

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

**Beaufort Hotel
Beaufort, North Carolina
Hybrid Meeting**

October 17, 2023

These minutes are draft and subject to approval by the Coastal Pelagics Management Board.
The Board will review the minutes during its next meeting.

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2. **Approval of Coastal Pelagics Board Proceedings of August 2, 2023** by consent (Page 1).
3. **Move to maintain status quo state waters recreational management measures for Atlantic cobia for the 2024 fishing season** (Page 7). Motion by Shanna Madsen; second by Spud Woodward. Motion passes by consent (Page 8).
4. **Move to initiate an addendum addressing recreational Atlantic cobia quota reallocation. The Board recommends that the Plan Development Team explore options outside of the current state-by-state quota allocation system, specifically a coastwide soft target with regional management measures designed to meet the coastwide soft target while considering the need for fishing opportunity based on the seasonality of the species in various regions** (Page 13). Motion by Shanna Madsen; second by Chris Batsavage. Motion passes (9 in favor, 2 null, 2 abstentions) (Page 18).
5. **Move to elect Mr. Spud Woodward from Georgia as the Vice Chair of the Coastal Pelagics Management Board** (Page 19). Motion by Chris Batsavage; second by Malcolm Rhodes. Motion passes by unanimous consent (Page 20).
6. **Motion to adjourn** by consent (Page 20)

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ATTENDANCE

Board Members

Jason McNamee, RI (AA)	Bryan Plumlee, VA (GA)
Jesse Hornstein, NY, proxy for M. Gary (AA)	Chris Batsavage, NC, proxy for K. Rawls (AA)
Emerson Hasbrouck, NY (GA)	Jerry Mannen, NC (GA)
Joe Cimino, NJ (AA)	Chad Thomas, NC, proxy for Rep. Wray (LA)
Jeff Kaelin, NJ (GA)	Malcolm Rhodes, SC (GA)
John Clark, DE (AA)	Ben Dyar, SC, proxy for Sen. Cromer (LA)
Roy Miller, DE (GA)	Doug Haymans, GA (AA)
Craig Pugh, NY, proxy for Rep. Carson (LA)	Spud Woodward, GA (GA)
Lynn Fegley, MD (AA, Acting)	Erika Burgess, FL, proxy for J. McCawley (AA)
Russell Dize, MD (GA)	Ingrid Braun, PRFC
David Sikorski, MD, proxy for Del. Stein	John Carmichael, SAFMC
Shanna Madsen, VA, proxy for J. Green (AA)	Jack McGovern, NMFS

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

Ex-Officio Members

Angela Giuliano, Cobia Technical Committee Chair

Staff

Robert Beal	Kristen Anstead	Katie Drew
Toni Kerns	Madeline Musante	Jainita Patel
Tina Berger	Chelsea Tuohy	Geoff White
Tracey Bauer	James Boyle	Trevor Scheffel
Emilie Franke	Jeff Kipp	Alex DiJohnson

Guests

Max Appelman, NOAA	James Fletcher, United National Fishermen's Assn.	Steve Meyers
Pat Augustine	Dawn Franco, GA CRD	Tina Moore, NC DMF
Alan Bianchi, NC DMF	Tony Friedrich, ASGA	Brian Neilan, NJ DEP
Karyl Brewster-Geisz, NOAA	Marty Gary, NY (AA)	Thomas Newman
Simon Brown, MD DNR	Pat Geer, VMRC	Rebecca Nuzzi, ME
Robert T. Brown	Lewis Gillingham, VMRC	Lobstermen's Assn.
Jeffrey Brust, NJ DEP	Joseph Grist, VMRC	George O'Donnell, MD DNR
Benson Chiles	John Harker, Avangrid	Ronald Owens, PRFC
Brian Cloutier	Caela Howard, Avangrid	Will Poston, Saltwater Guides Assn.
Heather Corbett, NJ DEP	Todd Janeski, VCU	Jill Ramsey, VMRC
Caitlin Craig, NYS DEC	Chuck Karr, NJ DEP	Kathy Rawls, NC (AA)
Dustin Delano, NEFSA	Kathy Knowlton, GA DNR	Jeff Renchen, FL FWC
Bill DeSteph, Senate of VA	Brooke Lowman, VMRC	Harry Rickabaugh, MD DNR
Bill Dunn	Chip Lynch, NOAA	Paul Risi
Julie Evans, Evans Communications	John Maniscalco, NYS DEC	Katherine Rodrigue, RI DEM
	Joshua McGilly, VMRC	Brendan Runde, TNC

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Guests (continued)

Lela Schlenker, Avangrid
Erin Schnettler, NOAA
Zachary Schuller, NYS DEC
Christopher Scott, NYS DEC
Alexei Sharov, MD DNR
Ethan Simpson, VMRC
Helen Takade-Heumacher,
NOAA

Scott Travers, RI Saltwater
Anglers Assn.
Troy Tuckey, VIMS
Verena Wang, East Carolina
University
Craig Weedon, MD DNR
Holly White, NC DMF
Shelby White, NC DMF

Kate Wilke, TNC
Chris Wright, NOAA
Justin Yost, SC DNR
Daniel Zapf, NC DEQ
Erik Zlokovitz, MD DNR

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The Coastal Pelagics Management Board of the Atlantic States Marine Fisheries Commission convened in the Rachel Carson Ballroom via hybrid meeting, in-person and webinar; Tuesday, October 17, 2023, and was called to order at 3:15 p.m. by Chair Joe Cimino.

CALL TO ORDER

CHAIR JOE CIMINO: Welcome everyone, we'll get started. I'm going to call the Coastal Pelagics Management Board to order. My name is Joe Cimino; I am the Administrative Commissioner for the state of New Jersey. This will be my last meeting as Board Chair. I've had the pleasure of serving with two fantastic FMP coordinators.

My thanks to Chelsea, here beside me, and I'm going to assume Emilie is online. I don't have my laptop with me, but many thanks to both of you here.

APPROVAL OF AGENDA

CHAIR CIMINO: We'll go through Approval of the Agenda. If there are any edits or additions to the agenda. Seeing none; we'll consider the agenda approved.

APPROVAL OF PROCEEDINGS

CHAIR CIMINO: Then approval of the proceedings from the August, 2023 meeting, any concerns or edits with what was sent out for that. Not seeing any; we'll consider that approved as well.

PUBLIC COMMENT

CHAIR CIMINO: I'm going to open up for Public Comment. Any public comment on items not on the agenda. Not seeing any; we will have a couple final action items, and we'll take public comment on those items when we get to them.

PROGRESS UPDATE ON SOUTHEAST DATA, ASSESSMENT, AND REVIEW ATLANTIC MIGRATORY GROUP (AMG) COBIA STOCK ASSESSMENT

CHAIR CIMINO: I'm going to turn it over to Chelsea for the Progress Update on the Cobia Stock Assessment.

MS. CHELSEA TUOHY: This is going to be a very brief overview of where we're at with the 2025 stock assessment for Atlantic cobia. Given that the assessment has not started yet, again this is just going to be very brief, so I'm going to be talking about a few new challenges facing this assessment, and the proposed assessment timeline.

The 2025 stock assessment for Atlantic cobia will function different than SEDAR 58, which was the previous stock assessment, for a number of reasons. To start off with the Southeast Fisheries Science Center served as the sole assessment lead during the previous stock assessment. However, this time around the Center has expressed several concerns with the assessment, and the responsibility of taking on the role as sole lead.

Most notably, the Center noted that a full reconsideration of the data and analytical methods will be needed. Data sources outside of the Southeast Region will be required. New state and federal partners will need to participate, and that SEDAR may not be the appropriate process for the assessment moving forward, given changes in the data and in cobia distribution. With that being said, the cobia stock assessment is scheduled to be completed and peer reviewed in 2025 through the SEDAR process. The SEDAR Steering Committee met earlier in October, and the Southeast Fisheries Science Center will be providing a lead analyst for the assessment. But given that the Center is only providing a lead analyst, the assessment is going to require significant participation from Commission and the states.

The assessment is likely to operate more like a research track or benchmark assessment, because of some of the challenges. Because the assessment

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will require more heavy participation from the states, as opposed to previous assessments, we will need to form a Stock Assessment Subcommittee or SAS.

SAS nomination forms will reach your inboxes shortly after the annual meeting, so that work on the assessment can begin as planned in November. As I mentioned, the 2025 assessment will face some significant challenges due to the stock expanding northward outside of the southeast region. The previous assessment relied on recreational survey data, and the sole abundance index for that assessment was the Southeast Region Headboat Survey.

Unfortunately, that survey ended in 2015, leaving us with no abundance index for the Beaufort Assessment model, which requires an abundance index and the age data. The 2025 assessment will need to consider new datasets, and consider different model structures or platforms that are better equipped for the available data.

The time needed to look at this potential new modeling framework has been estimated in the timeline, but it may take longer than expected if initial model choices don't work out. This is something that will also be mentioned later today by Angela, and so I'm going to ask that everyone hold their questions until the whole presentation has been given.

But the Cobia Technical Committee has indicated that there is interest in pursuing a new evaluation of the management boundary for Atlantic cobia, which currently sits off the Georgia/Florida Line, and the interest in this analysis arose due to new tagging data, specifically acoustic and satellite tagging information that was not available during the previous Stock ID Workshop that is available today and that may provide some more insight into the way that Atlantic cobia move up and down the coast. Again, Angela will be discussing this during here reallocation presentation, so you will be hearing a little bit more about that later today.

REVIEW STOCK ASSESSMENT ROADMAP AND PLANNED COMMISSION AND STATE INVOLVEMENT

MS. TUOHY: Finally, I'm just going to wrap up the presentation here with an overview of the stock assessment timeline that was sent out to the Board in the Stock Assessment Roadmap Document as part of the meeting materials. I do want to note that challenges associated with the assessment, the data exploration and potential new models may change portions of this timeline.

But this is the plan as of right now. The only tasks for 2023 would be to form a SAS, which will occur shortly in October, followed by a call for data in November. Then in February, 2024, there will be a data scoping webinar, followed by data workshop webinars, which will be held between April and June. It is the hope that assessment ready data products will be ready by March, 2025, and that a full assessment will be available by October, 2025, which would mean that the Board would receive the assessment results and report at the Commission's 2026 winter meeting. That wraps up my updates on the 2025 cobia assessment, and I'm happy to take any questions.

CHAIR CIMINO: Thank you, Chelsea, any questions for Chelsea? Go ahead, Shanna.

MS. SHANNA MADSEN: Just a quick process question. Chelsea, when did you expect needing the Board to put together a SAS, because it seems like we probably should hop on that pretty quickly. Just checking in on when you wanted that from us.

MS. TUOHY: Yes, so the SAS, we didn't want to do it at this meeting, because we knew that time was going to be a little bit limited. Basically, immediately after this meeting, next week we'll be sending out those SAS nomination forms to the Board.

CHAIR CIMINO: Thanks, Shanna. I think, you know I personally kind of like that model. We've been doing that quite a bit. It gives us a chance to check

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in with staff, make sure they have that availability, and then as long as there are no objections, once we see that list that is usually approved by consent. Any other questions? Oh yes, hi, Jay.

DR. JASON McNAMEE: I think this question is now answered for me, but I was wondering, because the Southeast Center is involved. I was wondering if it was going to be like a federal working group construct. It sounds like it's going to be like the Commission will be setting up the SAS, that's how this will work.

MS. TUOHY: It's going to be a blend. Toni may have a better answer for you here.

MS. TONI KERNS: It's my understanding it's sort of a blend of the SEDAR process plus state scientists to be on that work group. I'm not sure. I don't normally participate in the SEDAR process as often, so John can correct me if I'm wrong. I don't think that the SEDAR is going to approve the state scientists. I think we're going to kind of let them know these are the people that are helping out with the state data, and they'll kind of be folded into the mix. But it will be the SEDAR.

MR. JOHN CARMICHAEL: Yes, you're right. I mean the SEDAR process basically just sets up a schedule, and then it hands over the care and feeding of it to what we call the cooperator, which in this case is this Board of the Atlantic States Commission. Your process, our process is used to appoint people and handle all the logistics.

CHAIR CIMINO: Any other questions on the path forward with the assessment? Go ahead.

DR. McNAMEE: Yes, sorry. It was mentioned that this is going to be more like research track, benchmark, whatever version you want to call it. Does that mean, I know there were concerns about BAM, not concerns about BAM, but I'm thinking that the modeling platform might not be able to handle this species anymore. Is it being entertained that other, like modeling approaches, will be vetted?

MS. TUOHY: Yes, I think the BAM will be run for continuity purposes, but there will be exploration of other modeling frameworks, because we no longer have the abundance index, so the SAS and the Assessment Lead will have to do some testing and exploration there.

CHAIR CIMINO: Are you good, Jay? Okay, good, any other questions? We will continue to move forward. We appreciate any states that have the capacity to put forward some assistance on this. It's going to be interesting to see what we can get through, awkward timing, considering what we're dealing with MRIP estimates, of course.

But we'll move forward with hopefully something that we feel comfortable with for management in the next few years. We know that we are at a point where doing projections is not necessarily appropriate anymore. Unfortunately, we have to move forward with what we have. We'll see where we go, so we'll move on.

CONSIDER APPROVAL OF STATE RECREATIONAL MANAGEMENT MEASURES FOR AMG COBIA FOR THE 2024 FISHING YEAR

CHAIR CIMINO: Turning this over to Chelsea and Angela, as we look at the State Recreational Management Measures.

MS. TUOHY: For this presentation, we're going to be discussing recreational management measures for Atlantic cobia for the 2024 fishing year, and the Technical Committee's recommendations for those management measures. To start off the presentation, I'm going to give a brief overview of the specifications process as outlined in the FMP, and then Angela will be going over the TC report and TC recommendations.

As you all recall, in August, the Coastal Pelagics Board set a new total harvest quota for the 2024 through 2026 fishing years, prompting the Cobia Technical Committee to evaluate recent state harvest against each state's recreational soft target, to determine if non-de minimis states' recreational

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management measures need to be changed for the 2024 through 2026 fishing years.

Amendment 1 outlines the process by which recreational management measures may be changed after a new total harvest quota is set, and Amendment 1 states that recreational landings will be evaluated against state recreational harvest target at the same time as the specifications process. Recreational landings for each non-deterministic state will be evaluated against that state's target, as an average of annual landings.

The timeframe for this average will only include years with the same recreational season and vessel limit. Because recreational management measures for some states were changed in 2021, following the approval of Addendum I, the timeframe for evaluating state harvest targets for the 2024 fishing year is 2021 through 2022. Amendment 1, excuse me. During the harvest target evaluations, the Cobia TC determines if each state's two-year average landings exceeded or fell below their soft target value.

If the state's average recreational landings exceeded its annual recreational harvest target, that state must adjust its recreational vessel limit or season, to reduce harvest such that future annual landings would be expected to achieve that soft recreational harvest target. Then states that report a consistent underharvest during an evaluation time period for a minimum of two years, may present a plan to liberalize recreational management measures, or they can choose to keep their management measures status quo. Up on the screen behind me you will see the results of the 2021 to 2022 harvest target evaluations, with each state's soft target shown in the second column from the left, as outlined in the orange box. Then each state's average landings are shown in the second column from the right in the second orange box there. As you can see, based on recent landings, using the typical process for setting recreational management measures, Virginia and Georgia would need to restrict measures, due to their two-year averages exceeding their soft target.

Then North Carolina and South Carolina have the option to liberalize measures or remain status quo, due to consistently harvesting under their soft target level in 2021 and in 2022. However, in August, the Board tasked the Cobia Technical Committee with determining the impacts of status quo coastwide recreational management measures for the 2024 fishing year. Now I'm going to pass it over to Angela, who is going to talk a little bit more about the TC's recommendation, and how they came to that recommendation.

MS. ANGELA GIULIANO: The Technical Committee met twice since September of 2023, to discuss landings and recent trends related to both this Board motion, as well as the one we'll be discussing in the next presentation. The first thing we reviewed were the average 2021 through 2022 harvest data, which Chelsea just went through.

As a reminder, in 2021 coastwide, you were over the quota by just under 14,000 fish. In 2022, landings were about 7,000 fish below the coastwide quota, averaging out to about 3,400 fish above the quota between the two years. Based initially on these data, the TC felt that there was probably a reasonable probability that the coastwide quota may not be exceeded on average, due to state overages. Some states balance out, finding underages that occurred in others.

But after our first meeting, we also wanted to look at the preliminary Waves 1 through 3, 2023 harvest data. These are the Waves 1 through 3 harvest data for 2020 through 2023. We'll focus more on the last three columns there, with 2020 being kind of an odd year with COVID, and the borrowing of data that had to occur there.

As Chelsea mentioned, 2021 and 2022 are really the years that we were using for evaluation. You'll see in 2023, at that point landings at the first part of the year were slightly above where they had been in the past couple years. Again, 2021 is the one that ended up being over quota. We also looked at these Waves 1 through 3 data by state for the non-

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de minimis states, and it was pretty variable, depending on which state you were looking at.

You can see that Georgia has had a pretty steady increase in their Wave 1 through 3 harvests since 2020. North Carolina's harvest is, particularly in 2023, is estimated to be very low. Virginia's harvest was up relative to '21 and '22, and South Carolina's harvest is fairly similar to 2021 and less than 2022.

One of the analyses we undertook was trying to see if we could come up with an estimate of what we thought 2023 harvest might be, based off of what had already been harvested in Wave 1 through 3. This was a very simple linear regression by state, based on the historical Waves 1 through 3 harvest and where the final harvest estimate ended up for that year. In general, the relationships were very tight for Georgia and South Carolina, likely because a lot of their harvest has already occurred by Wave 3, and some of that uncertainty started being added in once you start looking at North Carolina, and especially Virginia's landings. Part of that I think just has to do with more of their harvest occurring later in the year. Unfortunately, we weren't able to look at this for the de minimis states, because a lot of their harvest happens later in the year as well, and there just isn't as many years of estimates to come up with a value there.

For North Carolina and Virginia, we explored a range of different options to try and get a handle of some of the uncertainty. We have the linear regression estimate, which is just straight from the linear regression. We also looked at the last five years, the most recent five years, to see what was the minimum amount of additional harvest that occurred in Waves 4 through 6, the mean amount as well as the maximum.

You can see from this table here, we came up with a range anywhere from 65,000 fish to 86,000 fish, and you can tell that the first few estimates, well three estimates, are below our soft target for the non-de minimis states at 76,139 fish, and that maximum estimate was above. Some caveats to this first one

is a big one that again, this only includes non-de minimis states.

In recent years the non-de minimis states have harvested anywhere from 1,500 to 5,000 fish, based off of MRIP estimates. But the biggest thing at this point is that yesterday afternoon MRIP put out their Waves 1 through 4 cumulative estimates, and currently for these four non-de minimis states, the harvest is being estimated at 74,837 fish.

We are already at this point about where that 2023 mean estimate lies. Given we still have two more waves of the year, I suspect we will be somewhere between the mean and maximum estimate, but the TC has not been able to meet, obviously for discussing of any data. There are some uncertainties the Board should be considering when they are considering whether to go forward with status quo regulations in 2024.

The first and probably most important here is that the 2023 full year harvest estimates that we developed were based on historical fishery performance, so any changes from that or deviations would obviously trigger all the higher estimates. The Technical Committee also discussed the incorporation of COVID years and the 2021 through 2022 harvest target evaluations.

That applies probably more to '21 than '22, and just whether they are representative of future harvest trends or effort from the fishery. Of course, as we heard this morning, there will also be potential changes to the catch in effort estimates, likely in 2026, from the MRIP FES pilot study. Based on the data that the Technical Committee had in September, we recommended staying status quo for 2024, due to a recently low probability of exceeding the coastwide recreational quota. With that we can take any questions.

CHAIR CIMINO: Nobody is getting off easy today, I guess. I'll open it up to the Board, questions for the TC. Obviously, a lot to think about here. Obviously the two main things we're dealing with are this newest piece of information, which is the latest

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update to the wave estimate, and then just the fact that we really don't know what the FES is going to do in the future. But we do know that for now, we're more or less in a holding pattern with the estimates we have. The Board has before them a decision on what we're going to do for this next year with all this in mind. We'll get more into this on the performance and in the next agenda item, but let's start with questions for Angela. Go ahead, Chris.

MR. CHRIS BATSAVAGE: Thank you, Chelsea and Angela, for the report. Angela, you said it was about 75,000 fish, just short of that through Wave 4, non-de minimis states only. Is there a harvest estimate for the de minimis states?

MS. GIULIANO: Yes, so currently the harvest estimate was around 270 fish. Surprisingly, the only state with an estimate at this point is Rhode Island, with over 100 percent PSE, but there were either 0 or no estimates for Maryland through, I guess that would be Connecticut.

CHAIR CIMINO: Lynn and then Shanna.

MS. LYNN FEGLEY: Thank you, Chelsea and Angela. Would you mind going back to the slide, you had a slide that showed landings, and I think it included some de minimis landings in that. Yes, right there. I mean it looks like, does the TC have some conversations about the numbers of unaccounted fish.

Sort of what that might look like in the northern de minimis states, because those numbers in those columns are pretty high. I'm just trying to figure out how we should be sort of thinking about it, or crunching up against that soft target, how should this handle potential de minimis landings?

MS. GIULIANO: Are you referring to unaccounted for de minimis in the '23 estimate at this point?

MS. FEGLEY: Yes, I was, thank you. Sorry for muttering and being unclear.

MS. GIULIANO: I was going to say, it was like de minimis was included here for the totals. Yes, I guess at this point it seems like it could be low. I mean one way the Board could handle it, when thinking about it, would be looking at recent years at the range of de minimis landings. Obviously, we can't know for certain yet what '23's final number will be. But probably the best guidance at this point.

CHAIR CIMINO: I'm going to go to Shanna, but I'll also jump in that I guess one of the things that we don't have in front of us is what potential reductions might look like at a state level. To kind of understand what that number of fish means, by way of something like shorter seasons for some states isn't something that we have before us yet. If we need to have those discussions, it's something that we can talk about. It may be a special Board meeting to get us there, but Shanna.

MS. MADSEN: Thank you so much, Angela. I just wanted to say, you know I was a part of watching these deliberations, and I was really impressed by the thoroughness of you guys going through all of this. The final slide that you showed us was the mediums and the maximums. It was some just really good work.

I just wanted to say how much I appreciated getting to see those things. The one question I did have, we're kind of facing this weird conundrum where we have a recommendation from the TC, and then all of a sudden, we have Wave 4 estimates. What are the PSEs looking like broken-down state by state on those Wave 4 estimates? I don't know if you guys have that available or not.

MS. GIULIANO: Chelsea had some up, and I have some in my Excel files. I have them by state, unfortunately, not per slide. Georgia's Wave 1 through 4 estimates for '23 has a PSE of 56 percent. South Carolina is at 61 percent, North Carolina is at 65 percent, and Virginia is at 42. Yes, all red and yellow, for caution.

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MS MADSEN: Right, okay so that was my question. We're all in either red zone, don't use it or yellow zone caution. Okay, thank you. I appreciate that.

CHAIR CIMINO: Other questions? Well, if not I'll be looking to, well, Shanna, you have your hand up.

MS. MADSEN: If we're not going to do questions, I do have a motion to start the discussion.

CHAIR CIMINO: Let's do that.

MS. MADSEN: To start the discussion, I would like to **move to maintain status quo state waters recreational management measures for Atlantic cobia for the 2024 fishing year**, and if I get a second, I can speak to that.

CHAIR CIMINO: Spud, is that a second? You have a second, Shanna, go ahead.

MS. MADSEN: You know like I said before, we're sort of stuck in this weird place where we've got our TC, who did all of this excellent work to figure out whether or not status quo was something that we could go through for 2024. Now we have some pretty high Wave 4 estimates, but with some pretty terrible looking PSEs.

My logic here is kind of the same one that I spoke to at the previous meeting, where we tasked the TC to kind of start looking at status quo measures, with the intent of us having the next conversation that we're going to have, regarding whether or not the allocation scheme that we're under right now really makes sense for the way that we should be managing this fishery, and ensuring that, you know all of our states have opportunities for cobia. Really my main reason for putting this up here is because I think we're dealing with some shaky data. I don't particularly feel comfortable basing reductions off of PSEs that look like the ones they look like. I have some very big concerns for, essentially management whiplash, given that I believe that once we have our conversation following this one.

My hope is that we can start to think about much more thoughtful ways of managing this fishery, instead of recreational soft targets that are state by state, that really just aren't working out. You know we tested this theory. It's not working. I think it's time for us to go back to the drawing board, and I would just like to press pause for the next year, until we do that.

CHAIR CIMINO: I'll look to the seconder. Spud, do you have any comments you would like to make?

MR. A. G. "SPUD" WOODWARD: Just pretty much, obviously I am in agreement with what she said. Plus, I think from a more practical matter, I'm not sure how the state of Georgia could convince the Board of Natural Resources to change regulations to prevent the capture of 347 fish, when we have no better resolution under data that we have. You know from a practical standpoint it is impractical. I certainly endorse this. I think it's a reasonable risk management decision going forward.

CHAIR CIMINO: Any other discussion? Chris.

MR. BATSAVAGE: I'm torn on this one. You know assuming that the Board initiates an action to look at how we allocate and manage recreational fishery, having some stability in place for 2024 makes sense, despite the high PSEs, which have been part of the cobia estimates in our management since we, well forever. Yes, they are pretty high, close to basically the target to get through for this year. Although the de minimis estimates really jump around, they are particularly low this year.

I think when we all know that there are probably more than 270 cobias caught north of Maryland. I probably can count more pictures on the internet than that. Yes, I don't know if there is an opportunity for some sort of, instead of taking the full reduction, if there is something in between, or we just hold our nose and go with status quo in '24, with the intent on trying to come up with a better way to manage this in '25.

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CHAIR CIMINO: Further discussion? I'm going to go to Lynn and then back to Shanna.

MS. FEGLEY: I would go on the record to agree with Mr. Batsavage, because we are going to likely see that target. If we go to implement a new sort of allocation scheme in '25, we're still going to be working with the same target, I think. If we're not, correct me. I just have a little concern. I don't think I would oppose it, but I think I just want to go on the record as I'm not super comfortable with that. I don't think I'll call that good.

CHAIR CIMINO: Shanna.

MS. MADSEN: I do want to thank Lynn and Chris for their comments on that. They definitely don't go unheard. The one thing I will say is, I went back to my amazing staff at VMRC, and kind of had them start to look at some of the data to determine, you know based on the '21 and '22 estimates, what we would be facing. Frankly, they said if we left our status quo management measures in place for 2024, the calculations come out to about a 15 percent decrease in our landings anyway.

At best, I feel like if we did take some level of reduction, unfortunately I feel like for, not along the same lines as Spud, but along the same lines as Spud. I think I would kind of just be throwing darts, trying to figure out a way of making some sort of reduction coastwide. If we leave it alone, at least right now, the math says we're already doing so. We're kind of stuck in a weird spot now.

CHAIR CIMINO: Any other comments from the Board? If not, I'm going to open this up to public. I don't see any hands from the Board. Is there anyone from the public that wishes to comment on this motion? Okay, not seeing anyone, we have heard some concern, but at the same time I think I'll give it a shot and see if there are any objections to this motion.

MR. BATSAVAGE: No objection, but just a 30 second caucus, one minute caucus?

CHAIR CIMINO: Yes, sorry, sure go ahead, Chris. Does anyone need more time? I don't see any hands, so call the question again. Is there any objection to this motion? Go ahead, Spud.

MR. WOODWARD: Yes, could you just read it back in, for the record. I think folks online want to make sure they understand exactly what we're voting on.

CHAIR CIMINO: Yes, I'll do that. This is a **move to maintain status quo state waters recreational management measures for Atlantic cobia for the 2024 fishing season. Not seeing any objection, we'll say this motion passes by consent.** All right, we're going to turn it back over to Angela. Go ahead, Jay, sorry.

DR. McNAMEE: Yes, I wanted to make comment on it. I didn't want to disrupt what was going on, so thanks for giving me just a minute. I was really intrigued by the regression analysis. You know the concept of using a modeling approach to try and predict or understand what would happen, you know with the missing waves, was interesting. I was wondering kind of a little bit about how exactly the calculations were done.

But I guess what I really wanted to say is, I like that approach. I like that approach. I would suggest if this type of approach is used again, there are a couple other methods out there that we might want to investigate, like for instance, generalized additive models. Just to capture some of the nonlinear with what may be there. I approve of the modeling approach, and maybe just a little more information next time, in checking a couple other methods might be worthwhile to do as well.

MS. GIULIANO : Sure, thanks for the suggestion.

CHAIR CIMINO: Thanks, Jay, appreciate that. This is a species where we are dealing with pretty much one data source for everything that we have. Not a lot of signals coming from other places, and so the importance of what we have is always tricky.

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TECHNICAL COMMITTEE REPORT

CHAIR CIMINO: We're going to turn it back over to Angela for what the Board has asked for on this Technical Committee Report, once again to go through the trends here with cobia.

MS. GIULIANO: As he said, we'll be going through the recent trends in cobia harvest and catch, an overview of the presentation. I'll first review the Board motion from the last meeting, as well as the current recreational harvest allocation. Then we'll look at some trends in coastwide harvest and catch as well as some different regional through things that the Technical Committee explored.

We'll briefly cover some tagging data, which was used to look at movement between different areas of the stock, and then go through the Technical Committee recommendation. At the August Board meeting there was a motion to task the Cobia Technical Committee to develop a fishery review that characterizes recent trends in state and regional landings compared to their harvest target, including de minimis landings. I want to make a brief note here that as I mentioned on the last slide, we'll focus mainly on the coastwide and regional trend analyses. However, I do have individual state graphs in the extra slides portion.

If there are any particular states that the Board is interested in reviewing, at least for non de minimis states, we have individual slides for those. We also have some figures there if there are questions about confidence intervals around some of these estimates at the various regional scales, there are also figures that we can pull up that give 95 percent confidence intervals as well for the Board to peruse.

The current recreational harvest targets are based on the state's percentages of their coastwide historical landings in numbers of fish. Fifty percent of that allocation is based on the ten-year average landings from 2006 to 2015, and 50 percent of that allocation is based on the 5-year average landings from 2011 to 2015.

In the table here you can see how that breaks out between the different states under the current harvest quota. I think the thing to point out here is, again to note, that all of this as you go through uses data through 2015.

REVIEW RECENT TRENDS IN STATE, REGIONAL, AND COASTWIDE AMG COBIA LANDINGS

MS. GIULIANO: As you'll see on some of the following slides, there have definitely been some changes since that timeframe.

This figure goes through the coastwide harvest. Over the time series the average harvest has been about 40,000 fish, and the harvest has been increasing through time, peaking in 2018. The harvest has generally been over that time series average since about 2003, and often at or above 50,000 fish per year since 2015.

Of note on here, and hopefully you guys can see it in the back. For over 2020 through 2022, this slide does show the recreational harvest quota to where our landings have ended up. I apologize if it's hard to see in the back. Similarly, catch has also increased greatly through time, and pretty steadily, again peaking in 2018.

As I said the catch has also been steadily increasing, peaking in 2018, and catches have been over 300,000 fish between 2018 and 2021. The Technical Committee considered a few different regional approaches to this. While we looked at the traditional, you know North Carolina South Boundary that you would see in MRIP for the South Atlantic, there was a lot of movement of fish, particularly between North Carolina and Virginia.

We ultimately decided to go forward for this presentation with North Carolina North, which is on the top graph in orange, and South Carolina and Georgia as the separate region, in green below. Again, in black on here is the current soft targets for those two regions, based off of the current quota. Again, there has been this growth in landings

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through time in the northern region, peaking in 2018.

Whereas, you'll see in the southern region landings have been much more stable through time, averaging about 9,500 fish. That is in comparison to the northern harvest, which has been on average at about 31,000 fish, so again since 2013 we have been above that average. Looking at the regional catch, again similar, not surprisingly given most of the harvest was occurring in North Carolina and Virginia to see a steady increase in catch through time in the northern region. But you also see some of these increases in the South Carolina, Georgia region, as well as more stable through time. But you can tell in 2018 the catches had increased as well.

In addition to this, we looked at another approach of three regions sort of split. The South Carolina and Georgia figures are the same as the ones you just saw. But in this view of it, we separated out the Maryland north regional harvest, as well as the North Carolina, Virginia regional harvest.

You can see through this that the de minimis harvest has been sporadic through time, with large peaks occurring periodically over the years, with notably 2012. But harvest has been consistent since 2020 in the de minimis states, ranging anywhere from 1,579 fish to 5,334 fish, which is above the soft harvest target of 769 fish.

As I mentioned before, the majority of harvest occurs in North Carolina and Virginia, with a time series average of about 29,700 fish. We've had higher landings since 2013, probably averaging around that 60,000 fish line. Then as I mentioned before, the South Carolina, Georgia landings have been much more stable.

With these sorts of trends, the TC felt that it lent support more to the idea of a range expansion rather than a full shift of the stock, with landings being so consistent in the south. Similar to before, we have the sporadic catch in de minimis states, but since 2018 you see again that increasing trend

through time for North Carolina and Virginia, peaking in 2018.

The more stable catch in the southern region, with increases in catch since 2018. As I mentioned, the Cobia Technical Committee also reviewed tagging data from many of the states. Primarily we reviewed conventional tagging data, so there is some acoustic and satellite tagging data available.

However, these data are currently under review for publication, so we aren't able to discuss much about it at this time. But hopefully that will be out soon. But generally, the tagging data showed movement of fish between North Carolina and Virginia. They also showed movements of fish to states north of Virginia and south into Florida.

I guess the one caveat with some of this is that obviously there has been a growing interest in the fishery, and so there have been some changes in the numbers of fish tagged, number of returns through time with that as well. I think it would probably take a little bit more work to fully tease out some of that through time, to figure out movement patterns.

Based off of some of this initial discussion, and some of the new data that has been coming out since the last Stock ID Workshop. The Technical Committee was interested in reexamining the boundary between the two stocks, acknowledging the likely mixing zone in northeast Florida, which even was pointed out at the last ID workshop. The preference would be for these efforts to either occur before, or as an initial step for the next stock assessment. Hopefully at that time, as I said, we would be able to bring I some of the other acoustic and satellite tagging data. Based on these recent trends, and how they have changed in the states since the previous allocation period, the Technical Committee did recommend taking action to address the recreational allocations. However, we did want to bring up some things the Board may want to consider, particularly regarding the timing.

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Again, with the timing of the upcoming MRIP FES follow up study, obviously any changes there could affect the allocations, dates or regions, or whichever direction the Board goes with that, as well as any potential reexamination of the cobia management boundary, so it's a stock assessment. Should anything with that change, that would also probably factor into your allocation discussion. With that I can take any questions.

CHAIR CIMINO: Thank you, Angela, and I want to thank the TC for this work. Looking at the timeframe for the soft targets, obviously it is time to revisit. What is happening with this fishery is changing somewhat. However, as noted by the TC, and as we've talked about earlier today, we have the possibility of getting an entirely recalibrated MRIP estimate in the near future. Certainly, the timing of this is a challenge. I'll look to questions for Angela, and the work that the TC has put forward. Go ahead, John.

MR. CARMICHAEL: You certainly show an intriguing case for some shifts in this stock, especially saying it looks like potentially range expansion, not just shifting, which then has really important consequences for the upcoming assessment. I hope the TC is keeping this in mind as the assessment gets planned and plotted out, what is going to be requested from the analyses.

Because if the range is expanding, and ecologically the carrying capacity is increased, because these fish are covering a bigger area. Then the stock productivity may be higher now than what it was back in those early time years when we show much lower landings. If all of that gets plugged into the model, you know the model is going to take sort of, what's the average over time, most likely.

It's going to underestimate productivity, based on what you're experiencing right now, and then would be exacerbating these issues with bumping up against soft limits, because the limits are based on a productivity estimate that is too low. You know we grapple with this a lot at the Council, and dealing with the stock shifts that are going on, you

know handing this stock over to you guys is part of the response.

But I think it's really important, and it would be nice to see if this assessment can get into, you know really considering what's the productivity look like five years from now, when we're going to be setting regulations, and not so much, what was it like 25 years ago? On the Atlantic it does seem to be increasingly irrelevant.

What we're worried about is what the future holds, and it would be really great in this assessment if, you know the Commission group can work with the Center and come up with something that gives us a good estimate of future productivity, so that we're not grappling with these limits, particularly with the state-by-state thing. You know we can really account for a stock that maybe is doing better. Climate change is usually talked about in the context of losers, but there are going to be winners in this climate change thing as well. Cobia looks like a potential winner.

CHAIR CIMINO: I'm going to go to Lynn, and then I also have a question.

MS. FEGLEY: I appreciate the comment from John. One of my questions was, at what point are we developing terms of reference for this assessment? I have some fear, because there is so little data, and there was a really great conversation last meeting between, I think John and Jay, about developing an index or seeing if we could find an index that we could monitor between stock assessments, to understand a little bit about how the stock is doing, since the stock assessments are still far and few between.

I just wanted to bring that back up, and say that I think it's a great idea. However, with the limited amount of data, I just don't know how possible it is. But if it's something that should be considered, either as a Stock Assessment Subcommittee is formed, or outside of that. I just wanted to flag that, that it could be helpful going forward.

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MS. TUOHY: Thank you for your question. The Stock Assessment Roadmap that was sent around didn't have defining the terms of reference explicitly in the roadmap, but we have been informed that that typically happens before the Data Workshop Webinars. As of right now, those Data Workshop Webinars are scheduled for April to June of 2024, so early to mid-2024, I guess would be our best guess as of right now.

CHAIR CIMINO: My question, and I was around during the last ID Workshop. I am curious, and I'm not even sure who I am directing this question to. But what does it take to get that process started again? John, could you help maybe on that engagement?

MR. CARMICHAEL: Yes, and that is a good question. Stock ID is often one of the most controversial things that goes into the assessment. Part of that is because it could be really hard to define, especially if you don't have good information on movements, and good information on genetics. It can be hard just using our regular fisheries data to figure out where stocks are divided.

But it's also complicated, because while it's an assessment and a scientific question, it has pretty significant management consequences a lot of time, particularly as things cross jurisdictions. It is one of those things where there is a lot of considerations that have to be brought to bear. Normally the way, like SEDAR has approached this, and the way this was approached last time, was to have essentially a Stock ID Workshop, prior to getting into the stock assessment, to bring all the information available, and kind of hash it out going into the assessment. Because then it's very important to know that as you go in, so you know the universe over which you're looking for data. We may need to make a harder look, if a state like Virginia and Maryland try and get data. Maybe there are some studies in the Chesapeake that could lead to an index like you know Lynn mentioned, that haven't really been looked at before, because until the last 10 years there weren't that many fish up there. You would have to do those sorts of things, but I think this

would just be a matter of maybe the Commission supporting getting the relevant scientists together, maybe a few months in advance of the April/June Data Workshops, and say okay, we've got to settle this stock ID question. There are some good references on the kind of information that you can go through to make this decision. I think Steve Cadrin is an author of a book that we've used a number of times.

It lays out a process of, you know these are the different things that you could look into, and a way to evaluate it, to decide if you really are seeing some shifts in a stock. Yes, I think the important thing is getting the good representation of the TC and Stock Assessment Committee, and all the different states involved in the data together, early enough to have a decision, so you go in the assessment and you know what you're dealing with.

CHAIR CIMINO: Thanks, John, I appreciate that. Go ahead.

MS. GIULIANO: Just to add to that, and for those that aren't as familiar with what was done last time. At the last time E-Workshop, it was like looking at tagging data, but also genetics and life history data. I will admit that the TC through this recommendation was mainly focused on the tagging data, and I'm not aware of what might be available for the other datasets, particularly genetics. I'm not sure if there are any genetic studies or not.

CHAIR CIMINO: I might throw that out there to the Board as well. I know South Carolina had done some work in the past. Just curious if there is anyone up here that knows of maybe some newer or recent stuff that has been done. Go ahead.

MR. BEN DYAR: Yes, in 2018 we were in South Carolina. In the southern portions of South Carolina there has been genetically unique identified species in the spawning areas, and some of our inlets in the southern region. Because of our specific management change that was done to account for

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that, so not harvesting those in that spawning time period, and that was done through genetics.

CHAIR CIMINO: Further comments, thoughts from the Board, and I'm curious what we're thinking, as far as, you know timing is extremely important for this. I'll take Shanna, and then Erika you're up next.

MS. MADSEN: I actually have another motion prepared, to kind of get our conversation started, and if I have a second again, I would speak to the reasons why I think this might be a better way for us to go, so we get that up there. I would like to **move to initiate an addendum addressing recreational Atlantic cobia quota reallocation. The Board recommends the Plan Development Team explore options outside of the current state by state quota allocation system, specifically a coastwide soft target with regional management measures designed to meet the coastwide soft target, while considering the need for fishing opportunities, based on the seasonality of the species in various regions.**

CHAIR CIMINO: Do we have a second? Chris, is that a second? Okay. Shanna, do you want to speak to this?

MS. MADSEN: I full disclosure, need to give my neighbor in the south a lot of credit for working on this over lunch, and unfortunately, no beers were involved, because it was lunchtime, but I still think that it was really good conversation. This is tough, right? We know that we've been managing on soft targets we're all bumping up against, that are based off of very outdated MRIP numbers, and it doesn't make a lot of sense to keep doing what we're doing. My intention of going with status quo during our last motion, was to make sure that we initiate this addendum, do start to explore looking at different ways of reallocation.

The only thing that I kind of wanted to signal to the Board is, I recognize that if we kept things going state by state, and just said that we were going to update those state-by-state quotas using more recent MRIP data, Virginia would gobble up

absolutely all of the quota, and that is not at all my intention here.

I do want to just go ahead and signal that, because I recognize allocation is a pretty touchy subject. But the thought process here is with all of the things that we're facing, you know if there is a change in magnitude, due to the calibration of the FES survey, having a coastwide soft target, that magnitude might end up changing later, when that goes through the stock assessment.

However, it wouldn't make any change at the time, so we would stick to that 76,000 fish, but we would make it make more sense, such that regional management measures could reflect where the fish are, and the time of year that those fish reach those certain regions. It's kind of a logic there, and I'm hoping that folks understand where I'm coming from, and not trying to be that state that is gobbling up all of the cobia. We don't want to do that.

CHAIR CIMINO: Chris, do you want to speak to the motion?

MR. BATSAVAGE: Yes, I think Shanna hit the main points on it, but yes, I think really, we're just trying to find a way to manage the recreational fishery, understanding just the inherent limitations of MRIP with a species such as cobia, a pulse/rare-event species. Yes, I think the state-by-state allocations, quite frankly, is probably overusing the available MRIP data. Again, if we could figure out a way to manage based on seasonality, and stay within the harvest limit, it provides maybe a little more resilient way to manage with potential changes to MRIP estimates coming up in the next few years.

CHAIR CIMINO: I need to take a minute, I want to apologize, because I had, that motion got away from me a little bit. I had Erika in the queue. Erika, do you have a question or comment outside of this motion before we get to the comment on the motion?

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MS. ERIKA BURGESS: I'll hold mine in case the conversation comes up again. I'll let you all discuss the motion.

CHAIR CIMINO: Okay, thank you. Malcolm.

DR. MALCOLM RHODES: This could come back to a problem for South Carolina. Years ago, when Virginia's catch was so large that the feds closed the cobia fishing in federal waters, South Carolina's laws are set such that when federal waters are closed, state laws follow the federal. We had two years where we could not catch a cobia in the state at all, because of federal closure. We need to have some way where we aren't caught in that situation again, and the state does not allow the DNR to do the laws, they are all legislative. There is no quick way of addressing that issue. That is part of what came about in that first place, because we had two years where cobia was not allowed to be caught in South Carolina, because of the federal closure.

CHAIR CIMINO: Spud.

MR. WOODWARD: Generally, I agree. We've got to do something different. I think one of the challenging issues right now, and maybe the makers and seconder can address this. There is this concern of this FES situation hovering over our head. How do we prevent ourselves from making decisions that we might regret having made, given the unknowns that we're facing?

I know you and I talked a little bit about it. Is this more about discussing alternative methods without specifics? But the problem with allocations is it all comes down to specifics. That is always the problem. It's the numbers that come out at the end of the calculator that end up driving the decision. I think that is where there might be a little anxiety about this, and the timing of it.

But the same as we discussed earlier today, we're looking at two or three years before we may have anything definitive on the FES bias affect. We're in a little bit of a trap here, knowing that we need to do something different, but not willing to do

something different that we'll later regret, when we find out that the basis of our decision was flawed. I don't know, maybe there is some discussion that can allay my fears on this.

CHAIR CIMINO: Yes, I'm with you. It really does go back to; I don't think we're getting off easy this afternoon. I will look to the makers of this motion for a response on their intent. But giving a heads up to staff too, I would like to have a little bit of a conversation on timing. Putting aside the FES though, just more along the lines of how do we do this in step with an assessment? I'll go to Chris and then Shanna. I think both of you had your hands up, if you would like to respond. Go ahead, Chris.

MR. BATSAVAGE: Yes, I don't know if this will solve our problems, maybe it will address the problems that we currently have. I guess conceptually the way I was thinking about this is not have the coastwide allocation allocated to regions. I think that is not the way to go, with the existing data we have, regardless of what might happen with MRIP in the future those problems are going to exist. This is looking more at kind of the seasonal patterns that we're currently seeing with cobia. That is subject to change in the future, of course, to where the fish are available at certain times of the year, and certain states as they move south to north. If the PDT was able to maybe craft some potential management measures that kind of address the seasonality, with bag and size limits mixed in for the different regions.

You know to give folks an opportunity to catch the fish without exceeding the RHL, while not give it explicitly, you know carving up the 76,000 fish into regions, because I think that is not going to work. It might be an oversimplified way of trying this, but that was the thought I had, just as a concept of managing under the MRIP data that we have, the uncertainty in the MRIP data.

CHAIR CIMINO: Shanna, did you want to respond as well?

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MS. MADSEN: I think Chris covered it incredibly well. Part of the way I guess I thought about this too, was if we go this way of trying to determine a better way of utilizing the coastwide quota. We're thinking about instead of dividing the pie, the whole pie is now for all of us, but we all think about it, in making sure that we're giving opportunity to the states who see the fish first. You know like Chris was saying, we're thinking of a rolling sort of opening.

I don't want to pretend to be smarter than a PDT here, because you know they could look at this and say, hey, we've got some better ideas. But I would love to give a PDT the chance to see what they can do with this, and make sure that we're all trying to ensure that the southern states are still getting their opportunities with these fish, and they are not getting shut out of it before they even get the chance to fish. The other thing I'd say, I guess, to the FES calibration is we don't have time to waste, I think for the FES calibration.

We're looking at an FMP that kind of directs us to take action when we see our de minimis states popping in and out of de minimis. We don't really know what to do with them right now. While the timing might not seem optimal, I think we can build something that would not be as impacted by just a magnitude change, which is what at least right now MRIP is giving us.

They are giving us a change in magnitude and not a change in specifics. I think we know how to tackle that, and again I think that kind of addresses the fact that hey, that pie might get bigger. We're seeing potentially a range expansion. We're going to be combining that in with the new FES calibrations, and I think it makes sense to kind of go about it this way first. We need to take action.

CHAIR CIMINO: As I mentioned, I'm going to look to staff before we continue this discussion, to talk about timing a little, so Toni.

MS. KERNS: I want to clarify to make sure I'm understanding what Shanna and Chris are asking

the PDT to do. What I heard was you are looking for seasons for each of the states, and that's how we are going to kind of constrain this harvest, which is different than what our objectives were when we took over this FMP, where we wanted to maintain a year-long season, and not have closures.

Now we are seeking closures, and that is how the PDT is going to develop the document, because I don't know how we constrain regions to a coastwide soft target, without putting in some pretty tight, what I think would be maybe some tighter seasons, if you are looking to try to give availability to all of the states at some point. I just want to make sure that that is what I'm hearing, and that the whole Board is hearing, and that is the direction that the Board is looking for, and then we can talk about timing.

CHAIR CIMINO: We'll start with Shanna then Chris if you need to follow up.

MS. MADSEN: I guess Toni, yes, that is kind of what I'm suggesting here. We already don't have a year-long cobia season, we are down to three months now, and states who are following our management measures are also constrained to that three-month season. Yes, that is what I'm suggesting, and I think that in the regions like the Mid-Atlantic, where we would be catching quite a bit of the fish, we would take hard consideration into when our season ended, in order to ensure that the northern states, as the fish move up the coast, would also have access to those fish.

CHAIR CIMINO: Chris, you good? Okay. All right, so we've got a little bit more information on what we're thinking about here. I'm still kind of curious on, is this something that we're expecting a document to go before the public pre-assessment or post-assessment? Any thoughts, Shanna?

MS. MADSEN: Yes, definitely pre-assessment was my intention with this, and the motions actually I think that we put together last meeting, was to have the TC come back to us with this report, with intent of initiating an addendum either at this

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meeting or the next meeting, with intent of making sure that the outcome of that was implanted for 2025, so pre-assessment.

MS. KERNS: I don't know if we would be able to have a document completed and be able to implement for 2025 or not. I think it depends on how difficult it is to develop options. Another thing that we need to think about is the interaction with federal waters, and what their measures will be, and whether or not, if we start to have these more constrained seasons, instead of open all year, how NOAA will constrain in their waters.

Because right now they would have just a pretty open, generous set of regulations, and in some cases the states have possession limits that restrict those federal measures, in some cases they don't. We would need to try to figure out how to manage that interaction with the federal measures, and more restrictive state measures. I don't know how much time that will take. It would take us a little while to resolve what we did the last time around.

EXECUTIVE DIRECTOR ROBERT E. BEAL: Just to talk a little bit more about timing. I think no matter what we do here we're in a really awkward and kind of bad timing spot. We've got 2026 assessment, we've got 2026 potential recalibration of the MRIP with a new FES number, and we've got a Board and a fishery that shouldn't and is not willing to wait until those things are resolved.

You know there is a number of issues here that the Board correctly is wrestling with. Based on the conversation now, the Board is going into this, eyes wide open. We know there is going to be uncertainties. We know there is going to be things that may have to change after we implement something and let it sort of evolve as we get more information.

I think let's start down this road, get the PDT to do some of the work that they do, and just kind of check in. I think that is when the Board will understand, is there too much uncertainty for their comfort level, or is the path we're on, are they

comfortable that there is enough certainty here that we're going to end up in a place we hope to end up in at the end of this, which is constraining the fishery to the soft target, while not overly restricting the fishery itself.

It's a delicate balance, especially when there is a lot of uncertainty in the data. We don't have the ability to do projections moving forward on what the target should be in the fishery. There are a lot of things we don't have. There are more things we don't have than what we do have, but I think if we can start going down this road and see what some of the seasonal options may look like, and is it doable and workable for the Board once we do all the math and all the projections? But you've got to get it started and see how it goes, I think.

CHAIR CIMINO: Yes. I'll tell you this, it's tough. I think one thing that may benefit this Board is, you know if this process brings in public comment, because as of right now, you know we tend to have these Board meetings with very little public input. It may take something like starting this process to have those important discussions with the help of our fishing community. Spud, help us out here.

MR. WOODWARD: Yes, I certainly don't want to bog us down in a philosophical debate, but some of these hinges on, what the heck is as soft target? I mean we've sort of created this phrase. I think accepting that we've got unavoidable imprecision in the data that we use to manage this species, but we haven't set parameters of what makes it soft versus hard. We just discussed that when we were talking about fish specifications.

It's like okay, so well once you go over a certain amount, well that soft target becomes a hard target, then you've got to do something in response to it. Part of this, if we can never expect that cobia catch estimates are going to be any better than they already are, then to me the conversation needs to be, what is that soft target, and what are going to be the acceptable variabilities around those numbers that we're willing to live with.

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Otherwise, we're going to find ourselves in this destructive, to do loop of having these same things, because I can just tell you for the state of Georgia, those estimates are all over the place. If you look at them historically, I mean their 2,000 this year, 11,000 this year, that needs to be part to me of how we take a fresh look at managing a species like this. I mean we have an 8-month season trying to bracket when those fish are available to be caught, because they don't behave the same way they used to. They don't just push through there in the spring like they used to. I think we've got east/west movement; we've got north/south movement. Now these fish are showing up in the summertime, not necessarily in great numbers, but they are still there to be caught. We're just kind of slamming the door, it's like eh, this one's hard. Maybe we should give it back to the National Marine Fisheries Service.

CHAIR CIMINO: Chris, I see your hand. I'm just going to look around. Are there any other comments, or even questions from Board members? I don't see any new faces, so Chris, go ahead.

MR. BATSAVAGE: I think that is a great question Spud raises regarding the soft targets, and we're discussing just that term. Right now, in the FMP it's like a three-year average of catch versus the harvest, you know the allocation. That is probably a good thing for the PDT to look at is looking at the three-year average appropriate? I think with cobia, Spud's question of maybe giving this back to a different agency.

I think when we took this on, I had a feeling that just the way cobia are and still are, moving around, we're probably going to have to adjust management more than other FMPs. I think we had a nice little reprieve from having to do that. But I think whatever we do here, hopefully will work for a while, knowing that we're probably going to have to make some adjustments in the future.

CHAIR CIMINO: Shanna.

MS. MADSEN: Mr. Chair, I appreciate it, and I really do appreciate Spud's comment. The one thing I do want to say is, we didn't develop this motion to try to limit the PDT. I think a lot of times, you know the PDT goes into a room and they don't have anything to start with, and you're staring at a blank piece of paper.

We wanted to make sure to give them something, so they could kind of start exploring. However, if they get in there and they think, hey we've come up with this amazing different way of doing this. I do want to make sure that I'm signaling that they have freedom to be creative, and I do think that we should definitely take note of Spud's comment on the soft targets, and see if we can get that as another thing that the PDT looks at, as they kind of open this book.

CHAIR CIMINO: We were having a bit of a sidebar here too. I think along with an e-mail on staff, there will be an e-mail to the states to nominate PDT members for this task. Spud, did you have your hand up?

MR. WOODWARD: Yes, maybe for some of the folks that are sort of new to this process. Maybe it helps, because you know an addendum or amendment kind of have an "ooh" factor to it, like we're fixing to have to do something pretty serious here. But in this case, you know this is necessary to initiate the actions and activities of the Plan Development Team.

Because I think sometimes, we just ask for staff to generate a white paper or to do something, you know less formal. In this case though, the goal is to activate a Plan Development Team to study these issues, to address them, leading to action. Is that what everybody understands this to be? It leads ultimately to some change in the status quo when it comes to allocation.

CHAIR CIMINO: I will say that that is how I see it, and that I would look to any Board member that thinks that this is open to another interpretation that they have concerns, let's discuss that now. But

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otherwise, I agree, Spud. I think that is what we're looking for here. Any further discussion? Toni, go ahead.

MS. KERNS: Just to set some expectations. I think what would probably happen is we would get a PDT together, and we'll have Chelsea and Emilie work together on this probably, since Emilie will hopefully be doing some striped bass public hearings.

We'll try to tackle some of these issues, and probably come back to the Board in January with some questions, and probably the PDT might be asking for some direction. Then try to come back to the Board with a draft document in the spring meeting, if we can. We may need more time, I'm not sure. That would be a goal, to start off with.

CHAIR CIMINO: Okay, yes that sounds fair. I think we're getting closer. I'm going to give a two-minute caucus before I call the question. Can I see hands if anyone needs more time. Not seeing any hands, and from a previous cue from our Chairman, I will have this motion read back in. But I'm going to ask Ms. Madsen to do that for us, since it's a rather lengthy one, and I think she would have a better shot at it than I.

MS. MADSEN: The motion is: Move to initiate an addendum addressing recreational Atlantic cobia quota reallocation. The Board recommends the Plan Development Team explore options outside of the current state by state quota allocation system, specifically a coastwide soft target with regional management measures designed to meet the coastwide soft target, while considering the need for fishing opportunity based on the seasonality of the species in various regions.

CHAIR CIMINO: Great, can I see a **show of hands for all those that are in favor of the motion. All those opposed. Null votes. Any abstentions?** I'm going to get that tally, but for those online there was a nice mix of everything, apparently. **The vote is 9 in favor, 0 opposed, 2 nulls, 2 abstentions. All right. The motion passes.**

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Again, and if Chelsea, if there is anything else to add to this, we will be doing by e-mail nominations for a SAS and a PDT. Look for that, and have some good names ready to do some work. Okay, with that we'll move on to seven. Like a director that always likes to work with a great actor, I tend to have John here as much as possible.

UPDATE FROM THE SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL ON MACKEREL PORT MEETINGS AND COASTAL MIGRATORY PELAGICS FRAMEWORK AMENDMENT 13

CHAIR CIMINO: I'm going to check this over with my good friend, John Carmichael, with the South Atlantic Management Council to give us an update on where the Management Council to give us an update on where they are with Spanish mackerel and the Port meetings that we are all going to be doing our best to get the people out, and get the South Atlantic Council as much help on this as possible. Thanks, John.

MR. CARMICHAEL: Yes, with that, thank you, Mr. Chair. Quick update. We are working on the Framework Amendment 13, it's pretty narrow in its scope. It's just looking at adjusting the catch levels to respond to the latest stock assessment. We did at our last meeting discuss the impacts of the FES bias on the various actions that the Council is considering.

This is one that we are continuing to move on, despite knowing that there is a potential for some changes on the horizon, due to the FES. Primary reason for that is, it is getting the currency of this stock to be managed under the FES, instead of the old CHTS. You know, we talked about that a little bit earlier, when we got the presentation on the FES and this acronym soup.

We're not looking at any changes in allocations, and that's really where the potential bias in the absolute estimates coming out of FES, are going to have the biggest impacts on our fishery. Recreational versus commercial sectors is one, and then depending on how this potential question bias plays out in

different regions and different states, it could affect the regional allocations.

Hopefully, we can have information that is corrected for this bias, by the time we get around to looking at actually implementing changes in the various allocations under this fishery. The plan now is for hearings on this amendment, this framework adjustment in the spring of 2024, with approval in June of 2024, and that would put in these new catch levels. Then simultaneously, we're going to be working on the Port Meetings which were mentioned.

Basically, between this coming December and through maybe early summer, June of 2024, to go through the Port Meetings, which is to get input from fishermen throughout the range of the species on what they are seeing and what they would like to do differently with Spanish mackerel into the future. Big issue is, the regional allocations and the varying closures in the different regions, so addressing that. What can we do to be more climate prepared, climate resilience to use the language we're faced with by NMFS quite often in the Council system. You know just being more resilient to how the species is changing. I've long thought that coastal migratory pelagics, just consider their name and you've got to get a good idea they are probably likely going to be early fish to respond to climate changes. As they're moving, they can always go find prey and better water temperatures, and that seems to be what they do. I think that's going to be really exciting to do these Port Meetings, and we appreciate the support of the Commission.

We're also working with the Mid-Atlantic and New England, because these things aren't going quite a far north these days, to get input from throughout the range of the stock in those Port Meetings, and they will be facilitated meetings with the fishermen, trying to say, you know here is your chance to give us information.

We're not coming to you with a bunch of management measures you're not going to like, and

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you want to tell us you don't like them. But really, to have kind of an open forum. We've got some people that have had a lot of training in this, and a lot of experience. I think they are well equipped to go out and have these kinds of conversations with fishermen.

We will definitely appreciate all the support we can get from you guys on doing that. Then once that process wraps up, we will start the next amendment, so probably around September, 2024 is the plan to get started on a fuller amendment that will address any of the issues that come up out of the Port Meetings, and hopefully have that for approval in December of 2025.

CHAIR CIMINO: Any questions for John? Not seeing any around the room, and none online, then we can move on. I appreciate that again, John. Go ahead, Shanna.

MS. MADSEN: Just one really quick. When you guys start your meetings, can we get an e-mail shot out, maybe to us, so that we can make sure that we connect with you at the appropriate timeframe?

MR. CARMICHAEL: Yes, I think definitely. Do you want us just to reach out to the whole Board here?

MS. MADSEN: It would be great, thank you.

ELECT VICE-CHAIR

CHAIR CIMINO: Up next, as I mentioned, this is going to be my last meeting as Board Chair. We are looking for a nomination for Vice-Chair. I look to Chris Batsavage. I **move to nominate Spud Woodward as Vice-Chair for the Coastal Pelagics Management Board.**

CHAIR CIMINO: Thanks, Chris, do we have a second, Malcolm Rhodes.

MR. WOODWARD: Hey, in for a penny, in for a dollar, you know is all you can say. By the way, for the record, that null vote was not to go past the personality. I actually had a fellow delegate on the

phone, so just so you all, for the record, I saw some quizzical looks around there like, what happened, how do you have a null vote with one person?

CHAIR CIMINO: That's fair to put that out there before this nomination is voted on, I suppose. **Any objection to Mr. Woodward being? Excellent, that's good.** I didn't think so. Spud, I don't envy you, but I think you are an excellent choice for the job here. It's going to be an interesting couple of years. Many thanks and congratulations to Spud.

ADJOURNMENT

CHAIR CIMINO: Any other business to come before the Board? Not seeing any; motion to adjourn. I got a thumbs up, John Clark and a second by Jeff Kaelin, thank you, we are adjourned.

(Whereupon the meeting adjourned at 4:45 P.m. on October 17, 2023)



Atlantic States Marine Fisheries Commission

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MEMORANDUM

TO: Coastal Pelagics Management Board

FROM: Cobia Plan Development Team

DATE: January 10, 2024

SUBJECT: Recreational Reallocation Draft Addendum Scoping Progress and Ongoing Questions

The Cobia Plan Development Team (PDT) met via webinar on January 8, 2024, to begin scoping the recreational cobia reallocation Draft Addendum, develop questions for Board clarification, and review the timeline for this action.

PDT Members in Attendance: Nichole Ares (RI), Zachary Schuller (NY), Brian Neilan (NJ), Angela Giuliano (MD), Somers Smott (VA), Kathy Knowlton (GA)

ASMFC Staff: Chelsea Tuohy, Emilie Franke

Others in Attendance: Shanna Madsen (VA, Board Proxy), Josh McGilly (VA)

Background

Addendum I to the Atlantic Cobia Interstate Fishery Management Plan (FMP) allocates 96% of the coastwide total harvest quota to the recreational sector and 4% of the quota to the commercial sector. The recreational quota is further allocated to non-*de minimis* states as harvest targets or “soft targets” with a 1% set aside for harvest in *de minimis* states. Approved in 2019, Amendment 1 to the Cobia FMP defines the process by which the recreational quota is allocated to non-*de minimis* states where 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” (Table 1).

In October of 2023, recognizing that the distribution of Atlantic cobia landings has shifted since allocations were previously addressed, the Coastal Pelagics Management Board (Board) initiated an Addendum to the Cobia FMP to address reallocation of recreational cobia quota. Specifically, the Board expressed interest in considering alternatives to the current state-by-state allocation system with one option being a regional approach where regional management measures are designed to meet the designated target (coastwide, regional, or state) while considering the need for fishing opportunity based on the seasonality of the species in various regions. The Board also noted that when developing the Addendum, the Cobia PDT should examine the timeline for setting recreational measures in addition to allocations. Currently,

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recreational management measures for cobia are set every three years or when a new stock assessment is available, and measures are adjusted based on each state's performance relative to their respective harvest targets.

Options Under Consideration

The Cobia PDT discussed three preliminary alternatives to the current allocation system that could be included in the Draft Addendum. The PDT is seeking Board input on the viability of proposed options and allocation data timelines.

Continued State-by-State Allocation

The first option the PDT is proposing to explore would continue state-by-state allocations using an updated data range to calculate harvest targets. Additionally, the PDT is interested in further examining the potential for an automatic allocation trigger where allocations could be updated with new data via Board action if distribution changes are indicated or a state falls out of *de minimis*. An automatic allocation trigger would allow for allocations to be updated without the need for an Addendum. However, the PDT will need to further explore what scenarios outside of a state losing *de minimis* status would serve as a trigger for an allocation update.

The Cobia PDT is seeking Board feedback on the appropriateness of including an automatic allocation trigger in a state-by-state approach to reallocation of recreational quota. Additionally, the PDT is seeking guidance on what scenarios outside of a state falling out of *de minimis* status would constitute a reallocation.

Regional Allocation

The second option explored by the PDT was the potential for regional allocations using one of the following two regional breakdowns:

- Two Region Allocation –
 - Northern Region (States north of South Carolina)
 - Southern Region (South Carolina and Georgia)
- Three Region Allocation –
 - Northern Region (States north of Maryland)
 - Mid-Atlantic Region (North Carolina-Maryland)
 - Southern Region (South Carolina and Georgia)

Using this approach, each region would be allocated a harvest target based on the allocation data timeline chosen by the PDT and Board. Recreational management measures in each region would consist of the same bag and size limit with seasons determined by cobia availability in each region (“rolling seasons”).

Coastwide Allocation

The final option the PDT considered was to remove state and/or regional allocations in favor of only a coastwide recreational quota. In this scenario, a coastwide size and bag limit would be established for all states, and rolling seasons would be implemented based on cobia availability in each state.

Rolling Seasons

The regional and coastwide allocation alternatives both propose the idea of rolling seasons based on cobia availability. The PDT would need to determine how to develop proposed season dates for each region. One initial idea is seasons could be based on when X% (percentage threshold to be determined, e.g., 60%) of the cobia harvest in the state/region occurs throughout the year.

While the PDT will further explore the option for rolling seasons based on a coastwide or regional approach, there were a number of concerns. First, there was an equity concern regarding the coastwide or regional quota being caught before cobia migrate to the southern region. The PDT will need to examine how rolling seasons would work compared to current regulations and the ability to incorporate regional differences and consideration of cobia spawning behavior into season openings (Table 2). Additionally, the **PDT is seeking guidance from the Board regarding the feasibility of upfront regulatory changes needed with this approach, which would require all states in a region to have the same regulations in place.**

Recreational Allocation Data Requirements and Timeframe

Given that reallocation of recreational cobia quota would require updating the timeseries used to determine allocations, the PDT discussed the appropriate timeline to use moving forward assuming a state-by-state or regional allocation system. The current allocation system distributes recreational quota based on historical landings where 50% of the allocation is determined by the 10-year average landings from 2006-2015 and 50% of the allocation is determined by the 5-year average landings from 2011-2015. However, events during the most recent ten years of cobia landings would prevent certain years from being included, such as the closure of the recreational cobia fishery in 2016-2017. Additionally, the PDT discussed the merits of including COVID years (2020-2021) in allocations given the pause in sampling and use of imputed data in the Marine Recreational Information Program (MRIP) time-series. Table 3 illustrates differences between 2006-2015 average harvest and 2017-2023 average harvest.

The Cobia PDT is seeking Board feedback on whether COVID years should be included in allocation calculations.

Reviewing Changes to Recreational Measures

Atlantic cobia recreational management measures are reviewed each time a new total harvest quota is set through the specifications process (approximately every three years). **The Cobia PDT is seeking Board feedback on preferred timelines for recreational measures setting and review.** Specifically, the PDT discussed data availability concerns given the timing between assessments, lack of projections for the species, and uncertainty surrounding the modeling framework for SEDAR 95 scheduled to be completed in 2025.

Incorporating Uncertainty into Management

The PDT briefly discussed interest in exploring how uncertainty factors into recreational management of Atlantic cobia, a pulse/rare event species with high state-level PSEs. The group listed the following as topics of interest:

- Incorporating an upfront uncertainty buffer to the harvest target.
- Including a buffer around state-level soft targets to indicate when management action is needed.
- Applying a quota borrowing system to prevent management whiplash, e.g., if a state/region overage is balanced by a state/region underage, management action is not needed.

The Cobia PDT is seeking Board feedback on interest in exploring uncertainty buffers and quota borrowing systems as they relate to recreational cobia management.

Tables

Table 1. Current allocation of recreational cobia quota (number of fish).

State	Allocation Percentage	Current Recreational Target
Georgia	9.4%	7,229 fish
South Carolina	12.1%	9,306 fish
North Carolina	38.1%	29,302 fish
Virginia	39.4%	30,302 fish
De minimis	1.0%	769 fish
Total	100%	76,908 fish

Table 2. 2023 Atlantic cobia regulations.

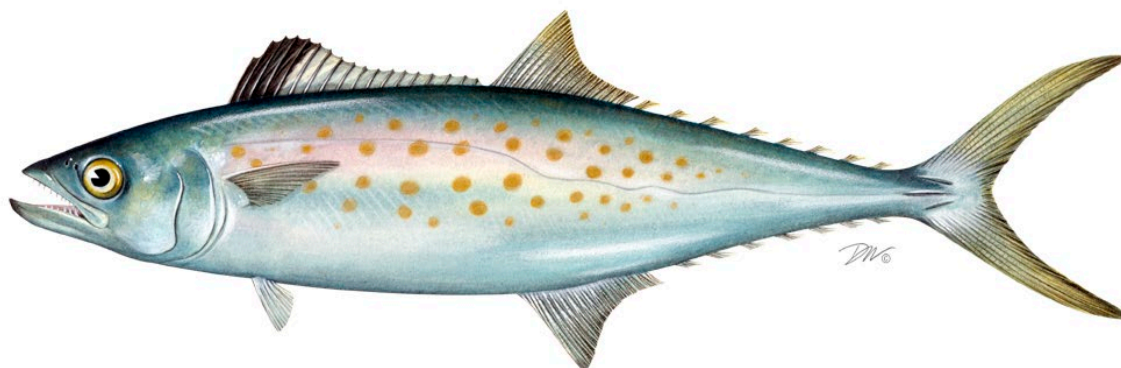
State	Recreational Measures	Commercial Measures
RI	<i>De minimis</i> Minimum Size: 37 in total length Vessel Limit: 1 fish per vessel Season: year-round	<u>Coastwide</u> Possession Limit: 2 fish per person Minimum Size: 33 in fork length or 37 in total length Vessel Limit: 6 fish If commercial fishing in state waters is closed, commercial fishing in federal waters will be recommended to mirror state closures <u>Deviations</u> -Rhode Island 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
NJ	<i>De minimis</i> Minimum Size: 37 in total length Vessel Limit: 1 fish per vessel Season: year-round	
DE	<i>De minimis</i> Minimum Size: 37 in total length Bag Limit: 1 fish per vessel Vessel Limit: 1 fish per vessel	
MD	<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	

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>	<p>-Georgia possession limit is 1 fish per person (not to exceed 6 per vessel) and minimum size is 36 in fork length</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>	
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>		

Table 3. Comparison of changes in average harvest (numbers of fish) between current recreational allocation timeline and proposed recreational allocation timeline. Note: 2023 only includes preliminary Marine Recreational Information Program (MRIP) data through Wave 5.

	Southern Region (Georgia-South Carolina)	Mid Atlantic (North Carolina-Maryland)	Northern Region I (North of South Carolina)	Northern Region II (North of Maryland)	Total
2006-2015	12,013.00	38,558.50	46,574.00	1,853.30	52,424.80
2011-2015	13,099.60	44,467.60	55,491.80	3,657.40	61,224.60
2014-2015, 2017-2019, 2022-2023	9,818.71	67,292.14	72,309.14	812.00	77,922.86

ATLANTIC STATES MARINE FISHERIES COMMISSION
REVIEW OF THE INTERSTATE FISHERY MANAGEMENT PLAN
FOR
SPANISH MACKEREL
(Scomberomorus maculatus)
2022 FISHING YEAR



Draft for Board Review

January 2024



Sustainable and Cooperative Management of Atlantic Coastal Fisheries

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I. Status of the Plan

Date of FMP Approval: Original FMP – November 1990

Amendments: Omnibus Amendment to Spanish Mackerel, Spot, and Spotted Seatrout (Amendment 2) – August 2011

Addendum: Addendum I – August 2013

Management Area: The Atlantic coast distribution of the resource from Rhode Island through the east coast of Florida

Active Boards/Committees: Coastal Pelagics Management Board; Spanish Mackerel Plan Review Team; South Atlantic Species Advisory Panel

The Fishery Management Plan (FMP) for Coastal Migratory Pelagic Resources (1983 and subsequent amendments) and the [Interstate Fishery Management Plan for Spanish Mackerel](#) (1990) manage Atlantic group Spanish mackerel in federal and state Atlantic waters from Rhode Island through the east coast of Florida. All states in that range, excluding Pennsylvania, have a declared interest in the Interstate FMP for Spanish mackerel. The Coastal Pelagics Management Board serves to manage Spanish mackerel for the Commission. The Interstate FMP for Spanish mackerel is a flexible document intended to track the federal FMP; thus, the South Atlantic Fishery Management Council (SAFMC) has the lead on Atlantic group Spanish mackerel management.

[Amendment 1](#) to the Spanish mackerel FMP, as part of an Omnibus Amendment to the ISFMP Management Plans for Spanish Mackerel, Spot, and Spotted Seatrout, was approved in August 2011. The primary objective of this amendment was to bring the FMPs for all three species under the authority of ACFCMA to provide more efficient and effective management and changes to management for the future. In addition, the amendment made the Commission's Spanish mackerel FMP consistent with federal Spanish mackerel requirements determined by the SAFMC.

[Addendum I](#) was approved in August 2013 to allow for a two-year pilot program (2013 and 2014) that allowed states to reduce the minimum size limit of Spanish mackerel for the commercial pound net fishery to 11.5 inches from 12 inches for July through September.

The goals of the ISFMP are to complement federal management in state waters, to conserve the Atlantic group Spanish mackerel resource throughout its range and to achieve compatible management among the states that harvest Spanish mackerel. In accordance with the 2011 Omnibus Amendment, the updated FMP's objectives are to:

1. Manage the Spanish mackerel fishery by restricting fishing mortality to rates below the threshold fishing mortality rates to provide adequate spawning potential to sustain long-term abundance of the Spanish mackerel populations.

2. Manage the Spanish mackerel stock to maintain the spawning stock biomass above the target biomass levels.
3. Minimize endangered species bycatch in the Spanish mackerel fishery.
4. Provide a flexible management system that coordinates management activities between state and federal waters to promote complementary regulations throughout Spanish mackerel's range which minimizes regulatory delay while retaining substantial ASMFC, Council, and public input into management decisions; and which can adapt to changes in resource abundance, new scientific information and changes in fishing patterns among user groups or by area.
5. Develop research priorities that will further refine the Spanish mackerel management program to maximize the biological, social, and economic benefits derived from the Spanish mackerel population. See Table 1 for state Spanish mackerel regulations in 2020-2021.

In 2019, several inconsistencies between the two FMPs were brought to the Board's attention, but the Board decided to postpone any changes to the Commission's Spanish Mackerel FMP until after completion of the next stock assessment in 2022. As the SAFMC has the lead on Atlantic Spanish mackerel management, the measures summarized below are those of the federal FMP.

The SAFMC manages Atlantic group Spanish mackerel with guidance from its Scientific and Statistical Committee (SSC). The SAFMC determines needed adjustments to regulatory measures, including allowable catch, bag limits, size limits, and trip limits. The SAFMC deliberations are assisted by a Mackerel Cobia Committee that includes representatives from the Mid-Atlantic Fishery Management Council, and an Advisory Panel with South Atlantic and Mid-Atlantic industry representation. Since the Coastal Migratory Pelagic Resources FMP is a joint plan with the Gulf of Mexico Fishery Management Council (GMFMC), any plan amendments to this FMP must be approved by both Councils. Actions that can be completed through the Coastal Migratory Pelagics FMP's framework procedure and only address Atlantic group Spanish mackerel, do not require approval from the GMFMC.

The federal FMP divides the commercial fishery and defines quotas for the Atlantic and Gulf migratory groups. Within the Atlantic migratory group, there are two zones- the Northern (consisting of the states from New York through North Carolina) and the Southern (South Carolina to the Miami-Dade/Monroe County border, Florida). For the Atlantic migratory group in the 2020/2021 year, in accordance with CMP Framework Amendment 2, the full commercial quota was 3.33 million pounds with allocations of 662,670 pounds and 2,667,330 pounds to the Northern and Southern zones, respectively. An adjusted Southern quota of 2,417,330 pounds was used to determine trip limit reductions in the Southern commercial zone. The 2020-2021 fishing year began on March 1st, 2020 and closed on July 22, 2020 in the Northern Zone. The Southern Zone reduced the commercial trip limit on January 29, 2020, to 500 lbs. until March 1, 2020.

The federal commercial trip limit is a year-round 3,500 pound daily possession/landings limit for the states from New York through North Carolina, with South Carolina through Florida's commercial trip limit varying depending on the percent of quota remaining. Following the implementation of Amendment 20B and CMP Framework Amendment 2, the federal trip limit for the Southern zone (SC through FL) decreases as quota is caught. When 75% of the "adjusted" Southern zone quota¹ (1,812,998 pounds ww) is caught, the trip limit is reduced from 3,500 pounds to 1,500 pounds. When 100% of the adjusted Southern zone quota (2,417,330 pounds ww) is caught, the commercial trip limit is further reduced to 500 pounds. When 100% of the Southern zone commercial quota is met, harvest is prohibited for the remainder of the fishing year in federal waters, with limited commercial harvest remaining open in some state waters. In both the Northern and Southern zones, the recreational bag limit is set at 15 fish. The minimum size limit for both fisheries is 12 inches fork length (the total length equivalent, 14 inches, is used for some state waters).

II. Status of the Stocks

In 2012, Spanish mackerel was assessed and peer reviewed through the SouthEast Data, Assessment and Review (SEDAR). The results of the 2012 assessment (SEDAR 28) indicated that the stock was not overfished and was not experiencing overfishing. In 2022, an operational assessment (i.e., update to the last assessment) was completed through the SEDAR process with data through 2020. This most recent assessment (SEDAR 78) indicates the same stock status: the stock is not overfished and is not experiencing overfishing based on a three-year average of fishing mortality. However, in the terminal year of the assessment (2020), the model found the estimated fishing rate to be above the maximum fishing mortality threshold (Figure 1) indicating that if the 2020 overfishing rate continues, the stock may fall into an overfishing status. For spawning stock biomass, the assessment indicates spawning biomass has remained above SSBMSY throughout the time series (Figure 2).

III. Status of the Fishery

On July 1, 2018, the Marine Recreational Information Program recalibrated recreational harvest estimates from the Coastal Household Telephone Survey (CHTS) to the mail-based Fishing Effort Survey (FES). Estimates used in this report are now those of the FES, but Figure 3 shows a comparison of CHTS and FES estimates. The federal FMP quotas are still based on previous CHTS estimates, but FES estimates will be incorporated into management through a future Plan Amendment to the Federal Coastal Migratory Pelagics FMP.

Spanish mackerel are an important recreational and commercial fishery in South Atlantic waters, with some landings in the Mid-Atlantic region, particularly in recent years (Tables 2-4). While the fishery is managed according to a March – February fishing year, landings summarized in this report are shown by calendar year, unless otherwise stated. Total landings of Spanish mackerel in calendar year 2022 are estimated at 6.5 million pounds. The commercial fishery harvested approximately 38% of the total and the recreational fishery about 62%, according to MRIP recreational harvest estimates.

¹ The adjusted quota is the Southern zone quota minus 250,000 lbs.

From 1950 to 2022, commercial landings of Atlantic coast Spanish mackerel have ranged between 1.8 and 11.1 million pounds, although landings have been relatively stable hovering around the 10-year average of 3.4 million pounds for the past few decades. Coastwide commercial landings have generally been below 4 million pounds since 1995, coinciding with the entanglement net ban in Florida, with the exception of 2010 (4.52 million pounds) and 2011 (4.35 million pounds). Gill nets were the dominant commercial gear in Florida prior to the ban, after which the use of cast nets increased. In 2022, coastwide commercial landings were 2.4 million pounds (Figure 4), of which 1.25 million pounds (52%) were landed in Florida and approximately 0.9 million pounds (38%) were landed in North Carolina (Table 2). The 2022 landings are a 49% decrease from 2021 levels, driven primarily by a decrease in Florida's landings (63% decrease in Florida's commercial landings).

According to MRIP, recreational anglers harvested 4.0 million Spanish mackerel (4.0 million pounds) in 2022, which is a 54% decrease in pounds from 2021 (Tables 3 and 4; MRIP query January 2024). The number of recreationally harvested fish appears to show a cyclical trend, with low harvests in the early to mid-80s and mid to late 90s, interspersed with higher harvests (Figure 5). Florida and North Carolina have historically accounted for the majority of recreational landings in both number and weight. However, recreational landings in Florida significantly decreased in 2022 by 88% in pounds, while South Carolina's landings increased by 54% in pounds. In 2022, North Carolina landed 46% of the coastwide recreational landings in pounds, South Carolina landed 19%, and Florida landed 17%. In 2021, North Carolina landed 22% of the coastwide recreational landings in pounds, South Carolina landed 6%, and Florida landed 64%.

Regarding the 2022 decrease in landings, Florida noted that areas off central east Florida are increasingly closed to vessels by the U.S. Coast Guard to create safety zones associated with space launches. This has prevented fishermen from accessing areas where they would traditionally fish for Spanish mackerel. The establishment of these temporary safety zones has contributed to a decline in Spanish mackerel landings and fishing effort, and this topic is currently being investigated by the SAFMC.

The number of recreational releases of Spanish mackerel has generally increased over time. In 2022 there were 4.3 million Spanish mackerel released alive, which is lower than 2020-2021 but higher than all years prior to 2020 (Table 5, Figure 5). Live releases comprised 52% of the total recreational catch, slightly above the previous 10-year average (2012-2021) of 45%.

IV. Status of Assessment Advice

In 2012, Spanish mackerel was assessed and peer reviewed through the SouthEast Data, Assessment and Review (SEDAR). The input data (through 2011) were applied to two assessment models, with the primary model being a statistical catch at age model called the Beaufort Assessment Model (BAM); while a secondary surplus-production model (ASPIC) provided a comparison of model results. The Review Panel concluded that the statistical catch at age model was the most appropriate model to characterize the stock status for management purposes. The most recent assessment, SEDAR 78, used the same model configuration with

some updates, including an updated growth model, shortened time series to a new start date, and alternative pooling of commercial age compositions due to low sample sizes.

After SEDAR 78 was complete, it was reviewed by the SAFMC's Scientific and Statistical Committee (SSC). The SSC noted some concerns about the assessment, including some missing age compositions, data gaps due to small sample sizes, uncertainty around the spike in 2020 recreational data, and need for updated natural mortality and steepness estimates. The SSC concluded that the SEDAR 78 base model is adequate for determining stock status but did not support the stock projections. The SSC noted the projections are not sufficiently robust and influenced greatly by uncertain data in terminal year (2020), and the indications of a declining stock are not consistent with observations or recent data.

V. Status of Research and Monitoring

The National Marine Fisheries Service (NMFS) Southeast Fisheries Science Center (SEFSC) continues to monitor length and weight at age and size frequencies, fishing mortality, and migration; collect age data and catch per unit effort by area, season, fishery, and gear; monitor shrimp trawl bycatch; investigate methods to predict year class strength; calculate estimates of recruitment, and develop conservation gear to reduce bycatch. The NMFS is also collecting discard data through a bycatch logbook in the mackerel and snapper-grouper fisheries. The Gulf and South Atlantic Fisheries Development Foundation and several states (North Carolina, South Carolina, Georgia, and Florida) have evaluated finfish bycatch in the southeastern shrimp trawl fishery, including bycatch of Spanish mackerel. The South Atlantic component of the Southeast Area Monitoring and Assessment Program (SEAMAP) collects Spanish mackerel data in its coastal trawl survey from Cape Hatteras to Cape Canaveral. Additionally, the Northeast Area Monitoring and Assessment Program (NEAMAP) began regular spring and fall surveys between Martha's Vineyard and Cape Hatteras in the fall of 2007.²

Abundance trends continue to be monitored primarily through fishery-dependent sources. The states and the SEFSC monitor catch data through the cooperative commercial statistics collection program and the recreational fisheries survey. Commercial trip reports are tallied more frequently in the winter and early spring by the state of Florida and NMFS as the commercial quota is approached.

North Carolina also conducts fishery independent monitoring. Three fishery independent gill net surveys were initiated by the North Carolina Division of Marine Fisheries in May of 2001, 2003 and 2008, respectively. These surveys utilize a stratified random sampling scheme designed to characterize the size and age distribution for key estuarine species in Atlantic Ocean (ended in 2015) and Pamlico Sound as well as the Pamlico, Pungo, Neuse, Cape Fear and New Rivers. The overall Spanish mackerel CPUE from these surveys was extremely low and therefore lacks the desired precision and confidence needed for the data to be used for management purposes.

² Many states and regional surveys experienced an interruption in sampling efforts in both recreational and commercial fishery surveys during the 2020 calendar year.

VI. Status of Management Measures

2008 Framework Adjustment (Federal)

In February 2008, NOAA Fisheries finalized a framework adjustment to change the beginning date for trip limits in the Atlantic Spanish mackerel fishery off the east coast of Florida. The 3,500 pound trip limit begins March 1 each year to correspond with the beginning of the fishing year (as changed in Amendment 15).

Omnibus Amendment (Interstate)

In August 2011, the Management Board approved an amendment to the Spanish Mackerel FMP to address three issues: compliance measures, consistency with federal management in the exclusive economic zone, and alignment with Commission standards. Through the Omnibus Amendment, the following fisheries management measures are required for states within the management unit range:

Recreational Fishery

- 12" Fork Length (FL) or 14" Total Length (TL) minimum size limit
- 15 fish creel limit
- Must be landed with head and fins intact
- Calendar year season
- Prohibited gear: Drift gill nets prohibited south of Cape Lookout, NC
- Decrease in the recreational quota the following year via reduced bag limits if the Total Annual Catch Limit (ACL) is exceeded and stock is overfished.

Commercial Fishery

- Prohibited: purse seines; drift gill nets south of Cape Lookout, NC
- 12" FL or 14" TL minimum size limit
- March 1 – end of February season
- Trip limits (per vessel, per day)
NY-GA: 3500 lbs
FL: 3500 lbs, 3/1-11/30;
3500 lbs Mon-Fri & 1500 lbs Sat-Sun, 12/1 until 75% adjusted quota taken;
1500 lbs, when 75% adjusted quota taken until 100% adjusted quotas taken;
500 lbs after 100% of adjusted quotas taken (the adjusted quota compensates for estimated catches of 500 lbs per vessel per day to the end of the season)
- Commercial quotas decreased the following year if Total ACL is exceeded and stock is overfished

Since approval of the Omnibus Amendment, several changes (described below) have been made to the federal FMP that are not currently reflected in the Commission management through the Omnibus Amendment. The Board has been informed of these changes and will likely consider changes to better align Commission and federal management documents following the approval of the 2022 stock assessment.

Amendment 18 (Federal)

In August 2011, the Gulf of Mexico and South Atlantic, Fishery Management Councils approved Amendment 18 to the joint FMP for Coastal Migratory Pelagics. The primary action under consideration established Annual Catch Limits (ACLs) and Accountability Measures (AMs) for the cobia, king mackerel, and Spanish mackerel. The amendment designates ACLs and Annual Catch Targets (ACTs) for each of the two migratory groups of Spanish mackerel (Atlantic and Gulf). For the Atlantic migratory group, the commercial sector ACL is set equivalent to the commercial sector quota of 3.13 million pounds. The AM for the commercial sector is that the commercial sector will close when the commercial quota is reached or projected to be reached. In addition, current trip limit adjustments will remain in place. When the commercial sector closes, harvest and possession of Spanish mackerel would be prohibited for persons aboard a vessel for which a commercial permit for Spanish mackerel has been issued.

For the recreational sector, the ACT is set to 2.32 million pounds, while the ACL is set at 2.56 million pounds. Regarding the AM, if the stock ACL is exceeded in any year, the bag limit will be reduced the next fishing year by the amount necessary to ensure recreational landings achieve the recreational ACT, but do not exceed the recreational ACL in the following fishing year. A payback will be assessed if the Atlantic migratory group Spanish mackerel is determined to be overfished and the stock ACL is exceeded. The payback will include a reduction in the sector ACT for the following year by the amount of the overage by that sector in the prior fishing year.

Addendum I (Interstate)

In August 2013, the Commission's South Atlantic State-Federal Fisheries Management Board approved Addendum I to the Omnibus Amendment to for Spanish mackerel, Spot, and Spotted Seatrout.

Addendum I to the Omnibus Amendment establishes a pilot program that would allow states to reduce the Spanish mackerel minimum size limit for the commercial pound net fishery to 11 ½ inches during the summer months of July through September for the 2013 and 2014 fishing years only. The measure is intended to reduce waste of these shorter fish, which are discarded dead in the summer months, by converting them to landed fish that will be counted against the quota.

The Addendum responds to reports about the increased incidence of Spanish mackerel ¼ to ½ inch short of the 12-inch fork length minimum size limit in pound nets during the summer months. While the fish are alive in the pound, once the net is bunted and bailing commences, they die before being released. This may be due to a combination of temperature, stress and crowding. While individual fishermen have experimented with different wall or panel mesh sizes depending on the target species, there is no consistent use of cull panels. Those who have used cull panels have noted the difficulty and lack of success in being able to release the undersized fish quickly enough to prevent dead discards during this time of year.

The measures in Addendum I only applied for the 2013 and 2014 fishing seasons. The South Atlantic Board formally extended the provisions of Addendum I for the 2015 through 2018

fishing seasons. After 2018, North Carolina, the only state to implement the reduced minimum size limit, stopped requesting approval of the program due to no further request from pound net fishermen to continue the program, and due to recent closures in federal waters.

Amendment 20A (Federal)

Effective July 2014, this Amendment addresses the sale of bag limit caught Spanish mackerel. The amendment rose from concerns that the recreational sales of bag limit caught fish, which are counted toward commercial quotas, are contributing to early closures of the commercial sector. In addition potential double counting of these fish could be causing erroneous landings estimates. In response, the Amendment prohibits bag limit sales with the exception of recreationally caught fish from state permitted tournaments in the South Atlantic region. This amendment also included an action to remove income requirements for federal CMP permits.

South Atlantic CMP Framework Action (Federal)

Effective December 2014, this action allows Spanish mackerel, harvested with gillnet gear in the South Atlantic EEZ off Florida (north of the Miami-Dade/Monroe County line) that is in excess of the trip limit, to be transferred to another federally permitted vessel that has not yet harvested the trip limit. The Framework stipulates that the transfer can only occur if: 1) allowable gillnet gear was used to harvest Spanish mackerel; 2) the transfer takes place in federal waters between vessels with valid commercial permits; 3) the receiving vessel does not have more than 3 gillnets aboard after the transfer; 4) all fish remain entangled in the meshes of the net until the transfer; 5) the quantity of the fish transferred does not exceed the daily trip limit; and 6) there is only one transfer per vessel per day.

CMP Framework Amendment 1 (Federal)

This Framework Amendment, effective December 2014, increases the Atlantic Spanish mackerel ACL to 6.063 million pounds. The modification to the ACL followed the 2013 stock assessment which concluded that the stock is not overfished and overfishing is not occurring. The Amendment divides the ACL between the commercial sector (3.33 million pounds) and the recreational sector (2.727 million pounds).

Amendment 20B (Federal)

Effective March 2015, this Amendment separates commercial quotas of Atlantic Spanish mackerel between a Northern zone (north of NC/SC line) and a Southern zone (South of NC/SC line). The Amendment arose from concerns that the commercial quota could be filled by fishermen in one state before fish are available to fishermen in another state. In order to prevent this from happening, a zone is closed when its respective quota is met. Quota for each zone was based on landings from 2002/2003-2011/2012.

CMP Framework Amendment 2 (Federal)

Implemented July 2015, this Amendment modifies the commercial trip limit system in the Southern zone. The rule establishes a trip limit of 3,500 lbs for Spanish mackerel in Federal waters offshore of South Carolina, Georgia, and Florida. When 75% of the adjusted southern zone commercial quota is caught, the commercial trip limit is reduced to 1,500 lbs. When 100%

of the adjusted southern zone commercial quota is met, the commercial trip limit is further reduced to 500 lbs. This limit remains until the end of the year or the total Southern zone commercial quota is met.

CMP Framework Amendment 5 (Federal)

Implemented August 2017, this Framework Amendment allows commercially permitted vessels to operate as private recreational vessels when the commercial season is closed for Spanish or king mackerel.

Amendment 34 (Federal)

Implemented in 2023, Amendment 34 allows cut-off (damaged by natural predation) Atlantic Spanish mackerel caught under the recreational bag limit, which comply with the minimum size limits, to be possessed, and offloaded ashore.

Framework Amendment 13 (Federal) – *Development of this action is currently paused.*

Initiated in 2023, Framework Amendment 13 responds to the latest stock assessment (SEDAR 78) and was intended to update catch levels based on the SSC recommendations and address recreational accountability measures. This action would provide recreational catch levels in MRIP FES units. In December 2023, this action was paused until the completion of the 2024 port meetings.

VII. Implementation of FMP Compliance Requirements for 2022

All states must implement the requirements specified in section 5 of the Omnibus Amendment (5.1 Mandatory Compliance Elements for States; 5.1.1 Mandatory Elements of State Programs; 5.1.1.1 Regulatory Requirements). **The PRT found no inconsistencies among state management measures from the FMP requirements.**

De Minimis Requests

A state qualifies for *de minimis* status if its previous three-year average combined commercial and recreational landings is less than 1% of the previous three-year average coastwide combined commercial and recreational landings. Those states that qualify for *de minimis* are not required to implement any monitoring requirements, as none are included in the plan.

The states of Rhode Island, New Jersey, Delaware, and Georgia request *de minimis* status. All states except Georgia meet the requirements of *de minimis*. Georgia's three-year average combined landings is 1.04%, just above the 1% threshold. Georgia notes the following rationale for their *de minimis* request in the state's compliance report:

Recognizing Georgia's average combined three-year commercial and recreational harvest is slightly greater than the 1% de minimis definition, an additional perspective is gained by reviewing the 10-year Georgia Spanish mackerel harvest and de minimis designation history. In most years, there is no Spanish mackerel commercial harvest in Georgia. Georgia's de minimis calculation is dependent on recreational harvest. Except for 2019 and 2020, recreational harvest is below 75,000 pounds, thereby resulting in de

minimis status seven of the last nine years. The recreational estimates are also very imprecise with an average PSE of 59% since 2013. Based on these factors, we respectfully request being granted de minimis status even though the average combined harvest for the most recent three years exceeds the 1% definition by 0.04%.

Regulation Changes

Rhode Island declared an interest in Spanish mackerel in 2021 and joined the Coastal Pelagics Management Board at that time. In 2022, Rhode Island implemented regulations to meet the FMP requirements for Spanish mackerel.

Some states implemented reduced commercial trip limits via proclamation or public notice when federal waters closed in 2022 (Table 1).

VIII. Recommendations of the Plan Review Team

Additional research recommendations can be found in the most recent stock assessment found [here \(pdf 84-85\)](#). The PRT had the following additional research recommendations:

- Understanding the dynamics across the regions is important for future management considering. Consider extending management measures into the New England region (as far north as Massachusetts) as consistent catches and anecdotal sightings of Spanish mackerel have occurred in parts of this area and are increasing in frequency. Also determine whether more northerly fish are of the same stock as fish further south, and the impact of the potential regions in future stock assessments. The PRT notes some of this regional analysis could be completed in the forthcoming paper that will be developed by the Spanish Mackerel Technical Committee to characterize the recreational and commercial fisheries along the Atlantic Coast based on fishery profiles submitted by each state.
- A need for understanding the life history components for Spanish mackerel, particularly from fishery independent surveys. Length, sex, age, and CPUE data are needed for improved stock assessment accuracy. Data collection is needed for all states, particularly from Virginia north. Evaluation of weight and especially length at age of Spanish mackerel.
- Investigate discard mortality in both the commercial and recreational fisheries. Specific information should include an estimate of total amount caught and distribution of catch by area, season, and type of gear.
- Continue coordination between ASMFC and the SAFMC on future management action to address differences between the Interstate and Federal FMPs (see Appendix). These differences will be particularly important to address when catch levels are updated in the next federal management action.

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X. Figures

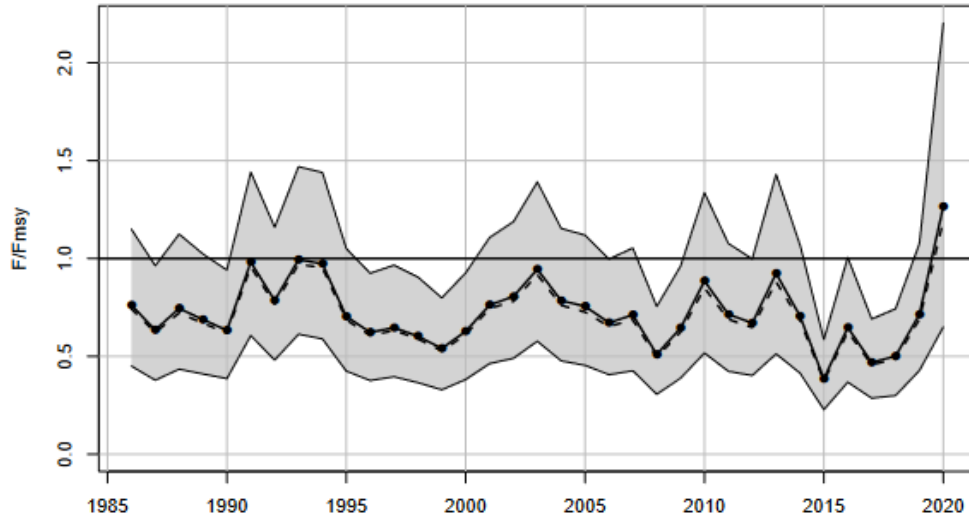


Figure 1. Estimated time series of Atlantic group Spanish mackerel fishing mortality rate (F) relative to F_{MSY} benchmark. Solid line indicates estimates from base run of the Beaufort Assessment Model; dashed lines indicate the median of the Monte Carlo Bootstrap analysis trials; grey error bands indicate 5th and 95th percentiles of the Monte Carlo Bootstrap analysis trials (SEDAR, 2022).

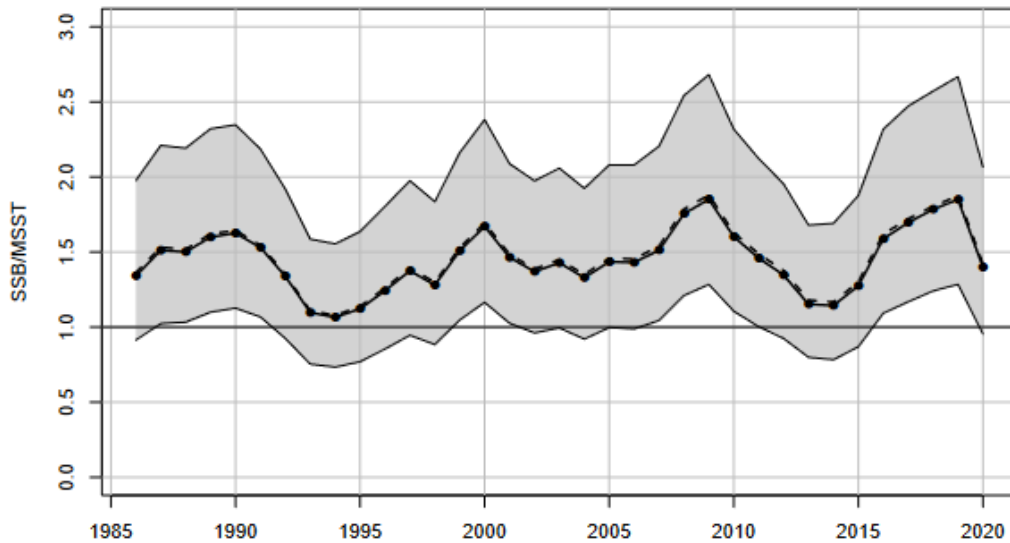


Figure 2. Estimated time series of Atlantic group Spanish mackerel spawning stock biomass (SSB) relative to MSY benchmark. Solid line indicates estimates from base run of the Beaufort Assessment Model; dashed lines indicate the median of the Monte Carlo Bootstrap analysis trials; grey error bands indicate 5th and 95th percentiles of the Monte Carlo Bootstrap analysis trials (SEDAR, 2022).

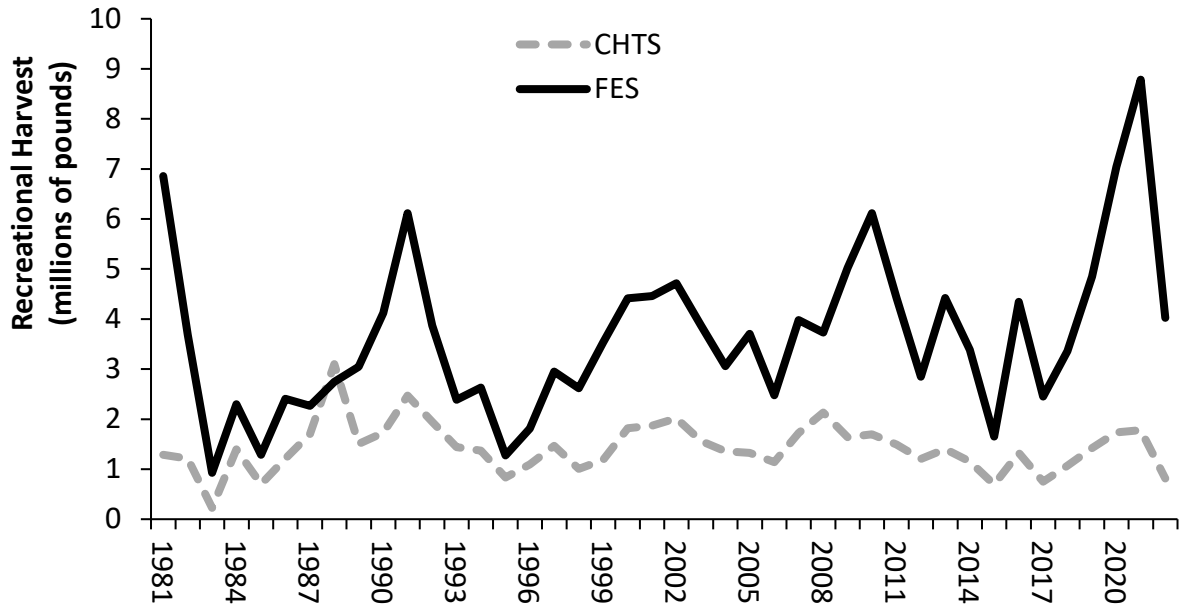


Figure 3. Recreational harvest in pounds, estimated using the Coastal Household Telephone Survey (CHTS) and the mail-based Fishing Effort Survey (FES). (Source: personal communication with NOAA Fisheries, Fisheries Statistics Division. [1/2024])

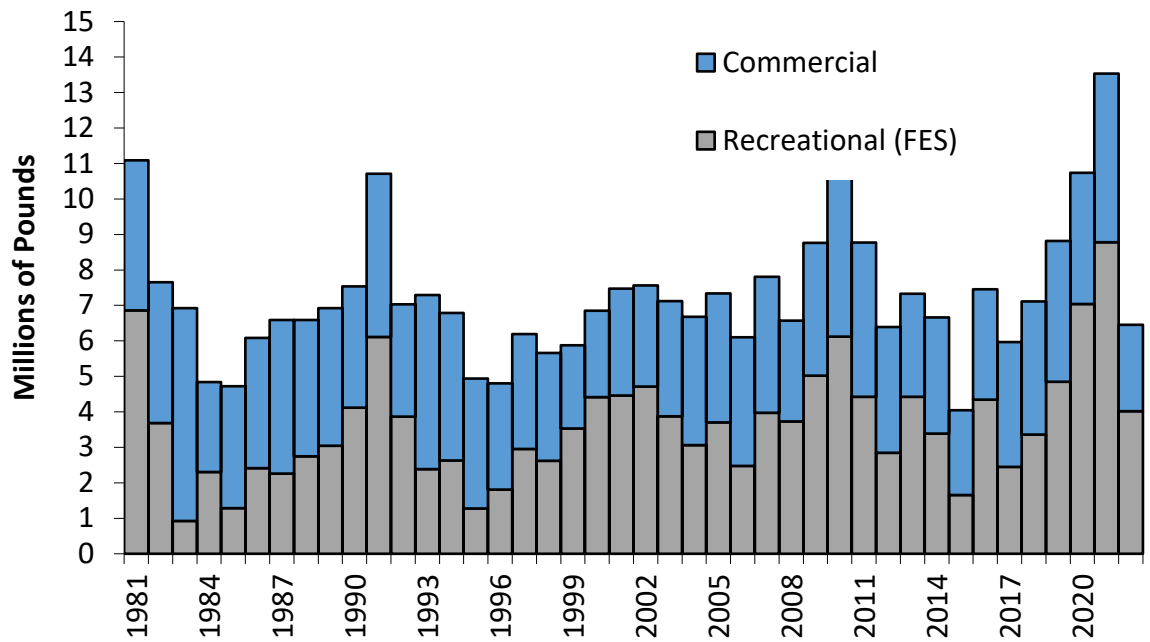


Figure 4. Commercial and recreational harvest (FES) (pounds) of Spanish mackerel, 1981-2022. (Recreational data available from 1981-present only; see Tables 2 and 4 for sources and recent values)

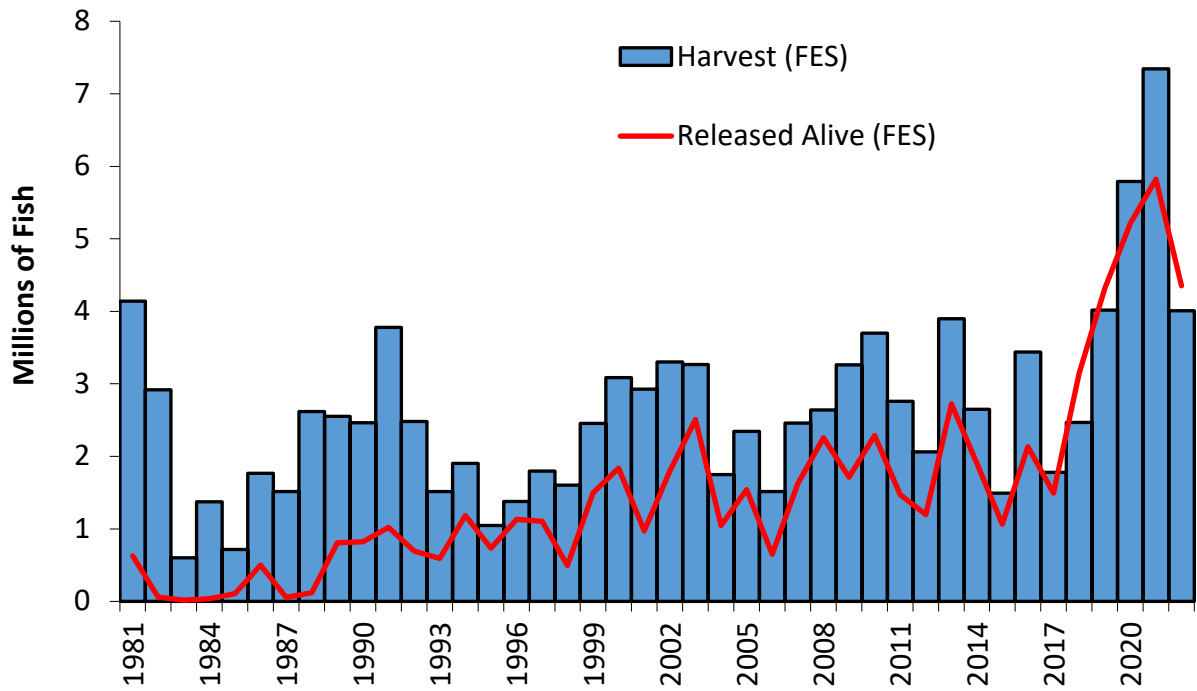


Figure 5. Recreational harvest and releases (numbers of fish; FES) of Spanish mackerel, 1981-2022. (See Tables 3 and 5 for sources and recent values)

XI. Tables

Table 1. Summary of state regulations for Spanish mackerel in 2022.

Notes: A commercial license is required to sell Spanish mackerel in all states; other general gear restrictions apply to the harvest of Spanish mackerel. Purse seines, and drift gill nets south of Cape Lookout, NC are prohibited.

State	Recreational	Commercial
RI	14" TL, 15 fish	14" TL. 3,500 lb. trip limit.
NY	14" TL, 15 fish	14" TL. 3,500 lb. trip limit.
NJ	14" TL, 10 fish	14" TL. 3,500 lb. trip limit.
DE	14" TL, 15 fish	14" TL. 3,500 lb. trip limit.
MD	14" TL, 15 fish	14" TL. 3,500 lb. trip limit. Public notice 7/9/2022: 500-lb trip limit when harvest in federal waters closed.
PRFC	14" TL, 15 fish	14" TL. Closure if/when both MD and VA fisheries close.
VA	14" TL, 15 fish	12" or 14" TL. 3,500 lb. trip limit. 500 lb. trip limit if/when harvest in federal waters closed.
NC	12" FL, 15 fish	12" FL; 3,500 lb. trip limit for combined Spanish and king mackerel landings. Proclamation 6/21/2022: 500-lb trip limit when harvest in federal waters closed.
SC	12" FL, 15 fish	12" FL. 3500 lbs. until 75% of adjusted Atlantic Southern Zone quota taken, then 1500 lbs. until 100% of adjusted quota is taken, then 500 lbs. until the end of year or commercial quota is met. If quota is met, then commercial sector is closed to harvest. Requires open access permit for Spanish mackerel.
GA	12" FL, 15 fish	12" FL. 3500 lbs. until 75% of adjusted Atlantic Southern Zone quota taken, then 1500 lbs. until 100% of adjusted quota is taken, then 500 lbs. until the end of year or commercial quota is met. If quota is met, then commercial sector is closed to harvest.
FL	12" FL, 15 fish. Cast nets less than 14' and beach or haul seines within 2" stretched mesh allowed	12" FL or 14" TL. Trip limits: April 1 until Nov. 30 – 3500 lb.; Dec. 1 until 75% of adjusted quota reached – 3500 lb. Monday – Friday & 1500 lb. Saturday – Sunday; >75% adjusted quota until quota filled – 1500 lb.; > 100% of adjusted quota – 500 lb. Restricted Species Endorsement Required Allowed gear: beach or haul seine, cast net, hook and line, or spearing.

Table 2. Commercial landings (pounds, calendar year) of Spanish mackerel by state, 2012-2022. (Source: Annual state compliance reports for 2022 and for all PRFC years; ACCSP for 2021 and earlier. Confidential values are shown as “C”. Coastwide totals and 'Other' totals adhere to the ACCSP rule of 3, i.e., totals are reflective of the true total if 0 or at least 3 states’ data are confidential in a given year. Otherwise, they are sums of non-confidential data.)

Year	Other*	RI	NY	NJ	DE	MD	PRFC
2012		2,135	2,293	2,806		3,634	270
2013	C	C	4,467	265		2,395	302
2014	C	43	2,550	292		1,632	12
2015		C	1,357	2,746		2,222	6
2016		C	813	1,997	C	16,205	548
2017	C	652	1,053	462		815	4,704
2018	C	951	1,283	950		3,071	420
2019	C	1,484	5,683	2,010	C	12,520	45,385
2020	C	602	3,021	C	C	6,728	10,092
2021	C	284	5,721	C		5,192	20,076
2022	C	C	6,271	1,913		6,367	11,356
Year	VA	NC	SC	GA	FL [^]	Total	
2012	18,047	916,439			2,597,097	3,542,721	
2013	7,602	620,752			2,265,505	2,901,759	
2014	7,859	673,974	C		2,585,304	3,272,609	
2015	14,472	561,407	C		1,807,967	2,390,178	
2016	32,577	601,526	C		2,461,327	3,115,168	
2017	21,483	816,017	C		2,672,634	3,517,819	
2018	23,609	796,855	C		2,926,285	3,753,425	
2019	169,152	722,396	C	C	3,004,860	3,963,720	
2020	71,953	1,033,526	C	C	2,571,019	3,698,857	
2021	143,376	1,155,289	C		3,417,236	4,752,911	
2022	221,269	926,027	C	C	1,256,115	2,429,484	

*Other: states that do not have a declared interest in Spanish mackerel and do not sit on the Coastal Pelagics Board

[^]Atlantic coast landings only for Florida

Table 3. Recreational harvest (numbers, calendar year) of Spanish mackerel by state, 2012-2022. State values shown are the recalibrated estimates using effort information from the mail-based Fishing Effort Survey (FES). Coastwide totals are also shown as estimated from the Coastal Household Telephone Survey (CHTS). (Source: personal communication with NOAA Fisheries, Fisheries Statistics Division. January 2024).

Note: Past FMP Reviews showed state-by-state estimates from the CHTS and cannot be directly compared to the state-by-state totals below.

Year	Other*	RI	NY	NJ	DE	MD	VA
2012						14,531	13,960
2013					41	7,187	126,656
2014						29,713	42,937
2015						15,837	14,950
2016					9	18,559	554,813
2017				8,107	28	9,687	20,000
2018				6,753	797	19,146	132,390
2019	335		21,031	8,787	1,396	109,007	587,683
2020	6,254	3,016	6,096	3,985	92	151,412	374,892
2021	622		3,143	34,323	129	152,829	344,235
2022		414	1,435	11,865	16,213	70,582	380,446
Year	NC	SC	GA	FL [^]	FES Total	CHTS Total	
2012	995,852	258,281	2,824	776,659	2,062,107	835,236	
2013	994,599	100,512	2,701	2,665,958	3,897,654	1,119,280	
2014	1,028,925	194,367	5,365	1,348,735	2,650,497	884,490	
2015	835,011	389,923	6,201	229,669	1,491,591	627,632	
2016	918,352	306,235	22,637	1,618,529	3,439,134	964,253	
2017	995,706	45,644	48,633	650,916	1,778,721	631,957	
2018	1,012,889	289,250	49,764	956,741	2,468,046	814,653	
2019	1,478,890	1,046,972	138,756	623,415	4,016,272	1,109,050	
2020	1,286,131	861,349	72,308	3,025,466	5,791,001	1,309,120	
2021	1,312,929	752,570	24,666	4,718,809	7,344,255	1,434,430	
2022	1,898,755	1,060,999	12,583	555,443	4,008,735	716,648	

*Other: states that do not have a declared interest in Spanish mackerel and do not sit on the Coastal Pelagics Board

[^]Atlantic coast landings only for Florida

Table 4. Recreational harvest (pounds, calendar year) of Spanish mackerel by state, 2012-2022. State values shown are the recalibrated estimates using effort information from the mail-based Fishing Effort Survey (FES). Coastwide totals are also shown as estimated from the Coastal Household Telephone Survey (CHTS). (Source: personal communication with NOAA Fisheries, Fisheries Statistics Division. January 2024).

Note: Past FMP Reviews showed state-by-state estimates from the CHTS and cannot be directly compared to the state-by-state totals below.

Year	Other*	RI	NY	NJ	DE	MD	VA
2012						37,570	14,053
2013					74	25,099	138,256
2014						72,817	47,601
2015						40,290	13,777
2016					8	30,212	620,147
2017				9,405	43	20,646	30,590
2018				5,702	1,138	41,476	207,551
2019	591		30,177	17,558	1,300	181,994	718,353
2020	10,821	3,991	11,756	4,123	95	223,090	441,654
2021	1,041		3,227	38,116	160	251,273	399,106
2022		782	1,978	17,193	19,301	150,029	489,083
Year	NC	SC	GA	FL [^]	FES Total	CHTS Total	
2012	1,327,350	262,932	6,136	1,199,766	2,847,807	1,203,016	
2013	1,242,029	88,783	4,630	2,923,753	4,422,624	1,400,212	
2014	1,193,442	213,864	7,245	1,851,493	3,386,462	1,153,238	
2015	981,867	253,620	22,185	342,598	1,654,337	693,150	
2016	907,400	192,865	39,915	2,552,216	4,342,763	1,326,428	
2017	1,094,778	75,779	72,064	1,146,112	2,449,417	751,053	
2018	1,156,702	513,271	74,910	1,354,426	3,357,009	1,069,043	
2019	1,694,247	847,163	348,469	1,011,804	4,851,656	1,423,876	
2020	1,843,314	556,882	232,439	3,714,856	7,043,021	1,735,197	
2021	1,894,535	503,374	46,879	5,645,741	8,783,452	1,777,420	
2022	1,841,527	773,139	39,885	689,100	4,022,017	810,719	

*Other: states that do not have a declared interest in Spanish mackerel and do not sit on the Coastal Pelagics Board

[^]Atlantic coast landings only for Florida

Table 5. Recreational releases (numbers, calendar year) of Spanish mackerel by state, 2012-2022. State values shown are the recalibrated estimates using effort information from the mail-based Fishing Effort Survey (FES). Coastwide totals are also shown as estimated from the Coastal Household Telephone Survey (CHTS). (Source: personal communication with NOAA Fisheries, Fisheries Statistics Division. January 2024).

Note: Past FMP Reviews showed state-by-state estimates from the CHTS and cannot be directly compared to the state-by-state totals below.

Year	Other*	RI	NY	NJ	DE	MD	VA
2012							32,563
2013					181		15,005
2014						2,663	19,199
2015						355	4,945
2016					1,038		111,284
2017				14,050		3,747	14,829
2018			11,859	14,372	2	2,166	168,549
2019	4,731		49,390	60,003	2,334	62,881	536,244
2020	40,572		5,395	79,458	1,367	63,467	278,173
2021	3,137	450	2,155	13,309	206	87,479	178,237
2022	1,259	503	1,458	18,224		2,894	188,201
Year	NC	SC	GA	FL [^]	FES Total	CHTS Total	
2012	591,792	313,339	4,742	254,415	1,196,851	440,742	
2013	685,692	129,909		1,892,444	2,723,231	684,862	
2014	814,064	136,783	6,967	920,213	1,899,889	490,261	
2015	514,714	321,930	4,185	219,190	1,065,319	406,561	
2016	546,950	333,635	137	1,136,663	2,130,960	416,061	
2017	688,062	300,244	17,408	453,911	1,492,251	390,862	
2018	1,019,418	322,330	18,149	1,584,579	3,141,424	986,450	
2019	1,340,366	1,588,754	14,943	652,727	4,312,373	969,046	
2020	1,267,210	1,060,185	15,301	2,403,133	5,214,261	1,009,308	
2021	1,294,525	647,701	13,733	3,579,828	5,820,760	902,748	
2022	2,268,283	1,401,659	38,885	432,592	4,353,958	663,539	

*Other: states that do not have a declared interest in Spanish mackerel and do not sit on the Coastal Pelagics Board

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Appendix.

See the enclosed memorandum outlining differences Between the Interstate FMP and Federal FMP for Spanish Mackerel.



Atlantic States Marine Fisheries Commission

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MEMORANDUM

TO: Coastal Pelagics Management Board

FROM: Emilie Franke, FMP Coordinator

DATE: October 20, 2022

SUBJECT: Differences Between the Interstate FMP and Federal FMP for Spanish Mackerel

In February 2020, the former South Atlantic Management Board, which is now split into the Coastal Pelagics Management Board and Sciaenids Management Board, discussed differences between the Interstate Fishery Management Plan (FMP) for Spanish mackerel and the federal Coastal Migratory Pelagics FMP for Spanish mackerel. The last update to the Interstate FMP was the Omnibus Amendment for Spanish Mackerel, Spot, and Spotted Sea Trout (2011) and its Addendum I for Spanish Mackerel (2013).

Differences between the Interstate and Federal FMPs exist in terms of commercial management zones, commercial trip limits and closures, allowable gears, recreational season, and recreational accountability measures. Board action to consider addressing these differences was postponed until completion of the 2022 stock assessment. The differences between the Interstate and Federal FMPs are outlined below.

Definition of Commercial Management Zones

The Interstate FMP defines the Northern Zone as New York through Georgia, and the Southern Zone as the east coast of Florida. The Federal FMP defines the Northern Zone as New York through North Carolina, and the Southern Zone as South Carolina through Florida (through the Miami-Dade/Monroe County line). For the Interstate FMP, Rhode Island joined the interstate management unit in 2021.

Commercial Trip Limits and Closures

For their respective Northern Zones, both the Interstate and Federal FMPs set a 3,500-pound commercial trip limit. For the interstate Southern Zone, the trip limit starts at 3,500 pounds and is reduced throughout the season depending on the date and how much of the quota is met. For the federal Southern Zone, the trip limit also starts at 3,500 pounds and is reduced depending on how much of the quota is met.

In federal waters, each management zone closes when that federal zone's total quota is met. Under the Interstate FMP, states are not required to close state waters when federal waters close. In recent years, Maryland, Virginia, and North Carolina have implemented a reduced 500-pound trip limit in state waters when the Northern Zone federal waters closed.

The commercial trip limits and management zones are summarized in the following table.

Commercial Management Zones and Trip Limits	
<p>Interstate FMP</p> <p><u>Northern Zone</u> New York to Georgia (RI joined in 2021)</p> <ul style="list-style-type: none"> – 3,500-pound trip limit – Not required to close when federal waters close. <p><i>Note: In recent years, Maryland, Virginia, and North Carolina have implemented a 500-lb trip limit in state waters when the Northern Zone federal waters closed.</i></p> <p><u>Southern Zone</u> Florida (east coast)</p> <ul style="list-style-type: none"> – 3,500-pound trip limit: 3/1-11/30; – 3,500 limit Mon-Fri & 1,500 limit Sat-Sun: 12/1 until 75% adjusted quota taken; – 1,500 limit until 100% adjusted quota taken; – 500 limit after 100% adj. quota taken; – Not required to close when federal waters close. 	<p>Federal FMP</p> <p><u>Northern Zone</u> New York to North Carolina</p> <ul style="list-style-type: none"> – 3,500-pound trip limit – Closed when Northern Zone total quota is met. <p><u>Southern Zone</u> South Carolina to Florida (east coast)</p> <ul style="list-style-type: none"> – 3,500-pound trip limit until 75% of the Southern Zone adjusted quota is met; – 1,500 limit until 100% of the Southern Zone adjusted quota is met; – 500 limit after 100% of the Southern Zone adjusted quota is met; – Closed when the Southern Zone total quota met.

Allowable Gears

The Interstate FMP lists prohibited gears for each sector. For the commercial sector, purse seines, and drift gill nets south of Cape Lookout, NC are prohibited. For the recreational sector, drift gill nets south of Cape Lookout, NC are prohibited. The Federal FMP lists allowable gears: only automatic reel, bandit gear, handline, rod and reel, cast net, run-around gillnet, and stab net allowed.

Recreational Season

The Interstate FMP specifies a calendar year recreational season, while the Federal FMP’s recreational fishing year is March 1 through the end of February.

Recreational Accountability Measures

Under the Interstate FMP, if the total annual catch limit (ACL) is exceeded and the stock is overfished, the recreational quotas are decreased via reduced bag limits the following year. Under the Federal FMP, if the total ACL is exceeded, bag limits are reduced the following year to achieve the annual catch target (ACT) but not to exceed the ACL. If the stock is overfished and the ACL is exceeded, there is a payback reducing the ACT by the overage amount the following year.