

PROCEEDINGS OF THE
ATLANTIC STATES MARINE FISHERIES COMMISSION
SCIAENIDS MANAGEMENT BOARD

The Westin Crystal City
Arlington, Virginia
Hybrid Meeting

August 5, 2025

Approved October 30, 2025

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1. **Approval of agenda** by consent (Page 1).
2. **Approval of Proceedings of May 6, 2025** by consent (Page 1).
3. **Move to remove Section 3.4 Option D from consideration in Draft Addendum II** (Page 10). Motion by Dave Sikorski; second by Joe Grist. Motion approved with no objections (Page 10).
4. **Move to remove Section 3.5 Sub-Option B1 from consideration in Draft Addendum II** (Page 10). Motion by Erika Burgess; second by Spud Woodward. Motion passes by consent (Page 11).
5. **Move to approve Red Drum Draft Addendum II as modified today for public comment** (Page 12). Motion by Dr. Malcolm Rhodes; second by Joe Grist. Motion carries by consent (Page 12).
6. **Move to approve Delaware’s request for an exemption from the Spot FMPs. Requirement that Delaware reduce the Spot commercial landings by 1% until the Board develops new de minimis criteria** (Page 18). Motion by John Clark; second by Ben Dyar. Motion passes by consent (Page 18).
7. **Move to approve the Red Drum FMP Review for the 2024 Fishing Year as amended today, state compliance reports, and de minimis status for New Jersey and Delaware** (Page 20). Motion by Roy Miller; second by Dr. Malcolm Rhodes. Motion carries by consent (Page 20).
8. **Move to approve the Atlantic Croaker FMP Review for the 2024 fishing year, state compliance reports, and de minimis status for New Jersey, Delaware, South Carolina, and Georgia commercial fisheries, and New Jersey’s recreational fishery** (Page 22). Motion by John Clark; second by Joe Cimino. Motion passes by consent (Page 22).
9. **Move to adjourn** by consent (Page 23).

ATTENDANCE

Board Members

Joe Cimino, NJ (AA)	Chris Batsavage, NC, proxy for K. Rawls (AA)
Jeff Kaelin, NJ (GA)	Ben Dyar, SC, proxy for B. Keppler (AA)
Adam Nowalsky, NJ, proxy for Sen. Gopal (LA)	Malcolm Rhodes, SC (GA)
John Clark, DE (AA)	Mel Bell, SC, proxy for Sen. Cromer (LA)
Roy Miller, DE (GA)	Doug Haymans, GA (AA)
Carrie Kennedy, MD, proxy for L. Fegley (AA)	Spud Woodward, GA (GA)
Robert Brown, MD, proxy for R. Dize (GA)	Erika Burgess, FL, proxy for J. McCawley (AA)
David Sikorski, MD, proxy for Del. Stein (LA)	Gary Jennings, FL (AA)
Joe Grist, VA, proxy for J. Green (AA)	Ron Owens, PRFC

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

Ex-Officio Members

Harry Rickabaugh, Black Drum Technical Committee Chair; Spot Technical Committee Chair	Ethan Simpson, Red Drum Technical Committee Chair
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Staff

Bob Beal	Caitlin Starks	Katie Drew
Toni Kerns	Jeff Kipp	Samara Nehemiah
Tina Berger	Tracey Bauer	Chelsea Tuohy
Madeline Musante	James Boyle	

The Sciaenids 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; Tuesday, August 5, 2025, and was called to order at 2:30 p.m. by Chair Doug Haymans.

CALL TO ORDER

CHAIR DOUG HAYMANS: Hear ye, hear ye. We shall call the Sciaenids Board, August 2025 meeting to order. Thank you, gentlemen.

APPROVAL OF AGENDA

CHAIR HAYMANS: First, we have before us the consent for the agenda and the proceedings from May of 2025. Are there any additions to the agenda? Seeing none; we have consent on the agenda.

APPROVAL OF PROCEEDINGS

CHAIR HAYMANS: Did anybody find any corrections, deletions or additions to the May 2024 minutes, proceedings, excuse me. Seeing none; we'll accept those as provided to us.

PUBLIC COMMENT

CHAIR HAYMANS: Next is public comment for items not on the agenda? Anyone in the public or online wishing to speak to items not on the agenda? We have none in the visible public nor on line. Let's move right into the item of the day.

CONSIDER RED DRUM DRAFT ADDENDUM II ON MODIFICATIONS TO RED DRUM MANAGEMENT FOR PUBLIC COMMENT

CHAIR HAYMANS: The Draft Addendum II to Amendment 2, for Red Drum. I will turn this over to Tracey.

MS. TRACEY BAUER: All right, thank you, Mr. Chair, and good afternoon, everyone. I will be walking through Draft Addendum II to the Red Drum Interstate Fishery Management Plan,

modifying red drum management. In today's presentation, I will be starting off with a very brief introduction, and then getting into each issue separately, providing that issues background and the statement of the problem, before describing the proposed management options for that issue.

Of course, the Board action for consideration today is consideration of approving Draft Addendum II for public comment. I have a timeline for the Draft Addendum in this table as a reminder of where we started and what we're working towards. Since the Sciaenid Board met last May, the PDT was formed and has been meeting and working hard to develop this Addendum.

Following this meeting, if the document is approved for public comment, the public comment period, along with public hearings would likely be somewhere around late August and September of this year, and we are still aiming towards final action at the annual meeting in October 2025.

Just as a reminder, and for members of the public listening online, the management area of red drum, as specified in Amendment 2 to the red drum Interstate Fishery Management Plan is the entire Atlantic Coast distribution of the resource from Florida east coast through New Jersey, and the management area is divided into a southern region and a northern region. Whenever I'm talking about the southern region, I am referring to the Atlantic Coast of Florida north through the South Carolina border, with North Carolina and the northern region extends from that North Carolina/South Carolina border north through New Jersey.

There are five separate issues in this Addendum. When the Board takes final action on the Addendum, there is the opportunity to select any measure within the range of options that go out for public comment, including combining options across issues. Just as a reminder as we move forward.

Getting into a little bit of initial background. Before I begin reviewing the issues, I wanted to provide some context that applies to a couple of the

sections in this Addendum, such as like Section 3.1 and 3.3. Following the benchmark stock assessment, finding the southern stock of red drum to be overfished and experiencing overfishing.

The Board, with help from the TC and SAS have been considering how to most appropriately address this negative stock status. As a result, this motion on the board here was approved at the Sciaenids Board May 2025 meeting. The motion initiated an addendum to require states to set regulations. They will be expected not to exceed F 30%, retaining the management goal of F40%.

In this motion it also said the TC should not consider noncompliance when evaluating the states regulations abilities to not exceed F30%, and states which have changed the regulations after the terminal year for fishing, after the terminal year for fishing mortality in the 2024 stock assessment, should use actual recreational harvest estimates to evaluate that.

Jumping right in, Section 3.1, alternative state management regimes. The current Commission management document for red drum, Amendment 2, names one specific paper, Vaughn and Carmichael, with tables for states to use to determine what management measures do not exceed the target fishing mortality.

An example of the tables from this paper in Amendment 2, are pictured on the right of the slide, and earlier this year the TC determined that the methodology used in this paper is no longer an option and is outdated. Instead of Addendum II specifying a specific new method to estimate the change in catch that results from adjusting regulations.

The Board expressed interest in allowing for future flexibility, by developing a process which allows states to propose changes to regulations in response to new information on the stock. As a part of this process, new methodologies to estimate the impact of regulation changes on

fishing mortality could be proposed and approved by the Board.

Most importantly at this time, it would allow the southern region states to respond to the results of the most recent benchmark assessment. The proposed management options with 3.1 Option A, the red drum management would be limited to the tables from Vaughn and Carmichael in Amendment 2, to determine the impact of regulations on catch, and the Plan Development Team as we were meeting, noted that the methodology in Amendment 2, these tables are no longer considered the best available science, nor directly comparable to outputs from the modern, most recent red drum assessment. Option 3.1, Option B would establish a new process to allow states in either stock to propose changes to the management measures.

This process would typically occur following the acceptance of a stock assessment for management use by the Board, and it would be to end and prevent overfishing. I will briefly run through what Draft Addendum II lays out as a proposed process in Option B. Again, the Draft Addendum does not specify a methodology to estimate catch reductions achieved from adjusting regulations, but just said whatever methodology is used must be approved by the Board.

In our current case, following our most recent benchmark stock assessment, we already have a Board approved methodology, which the TC has developed and it was presented to you all in February and May meeting earlier this year. The Draft Addendum provides further detail on how states within a management region can work together, and what sort of information would need to be in the proposal.

After the states developed their proposal with the Board approved methodology, the proposals would be reviewed by the Technical Committee to ensure the data and analysis are technically sound. Basically, it would be to confirm that the proposal follows the Board approved methodology.

If the state wishes to gather public input on the regulation options in their respective proposal, they can do that any time in that process, and it would all be done at the state level. It's all up to the state how they want to gather that public input. After the TC reviews, the proposals would be presented and approved by the Board, chiefly if they achieve the required percent change in catch fishing mortality.

Then finally, the states would select one of the regulation options in the proposal to implement. One other thing I wanted to make a note of. Following the guidance and the motion approved at the May 2025 Board meeting, this option also includes language to clarify that if a state has already implemented regulations to reduce catch following the terminal year of an assessment.

Data from MRIP can be used to estimate actual reductions achieved. When the PDT was discussing this item, they also thought it would be important to clarify that specifically MRIP data must be used, and thought that if a state is calculating and achieved such reduction with MRIP data, there should be at least three years of data to consider.

Moving on to Section 3.2, allow alternative methods to estimate fishing mortality for use in management, so 3.2 in the document originates from additional guidance received by Board members over e-mail, to include in Draft Addendum II as a pathway for new methods to estimate fishing mortality for the evaluation of future regulation changes that the states may propose.

The e-mail and further discussions with the PDT established the main concerns that led to this request. The issue in the Draft Addendum would provide the means to proactively address concerns that delays the future assessments that may delay a state's ability to reevaluate the impacts of red drum management on the stock, and/or for states to use outdated methodologies to provide management advice.

Current Commission guidelines found in the Commission's TC guidance document state that alternate analyses or methods to assess the stock should be submitted within the Commission's assessment process, so whenever a new benchmark assessment occurs to be considered for management use.

For example, if a state completes its own assessment of their sub stock between Commission assessments, and finds that there has been improvement to the stock status of their sub stock. Currently the Commission's red drum FMP or any Commission document does not have a process to allow states to bring forward those results for use in management between assessments, to make adjustments to their management measures. This leads to the proposed management options for 3.2.

First status quo, which would be following our current guidelines found in the TC guidance document, that outside assessments should be brought forward during a Commission benchmark assessment, if the group would like their assessment to be considered for management use. Alternative assessments are subject to the same standards, documentation and process as Commission assessments, including SAS, TC, and independent peer review.

For 3.2 Option B. This would establish a process or pathway to allow states to propose alternative methods to estimate fishing mortality and use these results to make management decisions. To explain the process proposed in 3.2 Option B, I have another flow chart here. In this option states would submit their methods and analyses to estimate the changes in fishing mortality to the TC and SAS.

Next, the TC and SAS would review the submitted analyses and make recommendations. They can also recommend that it be reviewed by the Commission's Assessment Science Committee if they believe they need additional or independent expertise. The Board would then review all of the feedback from the TC, SAS and the Assessment Science Committee.

If applicable, it would make the decision to approve for management use, if the alternate analysis is consistent with the goals and objectives of the FMP. To bring everything together, if the analysis is approved for management use, the state would then follow a similar process to what is laid out in the previous issue that we just discussed, to submit proposals with new management measures, and get those approved by the Board, which you can see in the next slide.

Basically, they would go through the whole process to get their methodology approved by the Board, and then they would move on and submit proposals with management measures following a very similar process to what is proposed in 3.1. Since 3.2 Option B is outside our current assessment process, and it's not currently in place for any other species, the PDT requested input on it from the TC and SAS. I'm going to hand it over to Ethan Simpson, the Red Drum TC Chair to cover the TCs discussion and recommendations on this.

MR. ETHAN SIMPSON: The TC and SAS met several times to go through these proposals, and a number of items came to light. The primary point of discussion was around the potential for localized depletion using these methodologies that may lead to adverse impacts on the stock unit as a whole. In particular, the TC was looking for more research needed to better understand the mixing mechanism between states within a sub region. Beyond that the TC identified a need for safeguards like the formal review process as part of a normal benchmark assessment, to ensure that sub stock selecting a localized fishing mortality information is consistent with stockwide information.

The proposed process does deviate from the Commission's existing process for alternative analysis, which ensures alternative analyses undergo the same level of external review as base assessment models. Depending on the style of the state-specific assessment, the

estimates from those assessments and the sub stock assessment would not necessarily be directly comparable, which creates an issue down the line of trying to marry the two.

Analyses by groups independent of the SAS further complicate those comparisons, as there may be differences in decision making, data treatment, or otherwise the materials that go into these assessments. As the solutions or thought process going into this, there needs to be an ability to clearly define quantity being used as a basis of fishing mortality, whether that is SPR, escapement, F and particularly how that is calculated.

A use of different quantities through time may lead to conflicting management advice, depending on the differences between the assessments. One of the reasons noted for a process which allows for alternative methods to estimate F had concerns related to the timeliness of Commission assessments. There was concern that they could essentially go stale between assessments.

The TC did want to note that the Commission does have a process for management boards to request expediated assessments. In a red-zone-specific concern is based on their life history the TC believes that at least a sub adult generation of time, which would be similar to the five-year period recommended by the TC for the next assessment, is an appropriate minimum for addressing any impacts of regulatory changes to stock status before they consider new regulations. Thank you.

MS. BAUER: Thanks, Ethan. Moving on to Section 3.3, management requirements. This issue originates from a Board motion from the May 2025 meeting, the one I reviewed earlier, where the Board requested clarification on the fishing mortality threshold and goal, and requires states implement measures to not exceed F30%.

With this discussion with the PDT on this issue, the PDT noted that this request would not impact the biological reference point in Amendment 2. In Amendment 2, it defines the target as an SPR of 40% or F40 as those two quantities are equivalent,

and a threshold of an SPR below 30%, which results in an overfishing determination for red drum.

In addition, Amendment 2 required all states within a management unit to implement the appropriate recreational bag and size limit, combinations to attain the goal target of the SPR of 40%. Management requirements, this section provides options which specify a fishing mortality level, which states would be required to achieve through proposed and implemented regulations.

Option A, status quo, is the requirement that states implement an appropriate bag and size limit to attain the target of 40%SPR or F40. In Option B, this would establish the required fishing mortality level of 30% SPR or F30, which states would be required to achieve to end overfishing through proposed and implemented management measures, with a target of decreasing fishing mortality below the fishing mortality associated with 40%SPR.

The PDT noted that if this option is selected by the Board, all states in the southern management region, which is the only reason at the moment they have ability for states to have the ability to manage to an SPR F level, would be required to implement regulations expected to reduce fishing mortality below the threshold of F30%.

It was also noted in line with the May 2025 Board motion that the method to calculate the necessary reduction of fishing mortality, so fishing mortality is low F30% would not incorporate assumptions of noncompliance. In this section, just as a side note, there is also some notes from the PDT meant to provide some context to the public on what F30 or F40 would mean for the stock in anglers.

One thing I wanted to note before I moved on to 3.4. There is a request from the PDT for clarification in one aspect of 3.2 that process drew out analyses outside of ASMFCs typical

process, and 3.3, which we just reviewed establishing the threshold that take me to meet with the regulations.

Whether these are both meant to apply the entire management until or just the southern region, and we can discuss this at the end of the presentation. Moving on to Section 3.4, northern region management options. This issue in the draft addendum originates from the other approved Board motion from the Board's Spring 2025 meeting, which is shown on the slide.

As noted in the motion, although the southern stock was found to be not overfished and not experiencing overfishing, there was an increasing trend in fishing mortality observed in the assessment in this region. In addition, the increased effort in harvest observed in the northern region could indicate that the current management is no longer conservative enough to restrain the harvest to appropriate levels.

Stakeholders and Board members have also expressed concern with how the combination of increased abundance of red drum in recent years in the Chesapeake Bay, and the continued restrictive regulations of other traditional Chesapeake Bay port fish such as striped bass, may exasperate or be contributing to the increasing fishing mortality.

In response to all of these concerns that I just listed, there is an interest to act preemptively and precautionarily to control fishing mortality, especially before a fishery for red drum in the states north of North Carolina is fully developed. One other thing to note with the statement of the problem is secondary to the concern with increasing fishing mortality.

This issue could also address the variability and current red drum regulations in the northern region, particularly within the Chesapeake Bay, where bag limits range from one fish to five fish per person per day, and jurisdictions or states all have different maximum size limits, and 3.4 this northern region management options would provide options

for the northern region to align their differing regulations, particularly in the Chesapeake Bay.

On another note, before I get into all the options that the Board again is not limited to selecting only one option, and can select among options. I also wanted to note that the reduction achieved by any proposed regulation changes in the northern region cannot be calculated for the region as a whole, future low sample sizes and uncertainty.

In the recreational data for jurisdictions states north of Virginia, but you can find reductions achieved for various potential regulation changes in North Carolina and Virginia in Appendix 1 at the end of the document. Moving on to the proposed management options for 3.4, there is Option A, status quo, which would be no required changes to current management measures in the northern region.

Then first we have Option B, which considers modifications to the recreational management measures in the Chesapeake Bay states or jurisdictions. Just to clarify, I say jurisdictions, because it includes the PRFC. This option allows the Board to select a bag limit of either 3, 2 or 1 fish per person per day, and a bag limit for all three jurisdictions between 18 to 26 inches total length. I have the current regulations for all the northern region/states up there for reference again.

Next, I will touch on Options C and D. Option C is specific to North Carolina's slot limit. It would require North Carolina to select the recreational slot limit between 18 and 26 inches. Currently, North Carolina has a maximum slot size of 27 inches total length. Lastly, with Option D, there are three sub-options.

The first of which would require all states in the northern region to raise their slot size limit. Sub-Option D2 would require all states in the northern region to lower their maximum slot size limit, and Sub-Option D3 would require all

states in the northern region to adjust both their minimum and maximum slot size limits.

The PDT had some discussion about Option D, whether it was appropriate or necessary, but decided to include it for the Board's consideration in this document. Lastly, but not least, is Section 3.5, de minimis provisions. States can request and be granted de minimis, which is meant to reduce the management burden for states whose measures would have a negligible effect on the conservation of the species.

In 2022 as you remember, the Policy Board approved and updated de minimis policy, which provided guidance on the de minimis provisions for all ASMFC species. Currently, red drum's Amendment 2 does not have any specific guidelines for evaluating whether a state should be considered de minimis, nor does it establish any measures for de minimis states specifically.

This Draft Addendum is an opportunity to update and establish the de minimis provisions in the red drum FMP. Again, red drum's Amendment 2 does not have any specific guidelines for evaluating whether a state should be considered de minimis, or any specific set of measures for de minimis states that would not need to change annually.

The PRT, the Plan Review Team, currently considers a state de minimis if the average total landings for the last two years are less than 1% of the coastwide average. Option A as is, would maintain the status quo. Option B for 3.5 would update the de minimis provisions in Amendment 2, to align with the guidelines in the Commission's 2022 De Minimis Policy. Only three-year averages were considered in Option B, as the PDT agreed that a three-year average preferable to a two-year average when dealing with highly variable MRIP data.

There are two sub-options in Option B, one that considers de minimis coastwide, so New Jersey through Florida, and one that considers de minimis regionally, so for the southern region and northern region separately. The reasoning behind looking

into de minimis regionally is that the northern and southern regions are two separate stocks.

The PDT was considering whether de minimis should be considered separately as well, and match the stocks. In Sub-Option B1, a state would be considered de minimis if the average total landings for the last three years are less than 1% of the coastwide total landings. Sub-Option B2, a state would be considered de minimis if the average total landings for the last three years are less than 1% from its respective region.

Regional de minimis for red drum would, at least at this time, not impact the southern region at all, as all three states regulate to the total landings for that region. It could impact the northern region however, if you calculate de minimis for the northern states using the total landing for just the northern region.

States with very low sporadic landings such as New Jersey and Delaware might become more likely or be more sensitive to changes in their landings, and could potentially jump in and out of de minimis. When you're considering landings in the northern region, although New Jersey and Delaware have very low landings, they would now make up a larger piece of the pie with regional de minimis.

Lastly, the PDT had difficulty deciding what specific management measure would be considered as required for de minimis states, especially as there may be changes to the northern region management measures, depending on what option or options the Board might ultimately select in 3.4.

For now, Option B for both sub-options just include a process which would allow the PRT or the Technical Committee to recommend appropriate commercial and recreational measures for de minimis states, which the Board would review and approve. That is it for the summary of all the options in the document, and again for Board action for

consideration today is consider approving Draft Addendum II for public comment, and I'm happy to take any questions at this time.

CHAIR HAYMANS: All right, so the way I would like to take questions and comments, let's start with Sections 1 and 2 of the document and ask is there anybody that has question or comment, edit or otherwise for Sections 1 and 2. Erika.

MS. ERIKA BURGESS: I was wondering if it would be amenable through consent of the Board to make an edit to part of this, and it's for.

CHAIR HAYMANS: Is that edit in Section 3.2?

MS. BURGESS: Let me check. You can go to someone else.

CHAIR HAYMANS: I just want to make sure that we're covering Sections 1 and 2. If we're good there, I know there is an edit coming in Section 3.2. Okay, I see no hands or comments on the intro and status, so let's move into, I'm sorry, Chris Batsavage.

MR. CHRIS BATSAVAGE: Sorry about the late hand. You're basically just going looking for any modifications to I guess intro and statement of the problem?

CHAIR HAYMANS: Correct.

MR. BATSAVAGE: I think I'm okay. I think I have a couple editorial things that might be more in the management section. It is kind of a statement of the problem, but it is specific for the northern region. I guess when we get to that I'll mention it there, so I'm not jumping ahead.

CHAIR HAYMANS: Well, if it is specific to the northern region, I'm assuming that would be in Section 2, if you want.

MR. BATSAVAGE: I'll go ahead and just add it here, just so it doesn't get lost in the shuffle. Yes, it was actually in the presentation too, you know Tracey mentioned, in terms of the northern region for the

statement of the problem regarding red drum, the higher recreational harvest and effort. Part of that was there was some concern over restrictive regulations of other Chesapeake Bay fish that are targeted.

It said specifically, or as an example, striped bass. I'm wondering, instead of restrictive regulations it might be changing availability or something like that, where you would have multiple poor year classes of striped bass out of the Chesapeake Bay, so there is fewer of them, and there is maybe less availability of some other targeted recreational species in the Bay compared to years or decades ago.

That might be a better way to describe it. The regulations come into play, but for a fish like striped bass and red drum, it would have a large release component. Availability probably is more of a driving factor, as far as whether people are targeting one or the other species than necessarily the regulations.

CHAIR HAYMANS: Okay, I see Tracey follows you on your comment and we're good. Anything else? All right, let's move into 3.1. Are there comments, suggestions, petitions to 3.1? Okay, seeing none; I think we're now at 3.2, and Erika, I think this may be where your edit is.

MS. BURGESS: Yes, I'm sorry, I thought you were saying 3.1, 3.2 earlier, when you were talking about 1 and 2. My apologies. There is wording in 3.2, Option B that refers to the SAS being one of the reviewers for proposals. We haven't set the SAS as the standing body right now, but it's not typically a body that necessarily is contingent on the perpetuity between assessments.

I was wondering if it might be prudent to remove reference to the SAS there, and just have it be the TC. Then, so I'm looking at Page 11, the second paragraph. That is where that is, and then the third paragraph as well. Then it says the TC could recommend additional review

by the Assessment Science Committee. My preference would be that it said the Board would request the Assessment Science Committee's review, not the TC.

MS. BAUER: Erika, if it would be easier on like half the text that was sent with the edits, would you like me to pull that out so the Board can look at the changes that were suggested?

MS. BURGESS: That would be great. Thank you.

CHAIR HAYMANS: Erika, would you take a quick look at that and make sure it is correct? Anyone have any issue with SAS, essentially that's what that does is strike the SAS. If I understand, the makeup of SAS and TC are very similar throughout. This is having the TC review sent to the Board, and if the Board needs additional assistance for you, they'll ask for the Assessment and Science Committee, is that right?

MS. BURGESS: Yes, Mr. Chair, also the SAS is stood up when we do an assessment, it doesn't remain in place in perpetuity. We could be at a time when there isn't a SAS, yet we have an addendum that says we have to consult the SAS. This just takes some complications out each time. Then also for the Board to be the one to ask for the Assessment Science Committee review and not the TC.

CHAIR HAYMANS: Ben.

MR. BEN DYAR: I agree with these edits, don't have a problem with it. Just want to make it clarified too that I think goes without saying, but that the TC could recommend if they feel they don't have the adequate ability to determine something, that they could recommend that maybe ASC to the Board, not that it needs to be in there, just want to make a comment.

CHAIR HAYMANS: I believe that's correct. Okay, I don't necessarily think we need a motion here, but is there general agreement that this change is okay. I see thumbs up, okay, very good. Anything else on 3.2? Okay, 3.3. Comments? At this point I would look to folks on perpendicular tables to me at least,

northern region, to have some discussion as to whether or not you want the F30 that the southern region has asked for, to also apply to the northern region. Talk amongst yourself and let me know.

MS. BAUER: I will note, within the document as it stands now, the language is open to apply to both. We would have to change it if we wanted to make it specific to the southern region. When it mentioned the southern region in 3.3, it's just specifically to what the consequences are right now, which is for the public.

CHAIR HAYMANS: This was a point of clarification to the TC, right? They wanted to know whether it was both, oh the PDT, yes. Chris Batsavage:

MR. BATSAVAGE: Would the Board, when it comes back for final approval, final action, I guess one of the options could be that we could recommend that threshold for like the southern population but not the northern population, even if we say it could be applied to either today. I was trying to figure out what kind of leeway the Board has, depending on what we decide to go into the document now.

MS. BAUER: I think if we added a line in there about that, that this could be for either/or region, it's up to the Board's discretion. In Option B I think that would be appropriate, or one of the ways to handle it, at least.

CHAIR HAYMANS: Tracey, you can craft that sentence, it's either/or. The public should be able to understand that it could apply to the northern region, if necessary, if needed. Okay, I'm clear as mud. Okay, moving to 3.4, maybe not? Likewise, I think we would probably need a similar statement in 3.2. If it's okay with everyone we'll allow Tracey to add a similar statement to 3.2. Seeing no consternation, okay. Then we are at 3.4, and that is for the northern region management options. Are there any discussion points on those options? Chris.

MR. BATSAVAGE: Tracey, I don't know if it's appropriate or not, at least for the northern region to maybe point out to the public, where we're looking at increasing the minimum size limit as an option, that the growth rate at that stage of a red drums life is pretty fast. If we increase the 19 inches, depending on the time of year it might only take that fish a month to go from 18 to 19 inches.

There is limited conservation benefit by doing that, as opposed to decreasing the maximum size limit, which the growth rate is a little slower on red drum, but it kind of shortens the time it takes for the fish to get out of the slot and into a more protected zone. I'll just look to the Board to see if they agree with just kind of adding that caveat, similar to some other caveats that we have with the options in the Addendum.

CHAIR HAYMANS: Any feedback? Yes, Dave.

MR. DAVID SIKORSKI: Thank you, Chris, for bringing that up, because I think what you just stated makes a lot of sense. I missed initially, you were talking about Option D. I was having a sidebar, Chris, Option D is, or just in general?

MR. BATSAVAGE: Just for a second, 3.4.

MR. SIKORSKI: I'm of the mindset, because of what Chris said, Option 3.4D is probably not that valuable, it's the alignment with the biology as he was speaking, and how quickly they grow, and then from our perspective how quickly they grow through the slot and are available to fisheries. For us in Maryland, you add the seasonality component of it. Look at these little spikes where we'll get at the fish for about two years in a strong year class, then they'll disappear for a couple years, and we won't get that access until there is future recruitment.

I'm looking it up at 3.4 Option D is maybe valuable to get some input on from the public. But in general, I don't know that it gets us anything as northern region. I would be interested in removing it if the Board agreed, just to simplify the document, because again, I'm not sure what it gains us moving

forward as northern region. If anybody would support that, I would like to hear some thoughts on that or opposition, thank you. I'm happy to make a motion if the chair would like that.

CHAIR HAYMANS: Any additional discussion on the thoughts for that motion before the motion is made? Carrie.

MS. CARRIE KENNEDY: I agree with Dave. I don't necessarily know that there is a lot of benefit, and I think it makes sense to be consistent among Bay jurisdictions. I just don't know that it makes much sense to be consistent for the whole northern region.

CHAIR HAYMANS: I see some general nodding of heads in agreement. Okay, let's hear a motion.

MR. SIKORSKI: **Move to remove Section 3.4, Option D from consideration in Draft Addendum II.**

CHAIR HAYMANS: Is there a second. Got a second, any additional discussion needed on the motion? We heard some good reasons right up front. **Seeing none; is there any opposition to the motion? No opposition, motion carries.** Yes, we're struggling with names down here, I'm sorry, guys. Truth hurts. It was approved with no objection.

Okay, 3.5 de minimis. Hopefully there will be a motion to get rid of one of those provisions in there. Let's talk about de minimis, guys. Any comments on de minimis? Is there any reason to leave a coastwide de minimis option? Is anybody in favor of a coastwide de minimis option across two different stocks?

MR. BATSAVAGE: I think I would just look to the de minimis states for their thoughts on that. I think Tracey, if I understand correctly, if we did a coastwide de minimis, then basically it will be easier for a state to stay in de minimis under coastwide as opposed to regional.

To where a couple bad year classes experienced in Maryland and Virginia, and an unexpected increase in harvest in the de minimis states could put them above that 1% threshold. I don't have a preference for either option at this point, but since you are offering maybe for the Board to consider just one or the other, I would look to the de minimis states to see what they think about this.

MR. HAYMANS: I guess when I was asking for that I was misremembering the definition for de minimis, because I thought it had a negligible effect on the stock. But if it is on conservation of the species as written, okay. But where I am coming from is again, we're managing these as two separate stocks, why would we cloud the issue with one option covering across the board? It didn't make sense to me. Joe, you had a question, comment?

MR. JOE CIMINO: No, I agree. I was seeing this as, I didn't understand why we would be looking across two different stocks. If that is not the case then I have no problems keeping it in. Otherwise, I think today we'll be having a conversation about the policy of the three years, and the less than 1% in general, and that could be addressed in other ways. If this is looking across two different stocks, then I don't see it as having value in the document.

CHAIR HAYMANS: Erika.

MS. BURGESS: Then if I understand correctly, I would like to offer a motion. Toni was first.

MS. TONI KERNS: I was just going to say, I haven't thought about this ahead of time, so I haven't really thought. But I will say that I don't believe in any other plan we divide de minimis by stock, and we do have a lot of species that have different stocks. De minimis has always been by coast, but I haven't put my brain power to this question, because it didn't come up ahead of time. I'll let Erika go ahead, but I'll just note that for how we manage de minimis with other species, right or wrong.

MS. BURGESS: I would like to make a **motion to remove 3.5 Sub-Option B1**, so that de minimis

would be considered based on the stock management level.

CHAIR HAYMANS: Is there a second? Spud. Okay, any more discussion on that? Would the maker, anything else to add on reasoning? No, seconder, none. **Any opposition to this motion? Seeing none; the motion carries.** It seems as though there is a bit of discussion amongst bigger minds than mine up here, as to the implications of taking it out having not been thoroughly considered at this point. Perhaps a motion to reconsider is in order, and if it needs to be removed then we would remove it before we finalize it. No, I see no one interested. Roy.

MR. ROY W. MILLER: Sorry, Mr. Chair, I may not be addressing the question you had asked. I'll just hold off for a second, thanks.

CHAIR HAYMANS: Bob.

EXECUTIVE DIRECTOR ROBERT E. BEAL: What if the Board just kind of continues on for a little bit with the other issues, if there are some, and then we'll think about this for a few minutes and then come back to it. Is that workable?

CHAIR HAYMANS: Roy.

MR. MILLER: I'm trying to get it straight in my mind. The TC and/or the PRT will come up with de minimis measures, say for the northern region states. Can a state not submit their own measures that they feel will be de minimis for review? I would assume with TC review, but are we taking that power away from the states to do that?

MS. BAUER: Hey, Roy, that is a good question, and part of this originates from that original point in 2022 Policy that said that de minimis policies or provisions had to specify specific measures for de minimis states, so that their measures would not change from year to year with the rest of the states in the management area. The PDT couldn't really come up with anything specific, especially since we don't

know how the measures are going to turn out for 3.4. It's kind of kicking the ball down the road for now as a TC discussion. I know like in the PDT discussion we talked about how for de minimis states that the regulations could remain as is. I mean they are appropriate for those states as is. It's kind of a little bit of a question mark now exactly what it would look like.

MR. MILLER: I was just thinking that who better to decide whether a fishery is de minimis than the state where that fishing is occurring, as opposed to a TC, which may not be terribly familiar with the fact that let's say Delaware might catch under 10 red drum in a given year, or even less. Whereas, the state agency fully recognizes that.

MS. BAUER: Yes, so like for what state is de minimis is determined by that specific, like what the de minimis policy currently says. I don't know if that will change with later discussions at some point. But if you look at the three-year average of landings from that state and compare it to the coastwide average of landings, a state is de minimis if it is only 1% or less of the coastwide. That is the definition that applies for all states, and when you're considering whether or not it is de minimis.

CHAIR HAYMANS: I would also make the minor point, Roy, that I hope you instruct, was it the AA instructs their TC member to bring whatever measures they would like to see implemented before the PRT or the TC. That is hopefully we've all got representatives on those two groups. I heard no one interested in reconsidering, so the motion has carried. We're only looking at Sub-Option B2, Regional. Any other discussions on Addendum II to Amendment 2? Bob.

EXECUTIVE DIRECTOR BEAL: We've chatted about this over here a little bit, I'm not sure if we really made a decision. I'm not commenting on, it's good or bad to have coastwide de minimis. But I think the reality would be that if you have two separate stock units, and a state's catch is being compared to those sub units rather than the whole coast.

Fewer states will qualify for de minimis, because each of those sub units would have a smaller catch, obviously, than the total. You know a state like New Jersey that has been kind of on the bubble at 0.9 to 1.3% or whatever it is, and the threshold is 1%. If de minimis is evaluated relative to the stock units rather than the coast, New Jersey probably would not qualify for de minimis, it would always be above that threshold and required to implement the regulations.

Is that good or bad? That is up to the Board. But I think as you sub divide the catch into smaller units and compare the small catch states to those smaller units, fewer will qualify. Is that good or bad, I'm not sure. That is, I think the reality of chopping it up into smaller units.

CHAIR HAYMANS: Go ahead, Toni.

MS. KERNS: It's possible, maybe, I haven't done any math to figure this out, but that states that didn't qualify before because we were looking at the whole coast, would qualify now, because they are in a smaller stock unit all of a sudden, if that makes sense.

CHAIR HAYMANS: Counter to what Bob just said.

MS. KERNS: Well that all of a sudden, like you now, say you end up with a two-state region in horseshoe crab. Then one of those states could be de minimis and the other one would not be, potentially, whereas before if it was the whole coast that may or may not have happened.

CHAIR HAYMANS: I guess maybe I brought it up, but what I was looking at was if you're de minimis, then anything that you do, any actions you take, has no effect on the species. I was looking at it from the stock size, right. Why would we want to mix those stocks? But it does say species.

Okay, I get it, right. But we'll try it and hey, this is a very malleable process. If we have to come

back and fix it later, we'll fix it. I think we're done with Addendum II. Moving on, we are now going to look at the Review of the 2025 Traffic Light Analysis for Spot and Atlantic Croaker. First, we have Harry Rickabaugh.

DR. MALCOLM RHODES: Don't we need to approve the amended document for public comment?

CHAIR HAYMANS: I'm sorry, we have to approve the amended document. I just assumed that when we all agreed on it that it was good to go. Does it say action on this? No, it doesn't. Malcolm, go ahead.

DR. RHODES: I would love to approve Red Drum Draft Amendment 2 as modified for public comment.

CHAIR HAYMANS: Thank you, and it's Mr. Grist for the second, thank you, sir. It's the first one I've every approved for public comment. Dr. Rhodes, I believe you said Amendment, and it needs to be Addendum.

DR. RHODES: I'm sorry, Addendum.

CHAIR HAYMANS: The record is correct.

DR. RHODES: **Move to approve Red Drum Draft Addendum II as modified today for public comment.**

CHAIR HAYMANS: Thank you, and the second stands. **Is there any objection? Seeing none; it is approved for public comment.** Next, we are going to hear from Harry Rickabaugh, with regard to spots traffic light analysis. It's all yours.

REVIEW 2025 TRAFFIC LIGHT ANALYSES FOR SPOT AND ATLANTIC CROAKER

MR. HARRY RICKABAUGH: My name is Harry Rickabaugh with the Maryland Department of Natural Resources. I am the current Spot TC Chair. For this presentation, we're going to have three sections. The first two sections I'll be presenting,

the first one I'll give a brief description of the TLA methodology.

However, the traffic light is used to trigger management action, and the current management measures that are in place. The second part then I'll go over the Spot traffic light update for 2025, and then I'll turn it over to Margaret Finch, who will go over the 2025 traffic light analysis for Atlantic Croaker. We are using a fuzzy traffic light analysis, which uses linear regression to assign actual proportion of color for each index value. The index proportion of color is calculated using a mean and a 95% confidence limits of the 2002 to 2012 reference period.

Just a real quick demonstration on how we're doing that. If you look at that graph figure on the right, the horizontal line through the middle there, the mean is 100% yellow. That would be the mean of the reference period for a given index. As you move above that, you get more and more percentage of green.

As you get to the 95% confidence limit, it becomes 50% green, and then when you get to two times the upper confidence limit is 100% green, obviously red is the same thing but in reverse. As you move down you get a higher proportion of red. The indices are combined in the two metrics; these metrics are the harvest metric and the adult abundance metric. They are also divided by region.

The indices are combined, there are two with each metric, and they are combined through a weighting of 50/50, so each one of these composites you'll see later combine two different indices for that particular metric. The regions that we're using for both species are a Mid-Atlantic and a South Atlantic region, with the Mid-Atlantic being North Carolina through Virginia, I'm sorry, New Jersey through Virginia and the South Atlantic being North Carolina through Florida.

Both species also have a harvest metric, which is made up of the recreational and commercial harvest. Adult abundance indices for Spot are for Age 1 plus fish. In the Mid-Atlantic the two surveys used there are the ChesMAPP Survey and the Northeast Fisheries Science Center Survey. In the South Atlantic it is the SEAMAP Survey, and in North Carolina Pamlico Sound Survey. For Croaker the adult abundance metric is for Age 2 plus fish.

Also using in the Mid-Atlantic the ChesMAPP and Northeast Science Center Surveys, in the South Atlantic SEAMAP again, but it uses the South Carolina trammel net survey as the second survey. As far as how the traffic light is used for management. If you look at this table at the top, we have two different thresholds for each species, a 60% red threshold and then the corresponding management action we take is below that.

To trigger management action, you have to exceed a threshold in one region, and both the harvest metric and the abundance metric. It takes both of those metrics in one region to trigger a management action. We didn't have that occur for both species in 2020, so currently once that happens, the measures have to stay in place for at least three years for Croaker, two years for Spot.

De minimis states are not required to take these actions at the 30% level, but would be at the 60% level. The regulations can be relaxed once the abundance metric is no longer triggered. We don't use the harvest metric once the trigger has been tripped, because the regulations that are put in place could artificially lower the harvest rate, which would increase a proportion of red. However, once we do come back out of being triggered, so when the abundance becomes above that 3% threshold for the recommended number of years for either species, we can use the harvest metric once again to evaluate during the traffic light analysis. Now I'll move into the actual Spot Update for 2025. For all the presentations you're going to see for both species, we'll use these same figures.

Just a quick layout, the Y axis is the proportion of color, the X axis is the year, there are two horizontal

black bars in each graph. The lower one is the 30% threshold; the upper one is the 60% threshold. Again, there are two indices in each of these, so it is possible to have red and green in the same year, because one index can be above the mean and one could be below the mean.

For the Mid-Atlantic, of course you can see it again, this is for Spot. The terminal three years for the harvest composite are above the 30% threshold, and in the South Atlantic you can see we've had a higher proportion of red in the South Atlantic for an extended period of time. The total two years are actually above the 60% threshold, and we had nine years in a row above the 30% threshold.

The harvest composite response is actually tripped at the 60% level, due to the South Atlantic being above for two consecutive years. But again, you also have to have the abundance metric in order to trigger management action at the same level. Then if we look at the abundance composite indices, you'll see that the Mid-Atlantic there was only one year of the terminal three years, that is 2023 that is above the 30% red threshold, and in the South Atlantic there are no proportions of red in the terminal three years.

Neither one of these are tripped at the 30% level, so the overall trigger is not tripped. This TLA was a little better summary of all that. We have the three terminal years; it's the ones we're evaluating. Again, two of those indicates that that particular metric is tripped, and again the Mid-Atlantic and South Atlantic are both tripped for the harvest at the 30% level, and the South Atlantic at the 60, but were not tripped in either of those regions for the abundance metric.

Technically we could come out of the regulations we put in place in 2021, but the TC is recommending that we maintain those regulations for the 2026 fishing year. As you've seen, a couple times I mentioned that the

harvest metrics are still well into the red in the South Atlantic they were very high, they actually increased in the last two years, compared to previous years.

Also, the Mid-Atlantic did have that one year, 2023, which was above the 30% abundance threshold, so if we were to go above that 30% abundance threshold in 2025, it would retrigger any management actions that you would be removing today if you were inclined to do so. We also are waiting for the benchmark stock assessment, which hopefully will begin in early 2026, following the completion of the croaker stock assessment.

That should give us a better indication of stock status than the current traffic light is, and the TC would rather wait to see the results of that before making any kind of management changes at this time. With that I would take questions on either the traffic light structure itself, or the spot update.

CHAIR HAYMANS: Questions for Harry. Okay, seeing none; the TC recommends no management measure changes, right?

MR. RICKABAUGH: That is correct.

CHAIR HAYMANS: Okay, is there anything we need to do then? Thank you very much for that report.

MR. RICKABAUGH: You're welcome.

CHAIR HAYMANS: I think we next move to Croaker and we have Margaret Finch online.

TECHNICAL COMMITTEE RECOMMENDATIONS

MS. MARGARET FINCH: Hi, my name is Margaret Finch, and I am the current Chair of the Atlantic Croaker TC. I am the fisheries biologist for South Carolina DNR, and I mostly work with data from our offshores fishery independent surveys. Diving right into the results from the 2025 Atlantic Croaker TLA with a terminal year of 2024.

First, we will look at the harvest composite indices, which is the combination of the recreational and

commercial landings. As a reminder, we cannot currently use these for assessing trigger mechanisms, since harvest restrictions are currently in place. Landings remain low in both regions, however, relative to the reference period of 2002 through 2012, though it is unknown if this is due to the harvest restrictions that are currently in place, or continued concern for the fishery.

The Mid-Atlantic harvest metric was 81% red in 2024, with all four of the terminal years exceeding the 60% red threshold. Furthermore, this is the seventh consecutive year that the Mid-Atlantic harvest has exceeded the 60% threshold. The South Atlantic harvest metric was 49% red in 2024, and the 30% red threshold was exceeded in all four terminal years.

Now moving on to the adult composite indices, and as a reminder as Harry said, this is the adult age 2 plus Atlantic Croaker for the Mid-Atlantic. We use the Northeast Fisheries Science bottom trawl survey and the ChesMAPP survey, and then for the South Atlantic we use the SEAMAP Coastal Trawl Survey, and the CDNR Trammel Net Survey.

Starting with the Mid-Atlantic, we see that the 30% red threshold was exceeded in three of the last four terminal years, however, index values were up in 2024 with no red, and 79% green. For the South Atlantic we did not trigger either the 30% or the 60% threshold, and the last four years are predominantly green or yellow, representing no concern.

For 2024, we saw only 9% red. Since we have remained in the triggered state, the composite abundance characteristics could trigger further action if exceeding the 60% red threshold in any of the three or four terminal years in either region. However, that is not the case here. Finally, just summarizing the last four years and the overall results for the 2025 Atlantic Croaker TLA.

Because the harvest metrics cannot be used when management is in place, and to keep harvest low, and the fact that we have remained in the triggered state. The interpretation of the TLA relies on the abundance metrics only. Therefore, we have the TLA status for the harvest metrics listed as unknown here, even though the Mid-Atlantic exceeds the 60% threshold, and the South Atlantic exceeds the 30% threshold. Although the South Atlantic abundance index did not exceed any threshold level, the Mid-Atlantic abundance index continues to exceed the 30% threshold in three of the four terminal years, 2021, '22, and '23.

Therefore, the overall TLA status for 2024 for Atlantic Croaker is triggered at the 30% level. With all of that being said, the TC recommends maintaining the current regulations for the 2026 fishing year for Atlantic croaker. This is due to the fact that even though the TLA continues to be triggered at the 30% threshold, it has not elevated to that 60% threshold.

Furthermore, the TC did not want to recommend more restrictive measures, since the Atlantic croaker stock assessment is expected to be completed within the year. With that I can take any questions on Atlantic croaker.

CHAIR HAYMANS: Thank you very much, Margaret, I appreciate that report. Are there any questions for Margaret? Seeing none; the TC recommends maintaining current management measures, so I don't think there is anything else we need to do. Thank you very much, Harry and Margaret. We'll move on to our next agenda item, and I'm going to turn it over to John Clark, to talk to us about a letter that was sent to us July 22.

CONSIDER DELAWARE SPOT COMMERCIAL MEASURES PROPOSAL

MR. JOHN CLARK: This ties in very neatly with the updates we just heard. The gist of the letter is that Delaware has now exceeded the de minimis criteria for Spot, for I believe we're going on five years now. It's not because our catches have really grown that

much. It's unfortunately, because it looks like coastwide that catches have come down.

In any event, as I've said before, we are more than willing to put the recreational regulation into place. We would like to be consistent on that, and our law in Delaware only allows us to make changes when required to do so by a fishery management plan. From that standpoint we're fine with not to be considered de minimis on recreational. We will put the regulation in place.

On the commercial side, as I detailed in the memo, it's a difficult thing to do to reduce a very small catch by 1%. As I said there, pretty much anything we do would either be probably cutting us more than 1%, or cutting us not at all. Some of the things we would have to do would just kind of be silly, I think, you know if we had like a one-day season closure, call it spot and croaker day or something.

In any event, I was thinking that these are probably criteria that as a Board we would like to reexamine here for spot and croaker, and it sounded like we're going to be looking at red drum de minimis criteria also. I was hoping that the Board might on this species, and it turns out that I think New Jersey is in the same boat as we are commercially on croaker.

Perhaps suspend the requirement that our states would have to reduce our commercial quotas by 1% until the Board can perhaps come up with de minimis criteria that are more applicable these days. That is the request from Delaware. As I said, we are certainly willing and able to put into place the recreational measures.

CHAIR HAYMANS: I'll entertain questions for John, and then I believe we have a motion we can put up after that. But are there questions for John on their request? Ben and then Chris.

MR. BEN DYAR: Not necessarily a question, but more of a statement, I guess. I don't have any

issues with this request on the outset, and maybe not at the time today, but to further John's comments. I would be very interested in seeing, I know our state could find ourselves easily in the same situation, and really being limited in the management options.

We would be interested in entertaining some of those de minimis conversations and splitting the recreational and the commercial in some of these fisheries. Again, maybe not for today, but just for my support and I would like to see those conversations.

CHAIR HAYMANS: Chris.

MR. BATSAVAGE: Question for John. The 1% reduction is kind of a hard target to hit, no matter how high your landings are. In fact, I don't think North Carolina's commercial landings have reduced. I would like to think they have gone up since we put our season closure in, and other states have put in season closures at kind of the end of the season when spot landings tail off, to avoid as you described a one-day closure, and also to avoid regulatory discards.

When you and your staff were looking at potential options, did you consider a closure toward the end of the year, when spot landings kind of tail off to where you would maybe hit a 1% reduction for X number of years out of how many you looked at, similar to what Maryland, Virginia, North Carolina and PRFC did?

MR. CLARK: From what we gather from our data is it's not really a directed fishery on spot, we're a gillnet fishery, and that is the only gear that has really been landing spot. It's one of those, I would say it's much more of an opportunistic fishery. Years where we do tend to land more spot it's probably a multispecies catch that they are getting.

Because we're kind of more on the edge of the range, as I mentioned in the memo, I think that one of the things we would run into is we might close at a point where we would be cutting a lot more than 1%, or we would end up closing at a date where we

don't do anything, you know they've already left Delaware Bay, let's say.

If I based it on the previous year and closed, let's say sometime in October, and then for whatever reason the spot is gone by October. Obviously that closure date is doing nothing. Again, we can do something like that, I think we have enough data we could come up with something.

But I think as we've just been discussing here, perhaps it's time to take a good look at the de minimis measures. As you mentioned, even for a state that does land a lot of Spot, like yours, a 1% is kind of a hard target to hit. Maybe we just reevaluate what we're doing, in terms of commercial management of both these species.

CHAIR HAYMANS: Go Joe.

MR. CIMINO: I think I'll jump in now, just because as John mentioned, New Jersey is in a similar situation with Atlantic croaker. Coming out of de minimis, which is less than 1% of a fishery that used to be in the tens of millions of pounds, and now isn't anywhere near that. A 1% commercial reduction would put us in a very similar awkward situation.

We're looking at a target of trying to reduce a couple hundred pounds, and potentially setting up a gillnet fishery that is going to have discards that are 10 to 20 times that. I have concerns with that. We haven't been in this situation for as many years. New Jersey does tend to bring forward the 50 fish recreational limit for both croaker and spot to our Marine Fisheries Council.

If we're granted de minimis for another year, I think I would wait to see what happens with red drum, get through that public hearing. I would like to visit all three species at one time. But we are fully supportive of having those types of reasonable limits in place. It's just the idea of looking at a reduction in the hundreds of pounds that could possibly result in much,

much higher discards for a gillnet fishery that is not targeting those fish.

CHAIR HAYMANS: Okay, Joe Grist.

MR. JOSEPH GRIST: This may be directed more towards staff, hearing the discussion. Do we have anything that we could point to, just use a historical precedent that we've done something like this before on the suspension that we just point to that the precedent has already been set? I mean I think there are some good arguments are being made here by Delaware and New Jersey.

CHAIR HAYMANS: Toni, we just did this last year for Delaware, what species was it?

MR. CLARK: It was spot. Like I said, we've actually been higher than de minimis on spot, because of the combined. Like I said, this is probably five years in a row, Joe. The Board has very kindly waved for those requirements on us. But at this point, and as I said, from our standpoint it was, on the one hand we did want to put the recreational measures into place.

But the way our law is written, unless it is required that we do that, which it would be since we're no longer in de minimis. That would allow us to put the recreational regulations into place, but the complication has always been this 1% commercial, so that is how we would like to proceed, is just to be kind of excused from the commercial side.

MS. BAUER: I did want to add, the difference here from previous years is that the Board was granting Delaware's request for continued de minimis, despite being over. Whereas, in this case they are now non de minimis, and they are asking to have an exemption for their commercial regs.

CHAIR HAYMANS: I'm going to let Toni speak to that and I'll come back to you, okay. Toni.

MS. KERNS: I'll just say, you know we have this de minimis policy and it sets some boundaries. But it also provides management boards the flexibility with unique characteristics of a species or a fishery

to go outside of those specifics. I think that there could be some discussions that this Board has relative to how these species potentially are cyclical or the nature of how these fisheries work within these states might have you change your de minimis policy to reflect something different than is in the policy itself. But have it something more unique for these species, so that you don't have to keep doing this with each of the state each year. It might be something that either task the TC to think about or the PRT to think about. Maybe we get through some of this red drum stuff first and then we address this. But you are not bound by that, you can go outside of the box.

CHAIR HAYMANS: I think we've done a pretty good job of that to this point. Ben.

MR. DYAR: Just clarity for the Board, John. How long, like a timeframe we're talking about, you know for these recreational changes to take effect or get through? You know you're talking about sustaining the 1%, you've got likely a short timeframe that we're very concerned about.

MR. CLARK: Based on legislation we got a few years ago, we can actually implement the recreational regulations within, believe it or not a matter of weeks. We can move quickly on that. But like I said, it's not that we can't do the commercial, it's just that we would like to see a whole reevaluation of that side of things.

CHAIR HAYMANS: Okay, John, would you like to entertain a motion here?

MR. CLARK: I certainly would.

CHAIR HAYMANS: I think we've got something ready.

MR. CLARK: I know it's well written, because Tracey wrote it. Move to approve Delaware's request for an exemption from the Spot FMP's requirement that Delaware reduce its Spot commercial landings by 1%.

CHAIR HAYMANS: Before I entertain a second, John, any sidewalls on that, as far as timeline goes, how long that should be an exemption?

MR. CLARK: Good point. Maybe we could add to that exemption until the Board develops new de minimis criteria. Would that be acceptable to the Board?

CHAIR HAYMANS: It is to the Board Chair, but let's see if we get a second from the rest of the Board. Ben with a second. Okay, how about reread it, just since we've added that.

MR. CLARK: Okay, doesn't look like text has been added yet. Okay, I'll go ahead and read it now, Mr. Chair. **Move to approve Delaware's request for an exemption from the Spot fishery management plans requirement that Delaware reduce its Spot commercial landings by 1% until the Board develops new de minimis criteria.**

CHAIR HAYMANS: Okay, we've got a second from Ben, is there any additional discussion? Chris Batsavage.

MR. BATSAVAGE: Yes, I think that and this extra piece at least shows that the Board is going to look at, address these issues that were identified for de minimis for Spot and maybe even Croaker and Red Drum. I guess I would feel better coming out of this meeting if the Board tasked the Plan Review Team to maybe provide some feedback.

Review the de minimis criteria for at least Spot and any other species we're concerned about, and provide some feedback recommendations for the Board to consider when we get to this point, just try to complete the loop as opposed to just kind of saying, you know, we'll develop some new criteria sometime in the future. But you know, kind of have a marker for that actually to occur sooner rather than later.

CHAIR HAYMANS: Tracey is noting that as a task for the TC? PRT. Okay, **any objection to the motion? Seeing none; the motion carries.**

CONSIDER ATLANTIC CROAKER AND RED DRUM FISHERY MANAGEMENT PLAN AND STATE COMPLIANCE FOR THE 2024 FISHING YEAR

CHAIR HAYMANS: Which moves us to our Number 7 item on the agenda, which is Consideration of the Atlantic Croaker and Red Drum Fishery Management Plans. For you, Tracey.

MS. BAUER: All right, I will be moving through this pretty quickly, because we've already discussed Red Drum and Atlantic Croaker a lot today. Just as a quick overview I'm going to touch on the status of the Red Drum fishery with data through 2024, and PRT recommendations. Then Atlantic Croaker, again look at status of the FMP, status of the fishery, de minimis requests. We'll need to go into a little bit more detail and PRT recommendations.

Starting off with Red Drum. Starting off with the status of the fishery, this is a figure of total landings. It breaks down the northern and southern regions commercial and recreational landings as the proportion of total coastwide landings, with the northern region near the bottom, or at the bottom of this figure, with commercial being the dark blue way at the bottom and recreational being the northern region, green for the northern region.

Red Drum landings from New Jersey through the East Coast of Florida in 2024 were estimated at about 8.1 million pounds. Sixty-five percent of the total landings came from the southern region, and 35% from the northern region. In the northern region landings totaled 2.8 million pounds in 2024, which was an increase of about 44% from the previous year, and commercial landings in the northern region totaled a little over 200,000 pounds in 2024.

One thing of note is that Virginia's commercial landings in 2024 increased to the highest value in a state's time series since 1965. Continuing with status of the fishery. This figure shows the

total recreational removals compared to the number of fish released in the northern and southern regions. The lines are releases in number of fish for the northern region in green, and the southern region in orange.

The bars are total recreational removals in numbers of fish in the two regions, with blue being northern region and orange being southern region. Just as a reminder, total removals are dead discards plus number of fish harvested. Recreational landing for the northern region in 2024 were estimated to be about 600,000 million fish, which is a 57% increase from the previous year.

Recreational landings in the southern region were estimated at 1.7 million fish, which was a 64% increase from 2023, the previous year. The number of fish released in the northern region, 3.2 million fish increased by 19% in 2024 from the previous year, and since it is estimated that 8% of the released fish die after being caught, the recreational removals from the northern region were estimated to be over 800,000 fish in 2024.

The number of fish released in the southern region, 11 million fish was an increase of 29% from 2023, and a time series high. All told, the recreational removals from the southern region were estimated to be 2.6 million fish, which is also a time series high. The PRT found no inconsistencies with regard to Red Drum's FMP requirements. New Jersey and Delaware requested de minimis status through the annual reporting process, which the PRT does recommend approval of, and they both met the requirements of.

Research and monitoring recommendations can be found in the most recent benchmark stock assessment, and in that simulation assessment and Peer Review Report. I can actually stop there for any Red Drum related questions if you would like.

CHAIR HAYMANS: Any questions for Tracey on the Red Drum Status Report? Any comments? How about a motion to consider approval and the de minimis requests? Roy.

MR. MILLER: I'll move that, looks like we have wording up there. Do you want me to read it, Mr. Chair? **Move to approve the Red Drum FMP Review for the 2024 fishing year as amended today, state compliance reports, and de minimis status for New Jersey and Delaware.**

CHAIR HAYMANS: Thank you, I have a second from Dr. Rhodes. Any additional comments or questions? Seeing none; **any objection?** **Seeing none; the motion carries.** All right, Croaker.

MS. BAUER: All right, Atlantic Croaker. One second while we get that presentation. Just as a reminder, Amendment 1 for the Atlantic Croaker Fishery Management Plan did not require any specific measures restricting harvest, but encouraged states with conservative management measures to maintain those conservative management measures.

It also implemented a series of management triggers that were further refined in the TLA in Addendum II and III. Moving on to the status of the fishery. We'll first look at Atlantic Croaker landing trends. In this figure the black line is commercial landings, and the red dashed line is recreational landings, both in millions of pounds.

The total Atlantic Croaker landings in 2024 were estimated at 2.4 million pounds, which is a very slight increase from 2023 at 2.3 million pounds, and commercial landings increased by 65% in 2024 from around 500,000 pounds to over 800,000 pounds, and 2024 recreational landings were at a time series low, estimated at 1.6 million pounds or 4.4 million fish.

In this figure the green bars represent landings of Atlantic Croaker in millions of fish, and the red bar are fish released alive, and the black line is the percent of fish that were released out of the total catch. In 2024, recreational anglers released 30.4 million fish, which was a 12%

decrease from 2023 at 34.8 million fish. The percent of Atlantic Croaker caught by recreational anglers and released has been overall increasing since at least the beginning of the 1990s. An estimated of 87% of the total recreational Croaker catch was released in 2024, which is the highest percentage on record for a fourth year in a row.

Before I get into this year's de minimis requests, I wanted to remind the Board, since we're switching between Spot and Croaker, that the de minimis status for Atlantic Croaker is determined by the three-year average of commercial or recreational landings by weight, if they constitute less than 1% of the coastwide commercial or recreational landings for the same three-year period. Commercial and recreational are considered separately in Atlantic Croaker.

States can again qualify for de minimis in either recreational or commercial sector, or both. For this year's de minimis requests, New Jersey, South Carolina, and Georgia all requested de minimis for their commercial fisheries. South Carolina and Georgia met the de minimis requirements, New Jersey did not at 3.4%.

However, this is the first year New Jersey has been above the commercial de minimis threshold in somewhere around nine-ish years. New Jersey also requested de minimis for the recreational fishery, and the PRT noted that New Jersey's recreational fishery exceeded the 1% de minimis threshold again this year, so this is two years in a row. They exceeded it at 1.7%, and last year it was 1.2 percent. Moving on to the PRT recommendations. The PRT found no inconsistencies among states with regard to the FMP requirements.

The PRT did recommend approval of the state compliance reports and de minimis status for the New Jersey, South Carolina and Georgia commercial fisheries. Although New Jersey's commercial fishery did not meet the requirements for de minimis states this year, the PRT agreed to recommend de minimis status for their commercial fishery for an additional year to confirm that there is a consistent

trend of higher commercial landings for Atlantic Croaker in New Jersey.

The PRT will continue to monitor the situation, and if New Jersey's Atlantic Croaker commercial fishery exceeds the 1% threshold again next year, the PRT would no longer recommend de minimis status. The PRT does not recommend de minimis for New Jersey's recreational fishery. This is the second year in a row that New Jersey has been above, like I mentioned, the 1% de minimis threshold.

This recommendation by the PRT to not recommend de minimis is in line with the recommendation last year, where they said, similar to what we said for the commercial fishery, that if they were over the threshold again the next year then they would not recommend. The PRT also noted that the 2025 update of the Traffic Light Analysis indicates a continued triggered state for Atlantic Croaker at the 30% threshold, indicating they are still concerned with the stock.

The PRT lastly noted that New Jersey is currently the only state in the management unit now with no recreational regulations for Atlantic Croaker. Also, of note here, Delaware did not request de minimis status for its commercial fishery. They will be required to implement measures that achieve a 1% reduction in the most 10-years average of commercial harvest according to the FMP, and the time requirement to implement this regulation is up to the Sciaenids Board. One thing of note is that this occurred also last year for Delaware's recreational fishery, and Delaware did implement the 50 fish bag limit last fall for Atlantic Croaker. Lastly, the research recommendations can be found in the FMP Review Document and in the 2016 Atlantic Croaker Stock Assessment Peer Review Report. With that, I am done with Atlantic Croaker.

CHAIR HAYMANS: Thank you very much, Tracey. John.

MR. CLARK: As I brought up with Tracey after the fact here, but it was pretty much an oversight on Delaware's part about the commercial. As noted, we were 1.9% of commercial landings for Croaker. But similar to the request I made for Spot.

I would like to see if we could be added to the de minimis, and as with Spot if we could start looking at the de minimis criteria for Croaker also. This one, as mentioned, we exceeded on the recreational side and we do have our recreational regulations in place for Croaker. But same arguments for Spot, it would be very difficult for the 1% reduction.

CHAIR HAYMANS: New Jersey like to address de minimis?

MR. CIMINO: Yes, thanks, Mr. Chair. On the recreational side, I don't see much opposition as we go forward to start having these conversations about getting the 50 fish limits in place. Looking at the raw data from MRIP, we don't have 50 interviews in a year. There are years where our Croaker estimates are based on a single intercept.

I don't think that that reflects our Croaker fishery. I think we're going to be a player in this fishery. But allowing de minimis at this time for New Jersey would at least get us, as mentioned earlier, through the discussions on Red Drum. It would allow us to look at all three species at one time. For Spot and Croaker, I think it is appropriate and really needed to have that 50 fish limit, especially if MRIP isn't getting us a good representation of what we're catching in New Jersey.

Some discussions have happened recently right around here in this area, where you could probably see more than 50 fish in a few pictures online of fishing in New Jersey. I think it's something that needs to be done, but at the same time I still hold on that request for de minimis. I think less than 1% needs to be revisited for these two species, and we'll get the ball rolling.

CHAIR HAYMANS: Any other questions or discussion before we see a motion? Carrie.

MS. KENNEDY: Yes, I just want to say that I support these requests, and there is a little voice in my head that keeps wondering. It yelled loudly enough at me. It keeps wondering if the uncertainty, the PSE in the recreational harvest numbers can account for the commercial landings number. If there is enough uncertainty in what the recreational number is, that potentially that is covered by the commercial number. I just think there is so much uncertainty at that scale that I think it is a completely reasonable request, and I definitely think we need new policies, especially as we consider migrating stocks and changing environmental conditions that mean fish are changing their distribution.

CHAIR HAYMANS: You all remember this discussion when we get to Weakfish in October, because I'm going to be in the same boat. John, would you be interested in making a motion if it appeared on the screen?

MR. CLARK: Well, if there was one, I would. My motion is questions.

CHAIR HAYMANS: I think we'll take some crafting from what is going to appear up there before we take a second.

MR. CLARK: That looks like it. **Move to approve the Atlantic Croaker FMP Review for the 2024 fishing year, state compliance reports and de minimis status for New Jersey, Delaware, South Carolina and Georgia commercial fisheries, and New Jersey's recreational fishery.**

CHAIR HAYMANS: Joe, does that capture everything we need for New Jersey?

MR. CIMINO: My assumption is that under this we would need to try and do the commercial reduction for 1%, which I'm not sure how we would do that. Okay, all right, then my apologies, Mr. Chair.

MS. BAUER: This motion does keep New Jersey de minimis for its recreational, and I just want to double check that that is what is what the Board wants.

CHAIR HAYMANS: Is there a second? Joe, thank you. Any additional discussion? Okay, **any opposition? Seeing none; the motion carries.** Thank you all very much for a wonderful discussion. Is there any other business to come before this Board? Yes, Tracey?

MS. BAUER: Yes, I just want to get clarification to make sure I understand where we're going forward with the de minimis question. Do you want the discussion to be both for Atlantic Croaker and Spot, have the PRTs meet to discuss this and consider the data? Is that what you're looking for? Any other guidance would be helpful.

CHAIR HAYMANS: Joe.

MR. CIMINO: Yes, Tracey. I think looking at Croaker and just remembering my time in North Carolina and Virginia. I mean we're talking about what used to be a single pound net trip that could now take you out of de minimis status. I think just the magnitude of this fishery has changed so drastically, that we kind of need to understand thresholds. I'm not saying that, you know if you're talking about a stock that is in trouble then de minimis should move with that, as we could have a conversation about weakfish later.

But we don't want to be chasing our tail, jumping in and out of de minimis status over that. I think we should be looking at that. You know, what is an appropriate threshold, and also the reductions. You know that 1% of 1% is actually what Delaware and New Jersey are looking at. We are literally talking about taking regulatory action over a few hundred pounds. What is the appropriate threshold for a reduction?

CHAIR HAYMANS: Anyone else to help answer? John.

MR. CLARK: Just to add on, and I know it has come up already, but for Spot of course to separate the recreational and the commercial de minimis, and then look at other ways of evaluating de minimis. I was just thinking, with Spot and Croaker it was the 1% and we've exceeded that.

As Joe mentioned and I mentioned, it's more because the landings have come down so much that our small fisheries are getting caught up with that. I'm just wondering if there are other ways to look at this, other than just a percentage of whatever was caught that year, you know maybe a longer time series to look at or even a, like lobster, like a set poundage that would be considered de minimis.

ADJOURNMENT

CHAIR HAYMANS: Anyone else, do you have anything to close with as we adjourn? Okay, well, we shall stand adjourned.

(Whereupon the meeting adjourned at 4:17 p.m. on Tuesday, August 5, 2025)