

Cobia Draft Addendum II: Options Quick Reference

Atlantic States Marine Fisheries Commission

May 2024

This document is a summary resource for the proposed management options presented in Draft Addendum II to Amendment 1 to the Interstate Fishery Management Plan (FMP) for Atlantic Cobia. This document includes an abbreviated statement of the problem and the proposed options from Draft Addendum II, and is intended only to serve as a quick reference.

This document should be used in conjunction with the full Draft Addendum document, which provides more detail and background information on the proposed options.

Individuals are strongly encouraged to review the full Draft Addendum II document before submitting comments. Public comments will be accepted until **11:59pm EST on July 8, 2024**. The full Draft Addendum II document (along with instructions on how to submit public comments) can be found at the following link:

https://asmfc.org/files/PublicInput/AtlCobiaDraftAddII_PublicComment_May2024.pdf

More information on providing public comment: <http://www.asmfc.org/about-us/public-input>

Public hearing dates and information: <http://www.asmfc.org/calendar/>

BACKGROUND

Excerpt from Section 2.1 Statement of the Problem

The Interstate FMP established state-by-state allocations of the coastwide recreational harvest quota based on harvest data from 2006-2015. It has been several years since state-by-state allocations were updated. Furthermore, the distribution of cobia landings has changed in recent years and is markedly different from the distribution of state landings observed during the initial allocation data timeframe of 2006-2015. Over the last several years, recreational landings have increased in some Mid-Atlantic states while remaining relatively stable in southern states, indicating a possible range expansion as opposed to a stock shift. Updating the allocation data timeframe would account for these recent changes in landings and the extent of the fishery.

The Interstate FMP originally implemented the state-by-state allocation framework to provide states with flexibility to adjust management to ensure state access when cobia were available and to suit their specific state needs. Due to the high level of uncertainty associated with state-level recreational harvest estimates, there are concerns about continuing to use the state-by-state allocation framework. One way to reduce uncertainty is to increase the sample size, which could be accomplished through a regional or coastwide allocation framework. Uncertainty could also be addressed by considering the number of data years included in a rolling average, whether the use of point estimates is appropriate, and/or whether a state or region's performance should be considered on its own or considered relative to other state or region performance.

If cobia harvest continues to increase at the northern end of their range, states that currently have *de minimis* status may exceed that *de minimis* threshold over the next several years. When a state loses its *de minimis* status, it must be factored into the allocation calculations to have its own harvest target. The allocation percentage calculations may also need to change if the allocation source data are updated as part of MRIP's effort to evaluate potential bias in the Fishing Effort Survey (FES) estimates. If these changes to the allocation percentages must be done through the addendum process, that process could take several months. Those changes could be accomplished more quickly if the Board had the ability to make those specific updates to the allocations via Board action.

Finally, there is concern about changing management measures too frequently under Amendment 1's specification process which limits specification setting to up to three years at a time. To avoid management 'whiplash', specifications could be set for a longer period of time.

Excerpt from Section 2.2.2 Status of Management

Currently, the recreational portion of the total harvest quota is allocated to non-*de minimis* states (Georgia, South Carolina, North Carolina, Virginia) as soft harvest targets with a 1% set-aside for harvest in *de minimis* states (currently north of Virginia). A 'soft' harvest target means that management measures are adjusted to reduce harvest to the target, but any overage does not need to be paid back.

Recreational harvest of state-specific allocations are evaluated over three-year time periods (or when the total harvest quota changes). Each non-*de minimis* state evaluates recent harvest as an average of years with the same recreational management measures against the state-specific soft targets. If a state's averaged recreational harvest exceeds its harvest target, the state must adjust its management measures to reduce harvest to achieve the target, unless otherwise specified by the Board. If a state's harvest is below their target for at least two consecutive years, the state may liberalize management measures, to achieve its target.

MANAGEMENT OPTIONS

Excerpt from Section 3.1 Recreational Allocation Framework

The following options would determine how recreational quota is allocated among states (Options A-B), regions (Option C), or coastwide (Option D).

The options consider two different data timeframes as the basis for allocation. One timeframe considers only the most recent six years of harvest data, while the other timeframe considers a weighted combination of the most recent six years plus the last ten years of harvest data. Including the ten-year component gives some consideration to previous harvest distribution before the majority of harvest shifted north.

For all timeframe options, 2016, 2017, and 2020 recreational catch data were excluded from the calculations. Cobia closures in federal waters and some states’ waters during 2016 and 2017 resulted in those years being excluded from allocation calculations. Similarly, 2020 was excluded due to COVID-19 impacts on MRIP sampling and use of imputed data for 2020 recreational harvest estimates.

Option A. Status Quo State-By-State Harvest Allocations

Under this option, the recreational quota for Atlantic cobia would continue to be allocated on a state-by-state basis as outlined in Amendment 1. Percentage allocations are based on states’ percentages of the coastwide historical landings in numbers of fish, derived as 50% of the 10-year average landings from 2006-2015 and 50% of the 5-year average landings from 2011-2015. To account for harvests in *de minimis* states, 1% of the recreational quota is set aside.

Option B. Updated State-By-State Harvest Allocations

Under this option, recreational quota would continue to be allocated on a state-by-state basis, including a set-aside for *de minimis* states. The allocations in this option include recent data and thereby reflect changes seen in harvest distribution, and the *de minimis* set-aside is increased to 5% to account for increased harvest in *de minimis* states in recent years. Recreational quota would be allocated state-by-state based on states’ percentages of the coastwide historical landings in numbers of fish, derived as:

Option B1. 100% of 6-year average landings from 2018-2023 (excluding 2020).

Option B2. Weighted 50% of 10-year average landings from 2014-2023 (excluding 2016, 2017, 2020) and 50% of the 6-year average landings from 2018-2023 (excluding 2020).

Table 3. State-by-state recreational allocation options.

Data Timeframe	Status Quo 50% 2006-2015 + 50% 2011-2015	6-Year Average 100% 2018-2023	Weighted 10-Year & 6-Year Average 50% 2014-2023 + 50% 2018-2023
	Option A	Option B1	Option B2
<i>De minimis</i> Set-Aside	1%	5%	5%
Virginia	39.4%	69.2%	64.5%
North Carolina	38.1%	13.2%	17.4%
South Carolina	12.1%	6.5%	7.1%
Georgia	9.4%	6.1%	6.0%
Total	100%	100%	100%

Option C. Regional allocations

Under this option, recreational quota would be allocated among regions. Recreational management measures in a region would eventually need to consist of the same size limit and vessel limit for all states in the region. Seasons may differ among states in a region.

Table 4. Regional recreational allocation options.

Data Timeframe	6-Year Average 100% 2018-2023	Weighted 10-Year & 6-Year Average 50% 2014-2023 + 50% 2018-2023
	Option C1	Option C2
Northern Region RI-CT-NY-NJ-DE-MD-VA-NC	87.24%	86.65%
Southern Region Two State SC-GA	12.76%	13.35%
Total	100%	100%
	Option C3	Option C4
Northern Region RI-CT-NY-NJ-DE-MD-VA	73.77%	68.69%
Southern Region Three State NC-SC-GA	26.23%	31.31%
Total	100%	100%

Option D. Coastwide Target

Under this option, there would be no state-specific or regional harvest targets, but rather only the coastwide recreational harvest quota. ‘Coastwide’ for Atlantic cobia refers to states north of the Georgia-Florida border. A coastwide size limit and vessel limit would eventually be established for all states, but the season may be different for each state or group of states based on cobia availability in each state.

Currently, vessel limits and seasons vary by state along the coast. Size limits are mostly uniform with the exception of *de minimis* states that have adopted the default *de minimis* measures specified in the FMP.

Excerpt from Section 3.2 Updates to State/Regional Recreational Allocations

Option A. Status Quo.

Under this option, recreational allocations can only be changed through the ASMFC addendum process.

Option B. Allocation Changes via Board Action

Under this option, the Board may change recreational allocations via Board action (i.e., voting at a Board meeting; no addendum needed) in the following scenarios:

- A state loses *de minimis* status and therefore needs to be allocated a state-specific harvest target (only applicable under a state-by-state allocation framework).
- Harvest estimates for the allocation source data years are revised (i.e., if MRIP estimates are updated).

If the Board is considering changing allocation via Board action under one of the above scenarios, the Cobia Technical Committee would re-calculate allocations based on the associated scenario and bring the new allocations to the Board for consideration.

If the Board would like to consider allocation changes outside the scenarios listed above, an addendum is needed to change state/regional recreational allocations.

Section 3.3 on next page.

Excerpt from Section 3.3 Data and Uncertainty in Recreational Landings Evaluations

Option A. Status Quo.

Under this option, MRIP harvest point estimates and up to a three-year rolling average would continue to be used for comparing recreational harvest to harvest targets.

Recreational landings for each non-*de minimis* state (or each region or the coast depending on allocation framework selected in Section 3.1) will be evaluated against that state's/region's/coastwide target as an average of annual landings. The timeframe for this average will only include years with the same management measures (i.e., measures have not changed from year to year). If the same management measures have been in place for at least three years, the timeframe will include the three most recent years under these regulations (a rolling 3-year average). If the same management measures have been in place for less than three years, the timeframe will include all years under the same regulations.

Option B. Extend Rolling Average to Five Years

Under this option, MRIP harvest point estimates would continue to be used for comparing recreational harvest to harvest targets, but the rolling average timeframe would extend to five years. This allows for inclusion of additional data years, which can be more informative given the variability in and sometimes imprecision of cobia landings from year to year.

Recreational landings for each non-*de minimis* state/region/coastwide would be evaluated against that state's/region's/coastwide target as an average of annual landings. The timeframe for this average will only include years with the same management measures (i.e., measures have not changed from year to year). If the same management measures have been in place for at least five years, the timeframe will include the five most recent years under these regulations (a rolling 5-year average). If the same management measures have been in place for less than five years, the timeframe will include all years under the same regulations.

Provision on the Use of Confidence Intervals

If a regional or coastwide allocation framework is selected, the Board could decide in the future (via Board vote) to switch from a rolling average approach to a confidence interval approach for harvest target evaluation. Using confidence intervals instead of a rolling average for evaluation would more directly account for the uncertainty around the MRIP harvest point estimates.

If the harvest estimate's lower bound confidence interval is above the harvest target for a majority of the years within the evaluation timeframe, this indicates harvest has been above the target, and the region/coast must adjust its management measures to reduce harvest to achieve the target. If the harvest target falls within the harvest estimate's confidence interval for a majority of the years within the evaluation timeframe, status quo measures may be maintained. If the harvest estimate's upper bound confidence interval is below the harvest target for a majority of the years within the evaluation timeframe, this indicates harvest has been below the target, and the region/coast may adjust its management measures to liberalize harvest such that the target level of harvest is achieved, but not exceeded.

Excerpt from Section 3.4 Overage Response for Recreational Landings Evaluations with Rolling Averages

Option A. Status Quo.

Under this option, the need for changes to recreational management measures is determined at the individual state level by comparing state harvest to that state's harvest target over the evaluation period.

If a state's (or region's or coastwide if selected in Section 3.1) averaged recreational landings exceed its annual recreational harvest target, that state/region/coast must adjust its recreational vessel limit or season to reduce harvest, such that future annual landings would be expected to achieve the state/regional/coastwide recreational harvest target.

States/regions/coast reporting a consistent (i.e., consecutive) under-harvest during an evaluation time period for a minimum of 2 years may present a plan to extend seasons or increase vessel limits, if desired, to allow increased harvests that will not exceed the harvest target.

Changes to management measures for states with overages or states that wish to liberalize management measures must be reviewed by the Technical Committee and approved by the Board prior to implementation.

Option B. Performance Comparisons

Under this option, if a state/region's averaged recreational landings exceed its annual recreational harvest target, management action to reduce harvest in that state/region would not be required if the following conditions are met:

- another state/region's averaged recreational landings is under their target by at least the same amount, and that state has chosen not to liberalize their measures (if applicable); AND
- the average coastwide harvest has not exceeded the coastwide quota for the same timeframe.

Otherwise, the process remains the same as in Option A.

This performance comparison approach cannot be used in conjunction with the confidence interval approach outlined in section 3.3. If the confidence interval approach is implemented in the future, this performance comparison approach can no longer be used at that time.

Excerpt from Section 3.5 Timeline for Setting Commercial and Recreational Measures

Option A. Status Quo.

Under this option, the coastwide total harvest quota, vessel limits, possession or bag limits, minimum size limits, and a commercial closure triggering mechanism may be specified through Board action **for up to three years**.

New specified recreational management measures may be implemented after the expiration of previously specified measures or following a completed stock assessment.

Option B. Five-Year Specifications

Under this option, the coastwide total harvest quota, vessel limits, possession or bag limits, minimum size limits, and a commercial closure triggering mechanism may be specified through Board action **for up to five years**. The rest of the specification process would remain the same as Option A.

A longer five-year timeline would potentially reduce the frequency of management changes (management 'whiplash') and better aligns with when new stock assessment information is likely to be available for Atlantic cobia.

2023 State Management Measures for Atlantic Migratory Group Cobia

State	Recreational Measures	Commercial Measures
RI	<p><i>De minimis</i> Minimum Size: 37 in total length Vessel Limit: 1 fish per vessel Season: year-round</p>	<p><u>Coastwide</u> Possession Limit: 2 fish per person Minimum Size: 33 in fork length or 37 in total length Vessel Limit: 6 fish</p> <p>If commercial fishing in state waters is closed, commercial fishing in federal waters will be recommended to mirror state closures</p> <p><u>Deviations</u> -Rhode Island and New York possession limit is 2 fish per vessel -Virginia possession limit is per licensee rather than per person -North Carolina has 36 minimum fork length -No commercial harvest in South Carolina state waters -Georgia possession limit is 1 fish per person (not to exceed 6 per vessel) and minimum size is 36 in fork length</p>
NY	<p><i>Declared into the fishery in 2023; could qualify for de minimis</i> Minimum Size: 37 in total length Vessel Limit: 1 fish per vessel Season: year-round</p>	
NJ	<p><i>De minimis</i> Minimum Size: 37 in total length Vessel Limit: 1 fish per vessel Season: year-round</p>	
DE	<p><i>De minimis</i> Minimum Size: 37 in total length Bag Limit: 1 fish per vessel Vessel Limit: 1 fish per vessel</p>	
MD	<p><i>De minimis</i> Minimum Size: 40 in total length Bag Limit: 1 fish per person Vessel Limit: 2 fish per vessel Season: June 15-September 15</p>	
PRFC	<p>Minimum Size: 40 in total length (only 1 fish over 50" per vessel) Bag limit: 1 per person Vessel Limit: 2 fish per vessel Season: June 15-September 15</p>	
VA	<p>Minimum Size: 40 in total length (only 1 fish over 50" per vessel) Bag Limit: 1 fish per person Vessel Limit: 2 fish per vessel Season: June 15-September 15</p>	

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NC	<p>Minimum Size: 36 in fork length Bag Limit: 1 fish per person Season: May 1-December 31 <u>Private Vessel Limit</u> May 1- June 30: 2 fish July 1-Dec 31: 1 fish <u>For-Hire Vessel Limit</u> May 1-Dec 31: 4 fish</p>	
SC	<p>Bag Limit: 1 fish per person Minimum Size: 36 in fork length Vessel Limit: 6 fish Season: Open year-round <u>Southern Cobia Management Zone:</u> Minimum Size: 36 in FL Season: June 1-April 30 (closed in May) Bag Limit: 1 fish per person Vessel Limit: 3 fish -If recreational fishing in federal waters is closed, recreational fishing in all SC state waters is also closed.</p>	
GA	<p>Bag Limit: 1 fish per person Minimum Size: 36 in fork length Vessel Limit: 6 fish Season: March 1-October 31</p>	
<p>*Florida has a declared interest in the Atlantic Coastal Migratory Group, but their cobia fisheries are managed as part of the Gulf of Mexico Migratory Group due to cobia stock boundaries.</p>		