimis set aside, but the PT noted that landings have increased, and that 5 percent would better account for those de minimis landings.

Here is the table, this is the same one in the Addendum. But essentially you can see that the first column is Option A, status quo. Then for all of the alternatives you see a lot of the quota with the updated data, which shifts up to the Mid-Atlantic. North Carolina's quota would decrease, and then South Carolina and Georgia's would also decrease a little bit.

The PDT notes that these changes to the state allocations based on these updated data are pretty significant. It results in a pretty significant change for some states. Again, the magnitude of these changes is primarily driven by Virginia's increased proportion of the harvest in recent years, and North Carolina's decreased proportion of the harvest in recent years.

The PDT did talk about, because these are significant changes, whether or not to phase in these changes. But the PDT determined that this would result in, you know constantly changing targets and measures from year to year. The PDT wouldn't recommend doing any sort of phase in approach.

But the PDT does recognize that these would be pretty significant changes. The next option after the state-by-state options would be a regional allocation option. There are options in the Addendum for 4 different regional breakdowns, including options for either a 2-region approach or a 3-region approach.

The PDT does recommend a 2-region approach. The PDT is recommending that the Board remove the 3-region options, because 3 regions would result in having a northern region that is just several de minimis states, and those de minimis states would have less than 2 percent of the allocation.

Their landings are really variable, and they have really high PSEs, so the PDT would recommend just removing the 3-region approach and considering 2 regions. The other point to consider is where to draw the line between regions, and a question from the PDT is, should North Carolina be grouped with Virginia and states northward, or should North Carolina be grouped with South Carolina and Georgia? Previously there has been some tagging data that indicate that Virginia and North Carolina represent the same group of fish. That could be a rationale to group Virginia and North Carolina together. However, the PDT noted that when you're looking at the timing of harvest throughout the year, North Carolina's peak harvest tends to more closely align with South Carolina and Georgia's harvest.

That could be a rationale to group North Carolina with South Carolina and Georgia. The PDT

recommends if the Board does have a preference at this point for these regional groupings, the Board could consider removing some of the other options. Then of course, these regional allocations would consider the same 3 timeframes that I mentioned for the other options.

The goal with these regional allocations is to eventually establish a consistent region wide size and vessel limit. But the seasons could still vary among states, noting that depending on cobia availability, the seasons might be different from state to state. Measures in each state, if the Board went with a regional allocation, would remain status quo, until either that region needs to take a reduction, or until the next stock assessment, when likely things will change.

Once one of those things happens, either the region needed a reduction or we have the next stock assessment, then the Board would consider how to come up with a region wide consistent size and vessel limit. These tables are the same ones that are in the draft Addendum. I'll just highlight on this slide, these are the options for the southern region, which would be just South Carolina and Georgia.

For the two-region breakdown you have Virginia north would have somewhere between 84 and 87 percent of the quota. South Carolina and Georgia would have between 12 and 16 percent. Then if you have that 3-region breakdown you add that very northern region that would have less than 2 percent of the quota.

This slide again, this is in the draft Addendum, shows the options for if you have a southern region with North Carolina grouped with South Carolina and Georgia. In that instance, South Carolina, North Carolina and Georgia would have between 26 and 33 percent of the quota, and then Virginia north would have somewhere between 67 and 74 percent of the quota.

After the regional allocation option, we moved to Option D, and this is just the coastwide target option. There wouldn't be any sort of state or regional allocation, there would simply be the coastwide

recreational harvest quota. You would look at the total coastwide harvest in comparison to our coastwide quota.

Again, the goal was to be eventually establish a coastwide consistent size and vessel limit with seasons that could vary among the states. Again, the measures would remain status quo in each state, until either the coast needs to take a reduction or until we have the next stock assessment. Just to sort of wrap up all of these allocation framework options.

Conservation equivalency would not be allowed for any of these allocation options. For the state-by-state framework, this already allows flexibility for each state to tailor measures, you know based on what they desire for their state. Then the regional or coastwide framework, the objective here is to get to a consistent size and vessel limit for either the region of the coast, so conservation equivalency would not be allowed. The PDT had a couple of just closing thoughts here on the allocation framework. You know each of these types of frameworks coastwide, regional, state by state, do have benefits and challenges.

The regional or coastwide allocations could pool data into larger sample sizes to reduce uncertainty, but then of course you have the challenge of coordinating among states to come up with a consistent size and vessel limit. Then of course there are several underlying challenges that this Board has discussed frequently, which again is high PSEs in general for cobia recreational harvest estimates.

The seasonal migrations, you have different availability along the coast throughout the year. Also, Atlantic cobia is a relatively new species under Commission management, so the original FMP was implemented in 2017, and then we just transitioned to sole management in 2019. It's only been a few years under this management.

That was I promise the longest section, 3.1. Moving on to Section 3.2. This is regarding future updates to allocation. Option A would be status quo. Any changes to allocations would have to go through the typical addendum process. The alternative here is

Option B, where allocations could be changed via Board action, so simply a Board vote, but only for two specific scenarios.

Those scenarios would be 1, if a state loses de minimis status and therefore needs to be factored into the allocation calculations. The allocation framework, the data we're using for allocation that would all stay the same, you would just need to factor in that additional state that needed their own harvest target.

Then the other scenario where the Board could change allocations via Board vote would be if the allocation source data were updated. For example, if MRIP makes any changes to their estimates over the next few years. The next section, Section 3.3 is on data and uncertainty. In this section Option A is status quo, which is you will continue to use up to a 3-year rolling average when we evaluate harvest against the target.

This is an average of up to 3 years under the same management measures. Option B, the alternative here is using up to a 5-year rolling average for the evaluation, and this would be an opportunity to incorporate additional years of data, since landings can really vary from year to year, and knowing that we have high PSEs in some years.

Another feature of this section on data and uncertainty is a confidence interval provision, which would be a part of this section of the Addendum. If the Board chose a regional or coastwide allocation framework, this provision would allow the Board in the future to decide if the Board wanted to switch from a rolling average approach to a confidence interval approach for harvest target evaluation.

We would be looking at the confidence intervals around the MRIP point estimates. This would allow the Board to more directly account for uncertainty around these point estimates. The reason it is not a specific option right now is, in order to do this, we need region-specific confidence intervals and PSEs, and those are only available via custom data requests through MRIP. We're hoping to have those before this document goes out for public comment,

but this provision would allow the Board to have time to sort of digest that information on the region-specific confidence intervals, and take this up in the future if the Board wanted to switch to this approach.

How this would work is, instead of using rolling averages we would evaluate the harvest target relative to the 95 percent confidence intervals around each of the MRIP point estimates. If the confidence interval has been above the target, that means that states would have to address their measures back down to the target.

If the harvest target falls anywhere within those confidence interval bounds, then the region could stay status quo. Then if the confidence interval has been below the target, then the region could liberalize to the target. Any years with very large confidence intervals in years with a PSE greater than 50, would not be included in the evaluation, and then any years with PSEs between 30 and 50 would be evaluated by the Technical Committee.

Just a reminder, this provision would only be applicable to a regional or a coastwide approach. The PDT didn't feel comfortable proposing this for the state-by-state approach, because some of the state confidence intervals are quite large. As I mentioned, this provision is currently included in the draft Addendum in this section.

No matter which average option is chosen, this provision is there, and the Board could switch to the confidence interval approach. If the Board was more comfortable with framing this as an option instead, it could be, you know status quo. We have no provision. Alternative would be we add this provision.

If the Board didn't feel comfortable with having it in there as part of the Addendum right now, we could frame it as an option. The next section is Section 3.4. This is overage response for any recreational landing's evaluations. Currently status quo if a state or a region exceeds their target, they have to reduce down to their target.

The alternative here is if a state or region exceeds their target a reduction would not be required if the following criteria are met. If another state or region is below their target, and that state or region has chosen not to liberalize, and if the coastwide harvest has not exceeded the coastwide quota. If those two criteria are met, the state or region that is over would have the option to just stay status quo, instead of taking a reduction.

Then the final section here is the timeline for setting measures. Currently, the Board can set specifications so that total harvest quota for up to 3 years. The alternative would be setting specifications for up to 5 years. This would potentially reduce the frequency of management changes, and also better align with when we have new cobia stock assessments. That is all the options. I know that was a lot the PDT put forward, and I'm happy to take any questions.

CHAIR WOODWARD: Thanks for that, Emilie, thanks for a very clear, concise overview of the document. I want to open up the floor now for questions for clarity. Remember, our task is to winnow this down, if possible, as a public comment document. If we can kind of keep that in our forethoughts here. Shanna, I saw your hand.

MS. SHANNA MADSEN: I just want to stop for a second and say thank you, so much, to Emilie and Chelsea and the PDT. I listened in on their deliberations, and I felt like we kind of just threw a task at them and said, we don't know how to do this, can you figure it out? They really did. I think this document is incredibly strong. I was really impressed by the way you took the time to explain everything. I think it's a really good document.

My question is in relation to the provision on the use of the confidence intervals. I was just wondering, under like what circumstances eventually, would we be able to implement the approach? I know you're saying that there is not the ability currently for us to get to those confidence intervals regionally, without putting in a specific MRIP data request. Are we just kind of waiting for that to like appear on the website, or I'm just wondering what kind of triggers, the

Board could say okay, now we can consider the confidence interval approach.

MS. FRANKE: We actually have already submitted a data request for the region-specific confidence intervals and PSEs. We should have those in hand very soon. If the Board moved forward with this Addendum and the Addendum has this provision, any time after the Addendum is approved, and we have that information, the Board could consider whether or not you wanted to switch from the rolling average approach to the confidence interval approach.

You know if the Board approved this Addendum in August, and we have the region-specific confidence intervals in hand. The Board could also immediately take action to implement that confidence interval provision. The goal is to have hopefully the data in hand over the next few weeks.

Hopefully include it in the public comment draft as an appendix to look at the PSEs for those different regions. It is up to the Board how quickly, if the Board wanted to wait to consider this confidence interval approach, you know with the next assessment for example, or wanted to switch to the confidence interval approach right away. That would be up to the Board.

CHAIR WOODWARD: All right, Chris Batsavage.

MR. CHRIS BATSAVAGE: Thank you, Emilie, for going through the document, it's very well done and covers everything we need to consider. This is unclear. Under the regional allocation option, if that was chosen, the states would maintain their state-by-state regulations until the next assessment, right?

MS. FRANKE: Correct. Right now, measures vary among most states. The size limits across states are pretty much consistent, but the vessel limits are different for almost every state. That is right, if the Board chose a regional approach, all of the states would stay status quo, until the next stock assessment, so for a couple of years.

However, if we move forward with the regional approach, later this year we would have to do a regional evaluation of how the regions harvest compares to their new regional target. If that region needs a reduction, then we would have to immediately switch to a new consistent regional measure. However, if the region didn't need a reduction, then things would stay status quo until the assessment. It's either stay status quo until the assessment, or we have to change right away if that region ends up needing a reduction.

CHAIR WOODWARD: Thanks for that, Chris, because I think that is very important that we clearly understand the sequencing of how those things work. I mean we're trying to put reasonable sideboards on it, but give ourselves some flexibility to adapt to the circumstances we're facing here. Lynn.

MS. LYNN FEGLEY: It it's okay, I now have two questions. The first one is about the confidence limit approach. Practically, if we were to switch to that approach. Does that mean that states would be in a position where they may have to update measures each year, since we're no longer doing the average?

MS. FRANKE: That's a good question. No, so it would be on the same timeline as our current approach, where we're only doing those evaluations and potential management changes every few years, whenever we have a new total harvest quota.

MS. FEGLEY: Okay, thank you, and then the follow up is about Chris's question. The states would in a region, would maintain status quo measures. But if an upcoming evaluation showed they needed a reduction, the answer was, states would immediately have to move to a consistent measure. My question is a little bit about the definition of immediate. When does the evaluation occur, and when would the consistent regulations have to be implemented? I just want to understand if that is within states abilities to act.

MS. FRANKE: Yes, that was a great point of clarification on my end. If the Board were to select a regional management approach, and approve this

Addendum in August, this Addendum would dictate what the measures would be for 2025. Between the August and October meeting, we would do the regional evaluation. You know how is each region doing relative to their target? If a region was over their target and required a reduction, we would come to the October meeting with proposed measures for that region to then implement in 2025.

CHAIR WOODWARD: Yes, and I think it's also important to remember that we don't get finalized MRIP estimates until this time of the following year for the previous year's estimate. We're always going to be sort of behind, which is an unavoidable reality that we're facing here. We just now got the approved final 2023 estimates. You're going to deliberate at the end of that year for what happened the previous year to set the following year. Doug.

MR. DOUG HAYMANS: Emilie, thank you for a good, clear understandable document, for me at least. You really brought up some great points, particularly around FES estimates and high ESEs, which to me sort of makes the entire process we're going through questionable at the moment.

Especially since some of this can change after the FES report is finalized, or the potential there is. I have great concern with taking this out to the public beyond this meeting, particularly with some of the large cuts that the southern states are taking, and where those cuts go. At an appropriate time, I think, I'm close to making a motion to tabling this until the FES report is done. With that said, I do have a question for John. I realize, Emilie, we can't anticipate every scenario.

But there was discussion about if we go with the regional approach that PSEs could get considerably better, and John has a way of describing things to me to help me understand better. When I look at North Carolina through Georgia, and the incredibly horrible PSEs that range from 33 to 92. I realize additional trips and that tighten those up. Do we really see getting out of a yellow zone that we get below 30, would you think, by pooling those three states estimates?

MR. JOHN CARMICHAEL: Maybe, but you know given what you see for the individual states, it does make you question whether or not putting them all in there, I think it would come down to just, are the states at all similar? If they are all really variable and not really similar to each other, then you may end up in basically the same boat.

You are putting some more observations in there, which probably brings it down some. You know it may bring some of those 90s down to something more reasonable. Does it bring the majority into the green zone is harder to say. Yes, you would really have to do it to be sure, because you guys know, this MRIP stuff is, you think you know what is going on until you run the numbers. It's really hard to guess how it's going to all work out.

MS. FRANKE: Yes, and just to add to that. The PDT did acknowledge that grouping the states into regions could provide some improvements. But the magnitude of those improvements is unknown. Hopefully we'll have the data from MRIP on our custom regions, to understand how much the PSEs would improve. But the PDT noted, you know while they might improve a little bit, this won't solve the problem of uncertainty.

MR. CARMICHAEL: Yes, and I think it's great to see it getting way from the three-year average, or at least looking at alternatives, because that is good if things are just kind of noisy, but more or less correct. But you know we know with MRIP the challenge is always the spikes that people don't think is necessarily legit, so then in a three-year, five-year moving average you live with that over the time period.

That's one of the reasons the Council moved away from those, because we have so many uncertain species that are rare events, and they tend to be really spikey. They go from zero to 100,000 from one year to the next. I think the confidence interval has stepped in the right direction. I just wonder.

When the other method has come up in the MRIP evaluations of rare events is looking at multiyear estimates, where they would take the total of observations of MRIP over say three years, and

generate a single estimate from all of those observations. I just wondered if the PDT talked about that.

Of course, it does add some complexities, because depending on how you calculate that period, you may have a greater lag, and when you get your actual estimate that you're going to use to judge the fishery. But it does seem to be a more robust place, and it wouldn't put the Board in a position to trying to decide, okay what confidence interval do we actually want to use as well?

MS. FRANKE: Yes, the PDT did not specifically look at that alternative approach, just the average and the confidence interval. I just want to also remind everyone; the confidence interval approach would only be applicable to a regional or coastwide framework. The PDT didn't feel comfortable proposing the confidence interval approach for a state-by-state framework, because some of the state confidence intervals are very large.

CHAIR WOODWARD: Yes, I think we're all fixing to have an uncomfortable reality here with the day we got it, until we go to some different alternative than MRIP, something like Virginia's done, we're going to be facing the same situation. But even that has got its own problems. It seems like we're sort of trapped in a world of imperfection. Any further questions? John.

MR. JOHN CLARK: Thank you for the presentation, Emilie. I guess I've got de minimis on the brain, because of our close call with spot yesterday. But just curious, with the 5 percent set aside. It looks like if we do go with state by state with de minimis that there are 5 de minimis states now, and theoretically they could exceed 5 percent and remain in de minimis.

First question is, what happens if that does happen and they exceed the 5 percent, and then just curious with some of the other measures there would be no de minimis, correct? Like a state in the regional or the coastwide would have to just adopt whatever the default regulations are.

MS. FRANKE: Exactly. The way the FMP is currently set up with a state-by-state allocations, there is no evaluation of or repercussions if the de minimis states in total exceed their set-aside. There is not a formal, if all de minimis states exceed their set-aside there is no repercussions in FMP. I assume that was set up that way, de minimis states are so variable in their landings, so there is no formal evaluation of the de minimis states against their target.

The set-aside is simply there to sort of try and account for the variable landings in those states. You're right. Theoretically, you know each de minimis state could exceed 1 percent in a year and we'll have slightly over the 5 percent de minimis in a certain year. But the PDT felt that there might be a few years like that, but largely the 5 percent should be sufficient for now to account for that.

Then correct, if we move to a regional or coastwide framework, the de minimis status becomes somewhat irrelevant, because right now de minimis states have the option to implement a slightly less restrictive size limit. But in the regional or coastwide framework the de minimis states would simply have to adopt whatever the rest of the region is adopting. The de minimis status becomes a little bit irrelevant.

CHAIR WOODWARD: Yes, it's hard to have payback provisions for something you probably don't catch. Again, that is kind of an odd situation. Chris, and then I'll go to Joe.

MR. BATSASVAGE: On that point, Emilie. I guess where de minimis still has some status in a region, if a region had to take a reduction and it was decided that shortening a season was the way to meet that reduction, and that was handled through the non de minimis states, since the different states can have different seasons, then that would be a scenario where the de minimis states could actually maintain the regulations in that region. I just wanted to make sure I understand that correctly.

MS. FRANKE: Yes, so you're talking about the scenario where if we, like later this year we move to the regional approach and a region needs a reduction. It turns out that if only a couple states in

that region were to take a season change, you could just meet that reduction and stay status quo. That is an interesting scenario.

The objective of the regional approach is to at least get on the same page with the size limit and the vessel limit. I don't think as written; we could only change the seasons and go from there. I think the regions would need to get to a consistent size and vessel limit, and then the seasons could still vary.

MR. BATSASVAGE: Yes, thank you. I probably should have been more clear on kind of the scenario. I guess I'm kind of thinking ahead, where the states did align their size and bag and vessel limits, and it came time for a reduction that an option could be for the non de minimis states to take reduction through a change in their season, and leaving the de minimis states to maintain what they already had.

MS. FRANKE: Yes, absolutely. In the future, if the states in a region decided, all right, just a couple of our states are going to change their season, and everyone else can have their same season. That would be up to the region, absolutely.

CHAIR WOODWARD: All right, Joe.

MR. JOE CIMINO: Thank you all for the hard work, I agree this is a pretty solid document. Not following it that closely. My question then is following on Chris's. A little bit more of an understanding of the exploration of conservation equivalency. There are actually a lot of us sitting around this table now.

There are a lot of states, and you know the idea of coastwide measures, where there is only say one state with a V that is continuously having large harvest. I think that we're all ratcheting down on regulations, and trying to explain to folks, you know that there is no CE when we do it with so many other species. Just curious, about how that didn't end up in this.

MS. FRANKE: Yes, I think that's just sort of the inherent difference between the state-by-state approach or even the region approach versus the coastwide approach. The state-by-state approach

gives the states the flexibility to change their measures, you know have different measures.

Moving to a coastwide approach would have that added challenge of just looking at everything from a coastwide lens, like looking at harvest from a coastwide lens, management measures from a coastwide lens, without getting sort of into the state by state. You know is this state up but this state's down. You know we would just be switching to that coastwide perspective.

MR. CIMINO: I'll follow up, because I'm almost embarrassed. I think what we would then be explaining to the public is if you do believe that then that state-by-state approach is the way that we should handle it. Okay, thank you.

CHAIR WOODWARD: Okay, any more questions for clarification? Ben.

MR. BEN DYAR: Just to pile on, thank you to the PDT, really a lot of work went in, and appreciate that. Definitely want to echo some concerns from Doug regarding PSEs. Obviously, I don't know if that is going to change any time in the future. But on the flip side of that don't want to stick our heads in the sand completely.

But not sure if there is any merit to looking at when some of these regional numbers might come through in the next few months, if that's going to change anything drastically. I don't know. If we feel that is a possibility, question one. Then also, just for my clarification, and Lynn, thank you for pointing that out and sorry for slow on the uptake. If changes get made in '25, then requirements for states to take action would have to be within that same year. Is that correct?

MS. FRANKE: Yes, if the Addendum is approved in August, or even if the Board pushed the Addendum one meeting cycle, and approved it in October. Well, it would be up to the Board. But if the Board wanted to implement for 2025, that evaluation would occur at the end of this year, 2024 to figure out what changes to measures would achieve the reduction.

Then if the Board felt that a 2025 implementation date was feasible, the Board could decide to have those measures implemented in 2025. It's really up to the Board, as far as implementation date, and sort of how that would work. But sort of the fastest timeline would be if the Board approves this Addendum in August, the evaluation against the targets happens between August and October, and then at the October meeting the Board decides what the 2025 measures will be.

As I mentioned, the Board could, if the Board pushed this one meeting cycle, the Board would then be approving this Addendum in October. Then potentially, would be looking at an evaluation, and figuring out new measures in January, 2025. I think it would be up to the Board to decide if we approve new measure in January, 2025, is that enough time for states to implement for the 2025 season or not? That would just be something the Board would have to think about.

CHAIR WOODWARD: Shanna.

MS. MADSEN: That brings up another question. Since there is talk of tabling, what happens if this document is tabled into the foreseeable future. What can we expect to do this fall?

MS. FRANKE: Yes, great question. If this Addendum is tabled, or if the Board sort of runs out of time to do the evaluation and measures for 2025. Right now, the Board has only set measures for this year, 2024. The Board needs to do something for 2025. That could either be this Addendum is approved and we're using the new Addendum to figure out 2025. It could be the Addendum is approved, and we do the evaluations, but the Board, perhaps as they did last year, request the TC look at the impacts of just staying status quo for one more year, and the Board could consider that, or the Board tables this Addendum for a few years, and we just use the current process we have, which is those state-by-state evaluations and our current target. Either way, the Board has to do something for 2025. Whether that is using this new Addendum or not is up to the Board.

CHAIR WOODWARD: I think that is the fundamental question that this Board needs to decide right now. You know there is no need of going into the details of this Addendum right now if there is not a collective will to proceed down this course of action in some form or fashion, depending on how the Addendum was modified. At this point I would welcome a motion so that question can be asked and debated, and decided. Doug.

MR. HAYMANS: I would **move that Addendum II to Amendment 1 be tabled until such time as the final FES Report is presented to the Commission, at which time we would resume deliberations in this Addendum.**

CHAIR WOODWARD: All right, do we have a second for that motion? Is that a question or a second?

MR. CLARK: Well, I'll second just for discussion purposes. But isn't that a motion to postpone rather than table?

CHAIR WOODWARD: Yes, it's probably the proper Roberts Rules of Order procedure.

MR. HAYMANS: Well, I mean there is tabled to time certain, right? I guess it's not a time certain it's FES Report.

CHAIR WOODWARD: Yes, I think we don't know when that report is going to be produced, so we really don't know what that time is, for one thing. It puts it kind of out there into infinity. But if you say postpone. Tabling is different than postponing. Postponing would say until a future meeting. Do you want to change that to postpone?

MR. HAYMANS: Certainly.

CHAIR WOODWARD: Okay, so John, you still willing to second that as stated, for purposes of discussion. Okay, so we had some hands pop up. Will you raise the hands again, whoever? I think I saw Lynn and then who else? Hold on, let me get a whole list. I've got Lynn, Shanna, Chris and who else? Raise your hand again if you want to comment. I got you, Chris. Okay, I'll go to you, Lynn.

MS. FEGLEY: This is not a comment specifically on the motion, but there was a memo. I don't think I'm talking out of school. There was a memo released, talking about the timeline for the time series of calibrated catch and effort estimates being available for incorporation in the stock assessments no later than spring, 2026. I just wanted to provide; I think there is starting to be a little bit of a timeline coalescing around when these time estimates might be available. It looks like it will be in the early part of '26.

CHAIR WOODWARD: All right, so that is when they are projecting to have the results of the more expanded study, and then they're going to have to incorporate that into some sort of recalibration process, which would probably take another unknown period of time. Realistically, you're probably looking at '27 before you'll have revised catch estimates for us to argue about.

All right, just so everybody has a timeframe here. What we're talking about is postponing possibly into 2027, so at least two more, possibly three more fishing seasons under status quo. That's what we're dealing with here. All right, I've got Shanna and then I'll go to Chris Batsavage.

MS. MADSEN: Obviously I'm going to speak in not support of this motion. I feel like this is something that we have discussed now at every meeting at each part of this process, and the Board has been asked this question several times, if they want to continue to move forward with this document.

I think the document was put together extremely well, and I think it outlines a lot of the positive influences that could be made by changing to regional approaches. We're facing issues with de minimis states falling in and out of de minimis. We're facing issues with overages in areas where we know that we really can't stop the fish from going to any more.

We're in a place right now where we recognize that we're probably not going to get those FES numbers until 2027 at this point, we get those calibrations, and then how long into the future until we're

actually able to implement them? I just can't sit by and say that we're going to wait this one out. It is essentially just sticking our heads in the sand and pausing absolutely everything, just because we know this is coming.

There is a very specific portion of this Addendum that allows those numbers to be changed without us having to go through an addendum process, where if this Addendum did not go through, my understanding that we would have to go through another process to change all of those numbers, and we would end up back here again doing this again. For me, I'm not going to support this motion.

CHAIR WOODWARD: Chris Batsavage.

MR. BATSAVAGE: Yes, I'm also in opposition of postponing this. Shanna basically said every comment that I was going to say. I guess the one thing I'll add is, I think we've learned that MRIP is an iterative process. They continually kind of check their methodologies, and we get changes to the estimates over time. I think this will be about the third one, fourth one, I'm losing track.

The one that they're working on now probably won't be the last. I think this is the environment we're working in, as far as managing recreational fisheries. I think we need to move forward with the items, at least that won't be as impacted by any new FES calibrations that are in this Addendum that we know are a problem. That's why I don't think we should postpone this.

CHAIR WOODWARD: I'm going to ask John Carmichael just to make another brief comment just to clarify what our expectations are of the timing of the FES study results and recalibration report, so everybody will have that before we make a decision.

MR. CARMICHAEL: Yes, I just wanted to comment, and thank you, Spud. There was a recent NOAA Fisheries guidance on the FES that went out to a whole bunch of people. In that they say that they anticipate having what they call tentative recalibrated estimates in spring of 2026, with the timeline they normally put out the 2025 estimates.

They'll have those recalibrated. They are doing the comparison this year, and then the analysis in '25, and then in '26.

But, as we all know, that things are always contingent and there is a number of contingencies about, you know getting reasonable results and being able to trust the comparison, and being able to develop a recalibration process. Of course, it's always if considered necessary. The earliest you would be getting anything that you could look at numbers would be spring 2026, and then any changes would go in, probably in 2027 to a program overall.

CHAIR WOODWARD: Doug.

MR. HAYMANS: I heard stick your head in the sand twice, I guess I prefer kick the can, as opposed to sticking my head in the sand. But I think the realities of the issues that FES faces are enough for me to say, I don't want to take anything that is in 3.1 out to the public. I can't see North Carolina taking the cuts that it is planning to take, or South Carolina and Georgia, which is 1 percent,

But taking the cuts based on something that we acknowledge is potentially flawed up to 30 to 40 percent. I like options between 3.2 and the rest of the document. I think we could discuss those. But to me that is why I'm opposed to moving forward is everything that is in 3.1, and the reallocations there, which is a part of the document.

CHAIR WOODWARD: Any other discussion on the motion? I'm going to give us a few minutes to caucus before I call the vote on this. We need to dispense with this, because we only have about 30 minutes left, and we've got a lot more to do. I'll give everybody, let's make it three minutes of caucus.

Okay, everybody good on caucus? Well, we have a motion before the Board. I'm just going to read it again to make everybody is clear. It's **move to postpone Draft Addendum II to Amendment 1 until such time the final MRIP FES Report has been presented to the Commission. All those in favor, signify by raising your hand.**

Okay anybody, I guess there is nobody online. Everybody is represented here. **We have 2 ye a votes, all right opposed like sign. Seven, all right abstentions. We've got 2 abstentions that's 3 abstentions. Null votes, no null votes. Council, NOAA and Florida abstain, all right, motion fails 2 to 8 to 3.** Now we can proceed with further deliberations on the draft Addendum. I have a sense that probably where we need to do our work most importantly is going to be on 3.1. I want to open up the floor on that. We had a recommendation from the PDT about the 3-region approach. I'm assuming that the Board would probably be interested in supporting that recommendation, so Shanna.

MS. MADSEN: I'm actually going to make a more simplified motion, I think first. Then we can start to have discussions about the regions. The motion that I want to make is, **move to remove the timeframes for the weighted 10-year and the weighted 3-year averages from the document, and those would be Options B3, C3, C6, C9 and C12**, and if I get a second, I'll speak to that. Thank you.

CHAIR WOODWARD: Do I have a second for that motion? Second from Lynn Fegley. All right, let's get this up on the board, make sure we're clear. Okay, is that accurate, Shanna? We've got a motion and a second. Discussion on the motion. Shanna, would you like to provide some rationale for your motion?

MS. MADSEN: Sure, the rationale for this motion is again, we're trying to simplify the document. I think that we're continuously talking about how we need longer time series averages in order to more accurately understand what is going on in this fishery. I think that the second weighted option, which is the 10-year and the 5-year average, the one that we're currently using with updated years.

I would like to see that one continues forward in the document, since that also seems to be working for everyone. But I just don't see there being a big difference between the 10 year and the 3 year and the 10 and the 5. I think that it is just easy for us to kind of try to whittle down some of those options, and keep a more stable average timeframe.

CHAIR WOODWARD: All right, we're going to go back to that slide, just so everybody can see the time series we're talking about deleting from the document, so everybody is clear. Okay, there we go. Any discussion, questions for clarification on this motion? Anything online? Any need to caucus on this motion?

I don't see anything. **Any opposition to this motion? Okay, I don't see any opposition to it, I guess nobody online. Okay, with no opposition then we'll consider that motion approved**, and that will be deleted from the draft document. Any other recommendations on this particular part of the document with the timeframes?

Everybody satisfied with that content? All right then we will move on to the next part, we can flip to that next slide if we can, we'll be talking about the regions. We'll move to the regions. We do need to answer the question of whether or not, where North Carolina goes. I know some of you have strong feelings about where North Carolina should go, but that's not what we're talking about. Okay, so we had a recommendation from the PDT to delete what would be in essence a *de minimis* region, so Shanna.

MS. MADSEN: I'm going to go with the PDT recommendations, after talking to some of *the de minimis* states. **That would be removing any of the options in the document that are comprised of three regions. That would be Option B4, C5, C10 and C11.**

CHAIR WOODWARD: Do we have a second for that motion? All right, Jesse. We've got a second. Any need for discussion on that motion? We had a PDT recommendation pretty strong. I think it's pretty clear that we would end up with unintended consequences from that choice. Any opposition to that motion? Seeing none; we will consider that approved.

MS. TONI KERNS: Spud, I think we might have altered the language just a little bit, just to make it very clear which options were being removed from which sections. If you just give us one second, we can write the section in there.

CHAIR WOODWARD: Yes, I'm going to read it into the record just to make sure it is clear. Move to remove any of the options considering 3 regions from Section 3.1 which is C4, C5, C10 and C11. We had a motion by Ms. Madsen and second by Jesse Hornstein from New York. Again, just to make sure we're clear, **any opposition to this motion? Seeing none; that motion is approved.** We're making progress.

We're down to two region options, and do we want to leave in what is in there regarding North Carolina being included with, I'm going to call it the north region, or the south regions. Leave those two like they are for public comment. Okay, I've seen some heads nodding so I think that looks good. Okay that's good. Any other sections of this document?

Is everybody comfortable with what else has been presented in this draft document, clear on what it means, like it is going to be clear to the public what it means when we take it out? Do you think there needs to be any modification of any of the language to make it more clear? All right, at that point I think we're ready to approve the Addendum as modified for public hearing.

Would someone like to make that motion? I've got a motion by Lynn Fegley and a second by John Clark, so it's **move to approve Atlantic Cobia Draft Addendum II for public comment as modified today.** Motion by Lynn Fegley, second by John Clark. **Any opposition to that motion? We've got one, one nay vote.** Doug.

MR. HAYMANS: That is with all due reference to Dennis's comment this morning. I still feel like I can vote my convictions though.

CHAIR WOODWARD: Okay. All right, so we dispensed with that. Thank you all very much.

PRESENTATION OF SPANISH MACKEREL WHITE PAPER

CHAIR WOODWARD: We'll move forward with that. We'll go to our second item, or fifth item actually,

which is Presentation of the Spanish Mackerel White Paper. Go ahead, Emilie.

MS. FRANKE: I will provide an overview of the Spanish mackerel white paper prepared by the newly formed Spanish Mackerel Technical Committee. I don't have time to cover everything in the paper, so I'll just try to hit a few of the highlights. Just a little bit of background. This task emerged from the Board discussion about the need to better understand each state's Spanish mackerel fishery, in anticipation of future Board action to address state and federal management differences, and also recognizing emerging fisheries at the northern end of the species range.

All states from Rhode Island to the Florida east coast have declared interest in this fishery, except for Connecticut and Pennsylvania. There are some management differences between the Commission's Interstate FMP and the Federal FMP. The Board has been discussing these differences and anticipates some future action. In August of last year, the Board tasked the Technical Committee with developing this paper to characterize Spanish mackerel fisheries along the coast, with the intent of helping the Board address state waters management issues.

Thanks very much to each state who submitted a fishery profile with a lot of detail on their state fisheries. We really appreciate each state pulling that information together. First the TC noted that Spanish mackerel availability along the coast is driven by water temperature and their seasonal migration.

The Atlantic Coast stock spends the winter off the east coast of Florida, then they move northward to North Carolina in early April, and then further north in June. Then the fish move back down to the east coast of Florida again for the winter. The majority of harvest across both sectors really reflects the seasonal migration.

The majority of Florida's harvest occurs from late fall through winter, and then into early spring. Then from Georgia up until around Virginia, you start to see that majority of harvest in early summer as those

fish move north. Then up further, to Maryland off to Rhode Island, you see the majority of that harvest start to appear in sort of late summer.

Looking at the combined commercial and recreational landings in pounds by state over the past decade, you can see the recreational sector shown here in green, has accounted for the majority of harvest in most states, except for Florida, where the commercial fishery shown in blue has accounted for about 55 percent over that time period.

You can see that in addition to Florida, both Virginia and North Carolina have targeted directed commercial fisheries. The commercial proportion is a little bit larger for those two states as well. For those commercial fisheries, again only those three states, Florida, Virginia, North Carolina have directed commercial fisheries for Spanish mackerel.

Over the past decade Florida has accounted for about 75 percent of coastwide commercial Spanish mackerel landings, North Carolina for about 22 percent, and then Virginia for about 2 percent. Just for a little perspective on scale. In 2022 Florida had 436 participants in the Spanish mackerel commercial fishery, and the average landings ranged from about 300 pounds per trip in 2022 to about 600 pounds per trip in 2021.

North Carolina over the past decade has had an average of about 374 participants and they average landings about 220 pounds per trip over the last decade. Then Virginia has had about 50 to 100 participants each year over the past decade, with an average landings per trip ranging from about 30 to 200 pounds over that time.

Then the remaining states in the management unit all combined account for less than 1 percent of coastwide commercial landings over the past decade, and these state commercial fisheries, so Georgia, South Carolina and then from the Potomac River north. These are all opportunistic bycatch commercial fisheries. There are variable landings from year to year, with average landings less than 100 pounds per trip, and only a handful of participants. The vast majority of commercial

fisheries are occurring in state waters. All three states with directed commercial fisheries, so Virginia, North Carolina and Florida indicated that over 90 percent of their commercial landings are from state waters in recent years. There are a variety of commercial gear types that are used.

In Florida hook and line and cast net are most common. In South Carolina trawl is the predominant gear, and that is just for their bycatch fishery. Then for North Carolina north, gill nets and pound nets are the most common gear types. Moving on to the recreational fishery. Recreational hook and line fisheries occur in all states, although South Carolina and many of the northern states indicate that the recreational fishery is opportunistic and not necessarily targeted.

Over the past 10 years Florida again has accounted for a majority of landings, 44 percent of the coastwide recreational harvest. This is in numbers of fish. North Carolina has accounted for about 32 percent, South Carolina 14 percent, Virginia 7 percent, Georgia 1 percent, and the remaining northern states for about 2 percent.

The majority again of recreational fisheries are occurring in state waters. There are a few exceptions that were noted. New Jersey noted that about 55 percent of their landings have been from state waters, the other 45 from federal. Delaware noted the majority of their landings have been from federal waters.

Then South Carolina noted that although the MRIP data indicates a majority of their landings are from state waters, their charter logbook data indicate that a majority of charter trips were actually in federal waters. Just a couple other points on the recreational harvest estimates. The TC noted that there are pretty high PSEs for some states, particularly for some of the states at the northern end of the range, and also for Georgia in some years.

The TC did note there is an increase in effort in several states from 2020 to 2021, potentially associated with COVID 19. Then looking at the recreational harvest by mode. In most states the

private and shore modes comprised over 90 percent of recreational harvest. In Virginia that was a little bit lower, private and shore comprised about 81 percent of recreational harvest in the past 10 years.

Addressing the Board's interest in any trends at the northern end of the species range. It appears that landings in the more northern states have been generally higher for the past four years, as compared to the prior several years. However, the landings are still pretty variable, and the trends can differ state to state. Up on the screen here you will see the commercial harvest for those states at the northern end of the range. On the left you have the dash line on top is Rhode Island through Delaware.

That sort of dotted line underneath is Maryland and PRFC, and the right you have Virginia. Note that the Virginia scale is much larger than those other states. But you can kind of see that the past few years the landing have sort of stayed at an, on average, a bit of a higher level than those past several years, with a very large spike in 2019. Then on the next slide you'll see the recreational harvest. This is in numbers of fish. That solid line is Virginia, the dash line is Maryland, and then the dotted line is Rhode Island through Delaware. Again, you can see sort of a spike in 2019, and landings on average staying a bit higher these most recent years. But still in the grand scheme of things, relatively small compared to some of the other states. Then just to finish up here. The TC pointed out a couple of points specific to the Florida Spanish mackerel fisheries.

Florida for both sectors typically contribute a large proportion of landings. There has been a recent decline in 2022. One factor that this Board discussed in last year's FMP review was that there are increased areas that are closed off to vessels to create safety zones associated with space launches.

This has prevented access to traditional fishing areas for Spanish mackerel in Florida. Then also a note that Spanish mackerel concentrate in easily accessible and inshore areas during the winter in Florida, and this has resulted in some conflict between the commercial and recreational sectors, because they are operating simultaneously in the same areas.

That is all I have. That was just a quick sort of highlights to the white paper. You know, I'll say this TC task was in response to the Board's interest, so if there is something, any edits or questions that you have on the white paper, please feel free to reach out to me, and we can post the white paper on the website in the near future.

CHAIR WOODWARD: Thanks, Emilie. Thanks to all the states for responding with the information. This will be an important source document as we move forward, and trying to sync up state management of Spanish mackerel with federal management. Any questions for Emilie? If not, I'm going to turn it over to John. Go ahead, Jeffrey.

MR. JEFF RENCHEN: Yes, great report, Emilie. I appreciate you going through that thoroughly, and letting everyone know about the different Spanish mackerel fisheries in each state. I just wanted to point out, I don't think it necessarily needs to be in the document, but that the U.S. Coast Guard is implementing a new tool called the Space Operations Launch Recovery.

This stands for Solar pool, which is like an online AP that people can go to, to look at where different zones might be closed for upcoming launches to better plan their trips. Hopefully with the implementation of this tool, with the U.S. Coast Guard that this might help with the limitations caused on the fishery from those closures. But more to come on that.

CHAIR WOODWARD: All right if there are no other questions.

**UPDATE FROM SOUTH ATLANTIC FISHERY
MANAGEMENT COUNCIL ON MACKEREL PORT
MEETINGS**

CHAIR WOODWARD: I'm going to turn it over to John to give us an update on Council activities.

MR. CARMICHAEL: Yes, thank you, Spud. I want to update you on the Port Meetings, long awaited. We had the first kick off round in North Carolina a few weeks ago, and it was really a resounding success.

Everyone was very pleased with the turnout we had, about 150, 160 folks across four meetings, pretty evenly spaced as well, you know four different spots along the coast of North Carolina.

That is a great turnout for meetings where you're not proposing a bunch of controversial management measures. The feedback gathered at the meetings was really good, had great conversations between, you know the fishermen and the staff there, and got a lot of good feedback about the fishery. But I really want to highlight the support that we received from North Carolina DMF to make these a success. There are two staffers in particular, Kevin Aman and Amanda Macek.

They just really went above and beyond in terms of a real personal grassroots approach to reach the fishermen, and those involved in the fishery, you know calling individuals. I think Kevin called every tournament operator in the state and said, hey these are coming up, you need to come out and speak.

I just want to stress with the ones that are coming up, we really appreciate the help from the other states and the Commission as well. If you can get a hold of the people that you know are involved in the fishery and interested in it. You know I think we can continue to get great turnout at these meetings, and you know just show us it's a good way to go out and talk to the fishermen and get input.

When you're not going out with controversy and just getting everybody who wants to tell us our data are bad and we shouldn't be managing, but really have good discussions about where the fishery needs to go. You know the Council is going to use this input to then decide where the next amendment actually goes, in terms of dealing with Spanish, and addressing the issues that are out there.

The next round will be coming up. They are doing a series of virtual meetings in New England, May 14 through 16, and this was anticipating that there is going to be lower interest up there, because the fish aren't as common and they are not as traditional of a fishery, but here may be some interest, so that will be virtual. Then there is going to be a meeting in

conjunction with the Mid-Atlantic Council meeting in New York the first week of June.

As the different states come up, of course, you know our staffer, Christina Wiegand in particular, will be reaching out to coordinate with you guys and make sure we're doing everything to get the word out. We just really want to stretch, you know. You're seeing the social media posts and newsletters and that sort of thing, the broadcast approach not necessarily bringing out people.

But to the extent you can get out and really touch base with the folks that are engaged in the fishery, and interested in these issues, are likely to make it a good success. We had a lot of North Carolina staffers and others that came to the meetings too, and that was also really beneficial. I think they got a lot out of talking with the fishermen themselves. Very encouraged by how this has kicked off, and hope it continues.

CHAIR WOODWARD: Yes, that is quite an effort, but I think it's going to yield some very important outcomes, mainly the fact that just getting out and interacting with the people that are affected by our decisions, so that they know that there are real people with real concerns and real interest behind all this magic and voodoo that they see. Any questions for John about the Port Meetings? Chris.

MR. BATSAVAGE: Thank you, John, for going over that. For the New England webinar hearings, are those webinar links posted, just in case myself and any other Board members might be interested in hearing perspectives from the fishermen up in the New England states.

MR. CARMICHAEL: Yes, at this rate they will be posted on our website with all the information about it, yes. We put them there so people can get ready access.

MS. FRANKE: I can send them around to the Board as well.

CHAIR WOODWARD: All right, Jay.

DR. JASON McNAMEE: I think maybe this was just said, so sorry. But we're happy to help do some work up in Rhode Island to drum up some participation, so just let me know when the virtual meetings are, and we will echo that out on our communications and all that good stuff too.

MR. CARMICHAEL: Yes, thank you, Jason, and I think Christine is listening, so Christine, reach out to Jason. Make some contacts there, that will be helpful.

CHAIR WOODWARD: All right, thanks, John.

ADJOURNMENT

CHAIR WOODWARD: We didn't have any other business identified at the beginning of the meeting. Is there anything anybody would like to address under Other Business at this time? We have two minutes. Yes, Emilie.

MS. FRANKE: Switching gears back to Cobia for this Cobia Draft Addendum that has now been approved for public comment. If you will just look out next week for an e-mail from me, asking you all if your state would like to have a public hearing so we can get those scheduled.

CHAIR WOODWARD: Okay, any housekeeping, Bob or Toni, before we break? All right if there is no other business to come before the Pelagics Board, we will stand adjourned.

(Whereupon the meeting adjourned at 11:40a.m. on Wednesday, May 1, 2024)