

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

Beaufort Hotel
Beaufort, North Carolina
Hybrid Meeting

October 17, 2023

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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)

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

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

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 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 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 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-de-minimis 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-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 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.

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.

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.

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 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.

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.

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 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?

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?

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 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. 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 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 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.**

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 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)