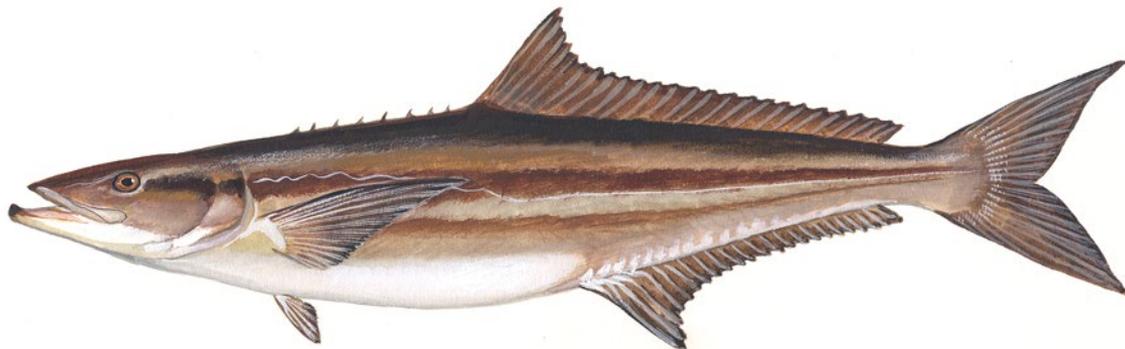




Draft Amendment 1 to the Cobia Fishery Management Plan Public Comment Summary



August 2019

Amendment Process - Timeline



Step	Anticipated Date
Approval of Draft PID by the Board	Aug 2018
Public review and comment on PID	Aug – Oct 2018
Board review of public comment; Board direction on what to include in Draft Amendment 1	Oct 2018
Preparation of Draft Amendment 1	Oct 2018 – May 2019
Review and approval of Draft Amendment 1 by Board for public comment	May 2019
Public review and comment on Draft Amendment 1	May 10 – July 15, 2019
Board review of public comment on Draft Amendment 1 and consideration for final approval by the Board and Commission <i>Current step</i>	Aug 2019

1.1.1 Statement of the Problem



- On March 21, 2019, Reg. Amd 31 to the CMP FMP became effective; Atl cobia now managed solely through ASMFC FMP
- ASMFC FMP complementary and dependent on the CMP FMP, e.g. ACL & EEZ reg recommendation through CMP FMP
- Board also given direction to establish a process for specifying aspects of harvest quickly, through Board action

Public Comment Summary



- Single-Option Issues: 1 (Goals), 2 (Objectives), 3 (Overfishing Def), 4 (Commercial Monitoring), 6 (Sector Allocation), 7 (Rec Evaluation), 11 (Com Quota Mgmt)
- Multi-Option Issues: 5 (Harvest Spec), 8 (Rec Units), 9 (Com Min Size), 10 (Com Vessel Limit), 12 Com *De Minimis*, 13 (Fed Recommendation)

Written Comment Summary



- Comments accepted through July 15, 2019
- 8 comments: 3 organizations (ASA, HHISC, VSSA) and 5 individuals
- **Iss 3 (Overfishing Def):** ASA recommends language to allow Board establishment of F and SSB targets (currently, only thresholds are included); also rename section to reflect inclusion of overfished
- **Iss 6 (Sector Allocation):** ASA recommends methods description & recalculation based on recalibrated MRIP estimates
- **Iss 7 (Rec Evaluation):** ASA recommends time period of consecutive underharvest allowing application for relaxed measures consideration to be 2 years

Written Comment Summary



- One comment recommends delaying action on Amd 1 until completion of SEDAR 58 stock assessment
- One comment recommends closure of all non-subsistence cobia fishing, and restricting this to people below the poverty line
- One comment states that management of cobia off SC should be done exclusively by SC, due to the resident cobia population there
- ASA recommends that state allocation percentages be recalculated to reflect FES calibration of MRIP harvests

Public Hearings Summary



- 4 hearings held: VA (8 attendees), NC (7), SC (6), Webinar (0)
- VA & NC concerned with MRIP harvest estimates; some desire for consideration of other data (e.g. VA cobia reporting program)
- **Iss 13**
- VA support for recommending federal regulations based on port of departure and return, regardless of catch location or licenses held; current options could be confusing for anglers
- SC concerned with anglers from other states fishing reefs off of SC with less restrictive regulations

Public Comment Summary



- Single-Option Issues: 1 (Goals), 2 (Objectives), 3 (Definition of Overfishing), 4 (Commercial Monitoring), 6 (Sector Allocation), 7 (Rec Evaluation)

Comments in Favor of Options for Multi-Option Issues

Issue	Issue 5 (Harvest Spec)			Issue 8 (Rec Units)		Issue 9 (Com Min Size)		Issue 10 (Com Vessel Limit)			Issue 12 (Com De Min)		Issue 13 (Fed Regs)*	
	a	b	c	a	b	a	b	a	b	c	a	b	a	b
Option														
Individual														2
Organization	2				1		1	1				1	1	1
Hearings														
VA	5	1			5	3		5		1		1	3**	
NC	7				7	7		7				7	7	
SC	3	3			6		6			6				6
TOTAL	17	4	0	0	19	10	7	13	0	7	0	9	11	9

*VSSA supports federal recreational regulations according to the state of landing

**These individuals only support Issue 13 Option a with the removal of language requiring fishers with multiple licenses/permits for states with open seasons to fish using the most restrictive state's regulations.



Public Comment Summary Questions

Advisory Panel Report



- Webinar held on July 8, 2019; 1 attendee
- Additional comments requested via email following the call but none received
- No objections to language for all single-option Issues: 1 (Goals), 2 (Objectives), 3 (Overfishing Def), 4 (Commercial Monitoring), 6 (Sector Allocation), 7 (Rec Evaluation), 11 (Com Quota Mgmt)
- Multi-Option Issues: 5 (Harvest Spec), 8 (Rec Units), 9 (Com Min Size), 10 (Com Vessel Limit), 12 Com *De Minimis*, 13 (Fed Recommendation)

Advisory Panel Report



- Multi-Option Issues:
 - 5 (Harvest Spec): Option a (2 years)
 - 8 (Rec Units): Option b (numbers)
 - 9 (Com Min Size): Option a (Status Quo)
 - 10 (Com Vessel Limit): Option c (4 fish per vessel) only if this limit would apply regardless of the number of commercial license holders on the vessel
 - As general principle, commercial vessel limit should be equal to or one fish greater than recreational
 - 12 Com *De Minimis*): Option b (commercial *de minimis*)
 - 13 (Fed Recommendation): Option a (licensed/permitted state for both sectors)



Advisory Panel Report Questions

Amendment 1 Issues



- Single option issues with no suggested changes from public, AP, or TC (Issues 1, 2, 4, 11)
- Single option issues with suggested changes from public, AP, or TC (Issues 3, 6, 7)
- Multi-option issues (Issues 5, 8, 9, 10, 12, 13)

2.3 Goal



Issue 1

- Goal: The goal of Amendment 1 is to provide for an efficient management structure that implements coastwide management measures, *providing equitable and sustainable access to the Atlantic cobia resource throughout the management unit* in a timely manner.

Recommended edit from the PDT

2.4 Objectives



Issue 2

- 1) Provide a flexible management system to address future changes in resource abundance, scientific information, and fishing patterns among user groups or area.
- 2) *Implement management measures that allow stable, sustainable harvest of Atlantic cobia in both state and federal waters.*
- 3) *Establish a harvest specification procedure that will allow flexibility to respond quickly to stock assessment results or problems in the fishery, while also providing opportunities for public input on potential significant changes to management.*
- 4) Promote continued, cooperative collection of biological, economic, and social data required to effectively monitor and assess the status of the cobia resource and evaluate management efforts.
- 5) Manage the cobia fishery to protect both young individuals and established breeding stock.
- 6) Develop research priorities that will further refine the cobia management program to maximize the biological, social, and economic benefits derived from the cobia population.

Recommended edits from the PDT

3.1.1 Com Landings/Catch Monitoring



Issue 4

- **Commercial (3.1.1) – Beginning in 2020, non-*de minimis* states (VA, NC, SC) will monitor their landings**
 - NOAA Fisheries will continue to monitor landings through end of 2019
- Recreational landings will continue to be monitored through MRIP

4.4.4 Commercial Quota-Based Management



Issue 11

- Coastwide commercial quota set by harvest spec and sector allocation processes (*Sec. 4.1 & 4.2*)
- Landings monitored in-season by states (SAFIS)
- Trigger mechanism: If coastwide (*non-de minimis*) landings hit x% of the (*non-de minimis*) quota, a coastwide closure will occur y days later
 - Trigger will be calculated based landings trends for the previous 3 years, allowing at least 30 days from the estimated trigger date to the estimated closure date
 - Trigger % and number of days until closure will be set as part of harvest spec process (would be calculated by the Plan Review Team when conducting the FMP Review)

2.6 Definition of Overfishing



Issue 3

- Previously assumed overfishing definitions (fishing mortality and spawning stock biomass thresholds) from the CMP FMP
- **Amd 1 specifies that overfishing definitions based on peer-reviewed stock status criteria may be set through Board action**
- **Peer-review processes: SEDAR (primary) & ASMFC Independent External Peer Review**

4.2 Sector Quota Allocation



Issue 6

The **recreational quota will be 92% of the coastwide total harvest quota** set through Board specification. The **commercial quota will be 8% of the coastwide total harvest quota** set through Board specification. These allocation percentages were derived from those previously in place through the CMP FMP. These percentages may be changed in the future through an addendum to this amendment.

4.3.5 Evaluation of Rec Landings & Overage Response



Issue 7

- Intended to clarify implementation of process used under the FMP
- Rec landings evaluated at the same time as Board specification of harvest
- Rec landings evaluated as average of annual landings
 - Average includes up to the 3 most recent years of data
 - Average only includes years with the same regs, even if less than 3
 - Terminal year will be the previous year (e.g. if evaluation/specification meeting in August 2020, terminal year of landings is 2019)
- States with consistent (i.e., in every year) under-harvest for at least 3 years may apply to relax measures (while remaining under target)

4.1 Harvest Specification Process



Issue 5

Options

- a. The coastwide total harvest quota, vessel limits, possession or bag limits, minimum size limits, and commercial closure triggering mechanism may be specified by Board action for up to **two** years. Subsequent harvest specification would occur for implementation after expiration of the previous specification (up to **two** years apart) or following a completed stock assessment.
- b. The coastwide total harvest quota, vessel limits, possession or bag limits, minimum size limits, and commercial closure triggering mechanism may be specified by Board action for up to **three** years. Subsequent harvest specification would occur for implementation after expiration of the previous specification (up to **three** years apart) or following a completed stock assessment.
- c. The coastwide total harvest quota, vessel limits, possession or bag limits, minimum size limits, and commercial closure triggering mechanism may be specified by Board action for up to **four** years. Subsequent harvest specification would occur for implementation after expiration of the previous specification (up to **four** years apart) or following a completed stock assessment.

4.3.6 Recreational Units



Issue 8

Options

- a. (Status Quo) Recreational landings, quotas, and targets will be evaluated and set in units of **pounds**.
- b. Recreational landings, quotas, and targets will be evaluated and set in units of **numbers of fish**.
 - Quota and targets converted to numbers using coastwide annual average weight from MRIP for the most recent 3 years, excluding 2017 and 2016 (due to federal rec closures)
 - 2018, 2015, 2014 avg: 28.0 lb

State	State Targets Under 22,142 Fish Rec Quota
GA	2,081 fish
SC	2,679 fish
NC	8,436 fish
VA	8,724 fish
De Minimis	222 fish
Total	22,142 fish

- States may submit alternative data that would better represent average weights of their fishery; must be reviewed by TC and approved by Board

4.4 Commercial Management Measures



4.4.1 Size Limit Options

Issue 9

Options

- a. (Status Quo) All states shall maintain a minimum size limit of **33 inches** fork length or the total length equivalent (**37 inches**).
- b. All states shall maintain a minimum size limit of **36 inches** fork length or the total length equivalent (**40 inches**).

4.4.3 Commercial Vessel Limit



Issue 10

Options

- a. (Status Quo) All states shall maintain a daily vessel limit, not to exceed **6** fish per vessel.
- b. All states shall establish a daily vessel limit, not to exceed **5** fish per vessel.
- c. All states shall establish a daily vessel limit, not to exceed **4** fish per vessel.

4.5.3.3 Commercial *De Minimis*



Issue 12

Options

- a. (Status quo) States may not apply for *de minimis* status for their commercial fishery.
- b. States may apply for *de minimis* status for their commercial fishery.
 - Eligibility: state commercial landings for 2 of the previous 3 years must be less than 2% of the coastwide commercial landings for the same time period
 - States subject to all coastwide commercial regulations, including minimum size, possession, and vessel limits, as well as closures of the commercial fishery resulting from the commercial quota being reached
 - Not required to monitor commercial cobia landings for their state within the fishing year, but still must report annual landings through state compliance report
 - To account for unmonitored landings, 3% percent of the commercial quota set aside and not accessible to non-*de minimis* states

4.9 Recommendation for Fed Waters



- Through ACFCMA
- If coastwide state closure, will recommend corresponding EEZ closure

Issue 13

Options

- a. Vessel's **permitted/licensed state of landing (all sectors)**
 - If vessel has permits or licenses for multiple states with open seasons, regulations for the most restrictive open state shall apply.
 - If vessel has permits or licenses for multiple states, only one of which is open, regulations for the state with an open season shall apply.
- b. **Recreational: Location of catch**, with regulations persisting along a **latitudinal extension (due directly east)** of state boundaries into federal waters.

Commercial: Vessel's permitted or licensed state of landing

- If vessel has permits or licenses for multiple states with open seasons, regulations for the most restrictive open state shall apply.
- If vessel has permits or licenses for multiple states, only one of which is open, regulations for the state with an open season shall apply.

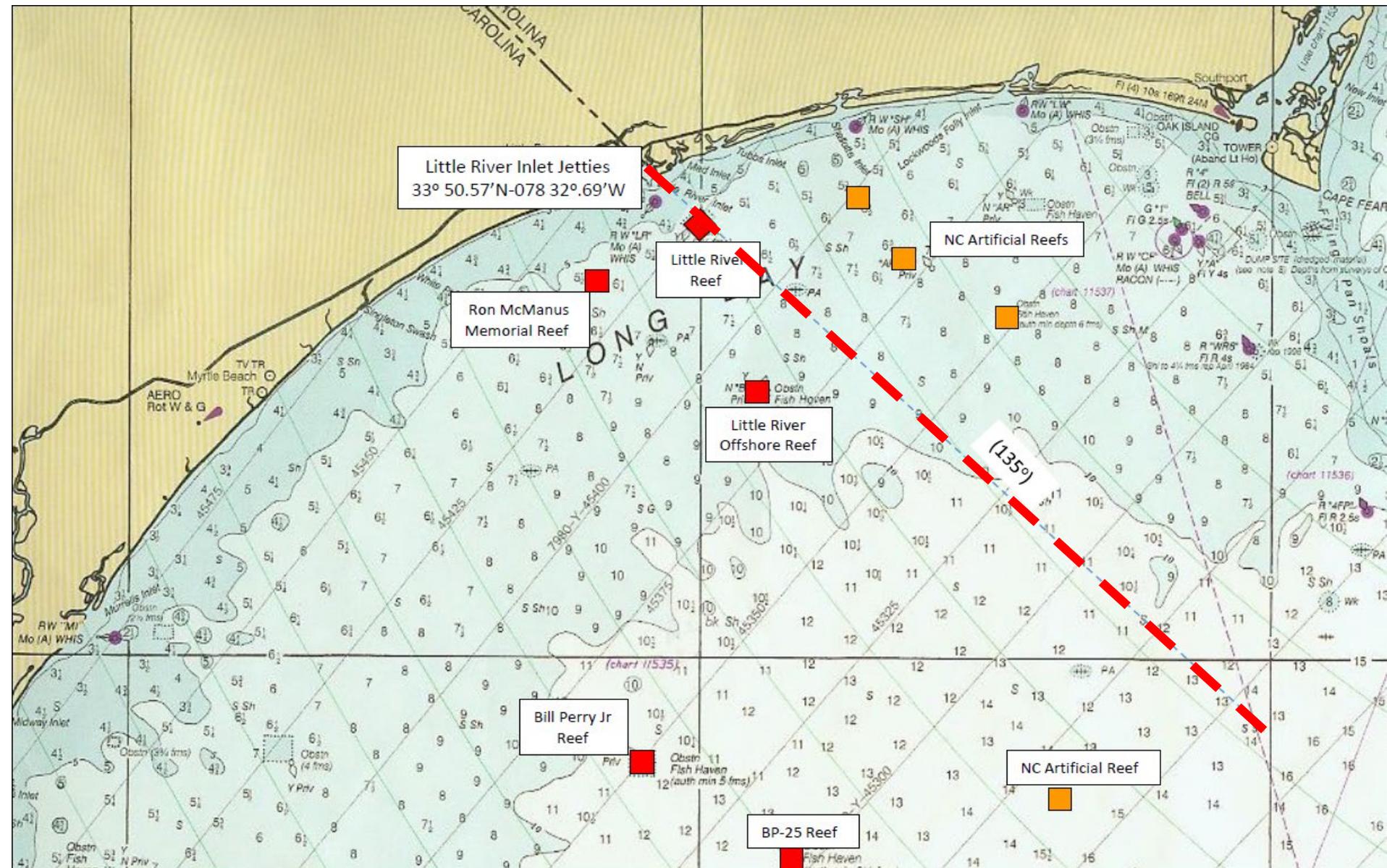
4.9 Recommendation for Fed Waters



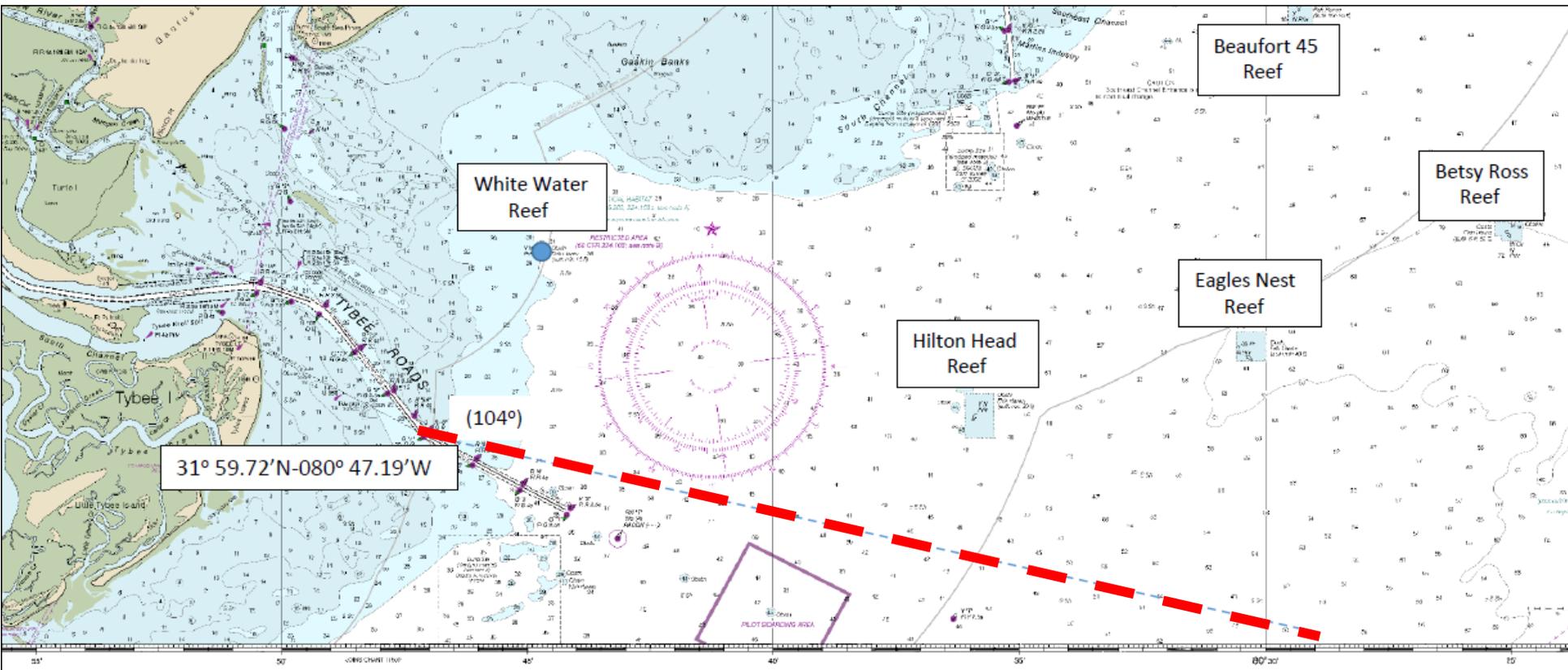
Magnuson-Stevens Act State Boundary Definitions in Federal Waters (50 CFR 622.2)

- *Off Georgia* means the waters in the South Atlantic from a line extending in a direction of 104° from true north from the seaward terminus of the South Carolina/Georgia boundary to $30^\circ 42' 45.6''$ N. lat., which is a line directly east from the seaward terminus of the Georgia/Florida boundary.
- *Off South Carolina* means the waters in the South Atlantic from a line extending in a direction of $135^\circ 34' 55''$ from true north from the North Carolina/South Carolina boundary, as marked by the border station on Bird Island at $33^\circ 51' 07.9''$ N. lat., $78^\circ 32' 32.6''$ W. long., to a line extending in a direction of 104° from true north from the seaward terminus of the South Carolina/Georgia boundary.
- *Off North Carolina* means the waters in the South Atlantic from $36^\circ 34' 55''$ N. lat., which is a line directly east from the Virginia/North Carolina boundary, to a line extending in a direction of $135^\circ 34' 55''$ from true north from the North Carolina/South Carolina boundary, as marked by the border station on Bird Island at $33^\circ 51' 07.9''$ N. lat., $78^\circ 32' 32.6''$ W. long.
- *Off the southern Atlantic states, other than Florida* means the area from the coast to the outer limit of the EEZ between the Virginia/North Carolina boundary ($36^\circ 34' 55''$ N. lat.) to the Georgia/Florida boundary ($30^\circ 42' 45.6''$ N. lat.).

MS NC-SC Boundary

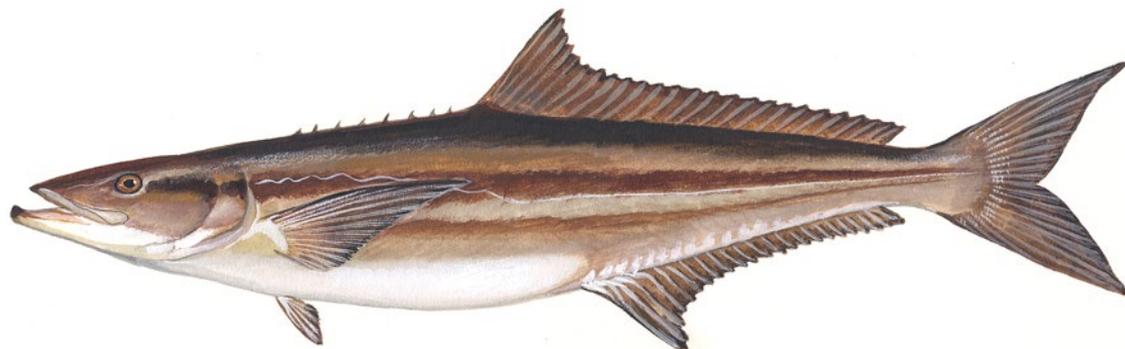


MS SC-GA Boundary





Technical Committee Report on Draft Amendment 1 to the Cobia Fishery Management Plan



August 2019

Technical Committee Call Summary



- Met July 25, 2019 to review draft Amendment 1
- TC supported the following sections as edited or written:
 - Issue 1: Goals of the FMP
 - Issue 2: Objectives
 - Issue 3: Definition of Overfishing
 - Issue 4: Commercial Landings/Catch Monitoring
 - Issue 6: Sector Quota Allocation
 - Issue 7: Evaluation of Recreational Landings and Overage Response
 - Issue 11: Commercial Quota Based Management

Technical Committee Call Summary



- Issue 5: Harvest Specification Process
 - **TC supports option b** allowing specification to be done up to every 3 years with caveat that Board can make changes earlier as needed
- Issue 8: Recreational Units
 - In line with previous TC memo, the **TC supports option b** to manage the recreational quota and landings in numbers of fish
- Issue 9: Commercial Size Limit
 - **TC supports option b** to match commercial size limit with recreational size limit (36" FL or 40" TL)
 - Commercial fishery managed by quota so biologically, minimum size is not important but this change could lessen angler confusion and simplify enforcement

Technical Committee Call Summary



- Issue 10: Commercial Vessel Limit
 - **TC supports status quo** (vessel limit not to exceed 6 fish/vessel)
 - Again, biologically, the vessel limit doesn't matter as the fishery operates via quota. Lowering the vessel limit would only lengthen the season.
 - No information suggesting the vessel limit should be changed.
- Issue 12: Commercial *De Minimis*
 - **TC supports option b** allowing states to apply for commercial *de minimis*
- Issue 13: Recommendation to the Secretary of Commerce for Complementary Actions in Federal Jurisdictions
 - **TC supports option b** where recreational regulations would be a latitudinal extension of state boundaries into federal waters and commercial regulations would depend on state of permitting

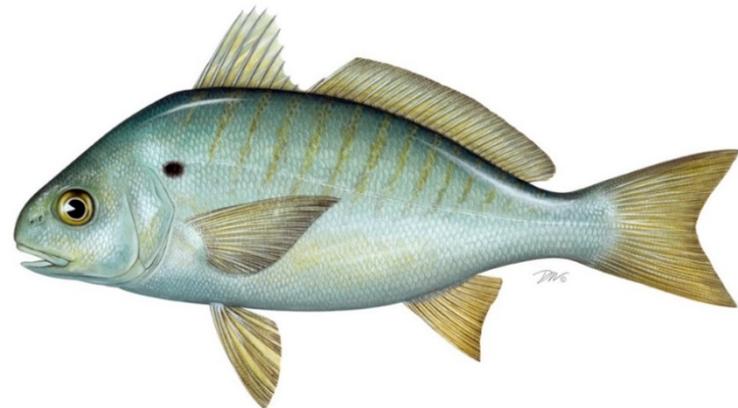
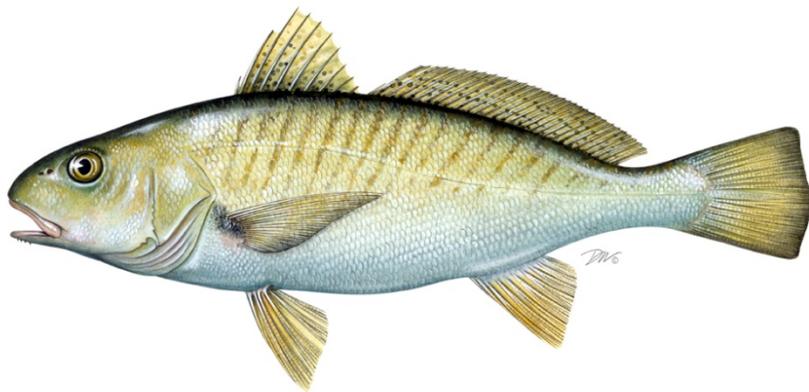


Questions?

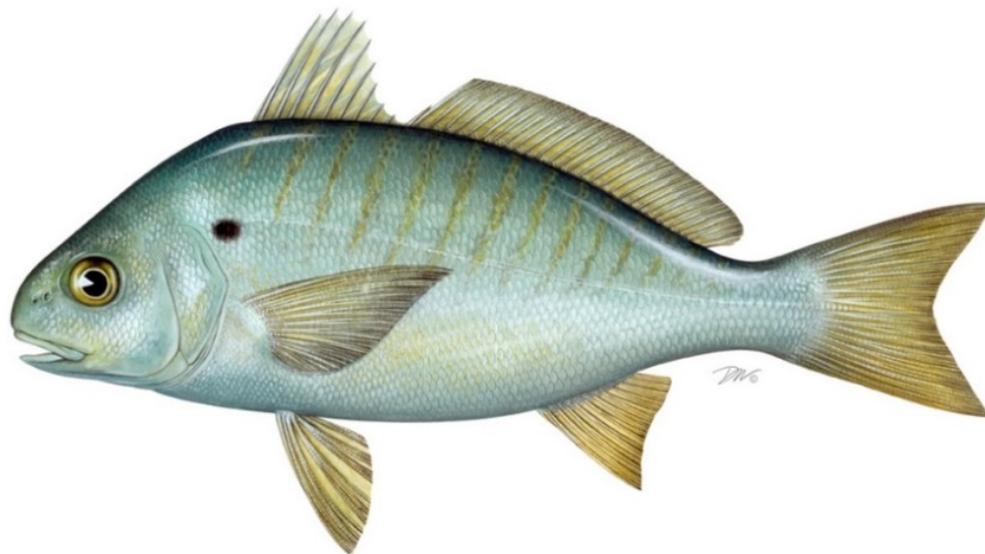


2019 Traffic Light Analysis for Spot and Atlantic Croaker

Atlantic States Marine Fisheries Commission
South Atlantic Fisheries Management Board
Summer Meeting: Arlington, Virginia
August 9, 2019



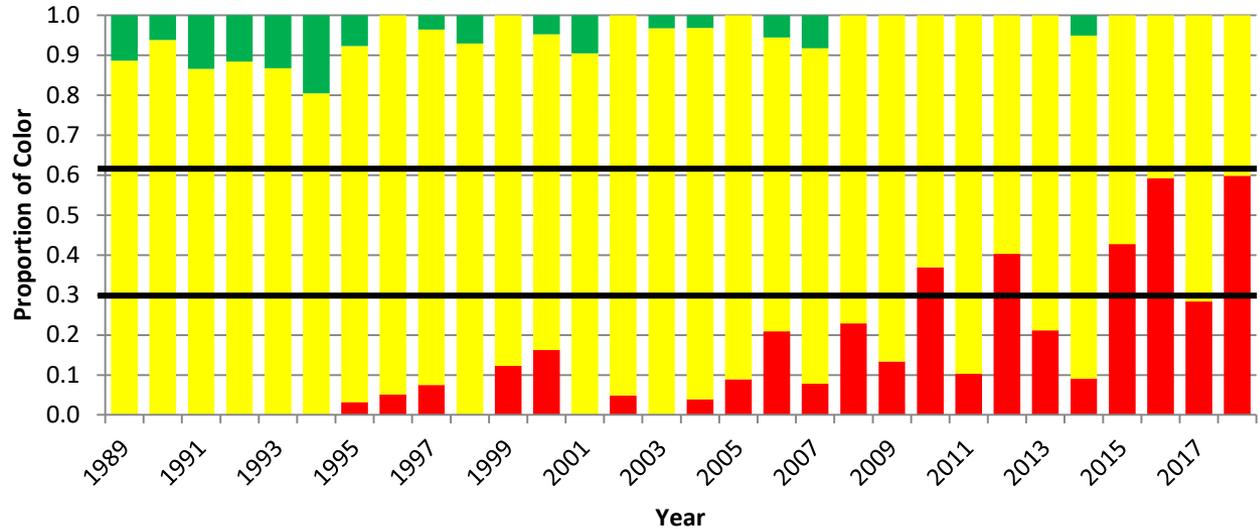
SPOT



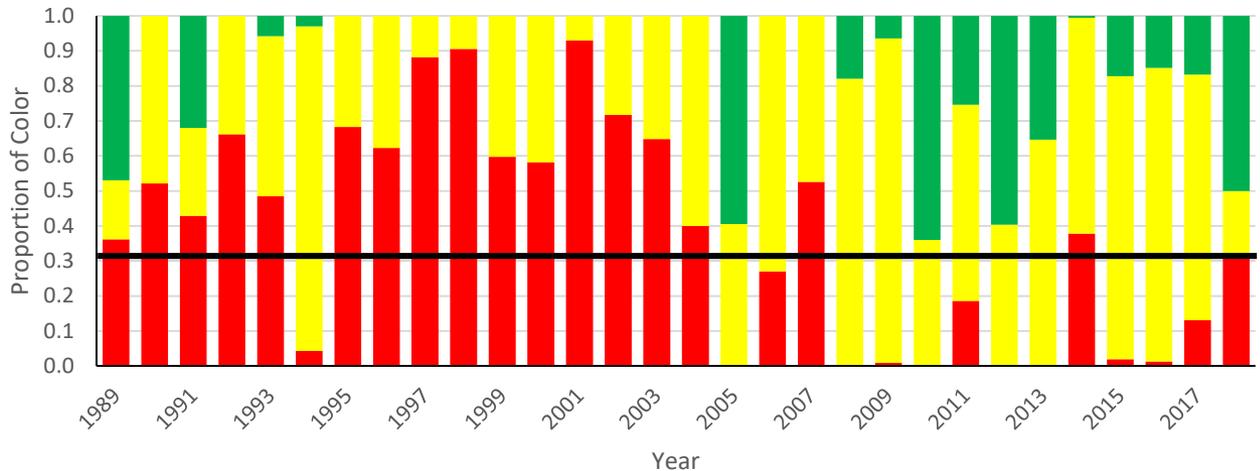
2019 TLA for Spot: Harvest and Adult Composite Indices



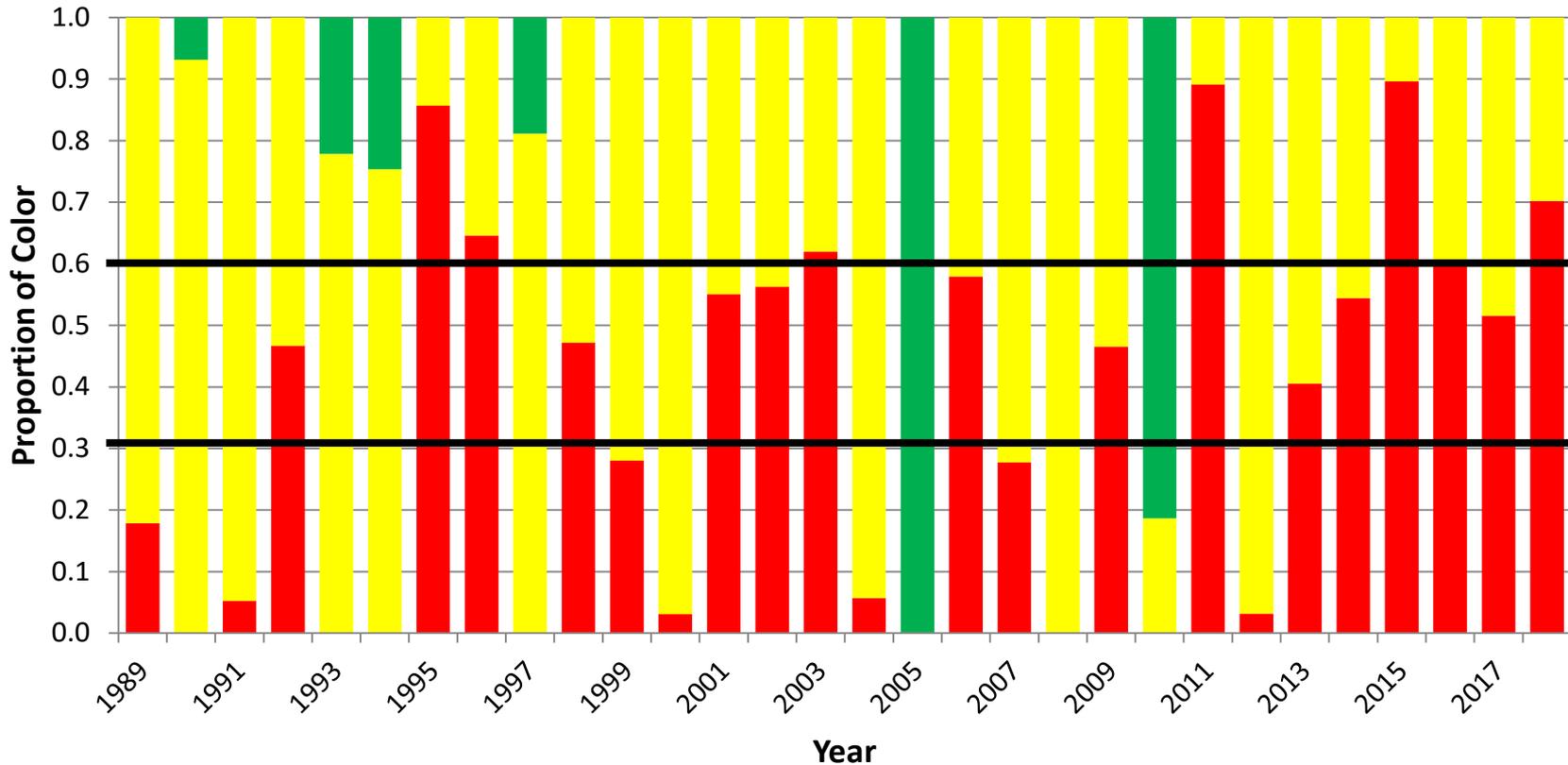
- Harvest composite TLA exceeded the 30% threshold in 2018 (59.8% red)



- Adult abundance composite TLA exceeded the 30% threshold in 2018 (32% red)



2019 TLA for Spot: MD Juvenile Fish Survey Index

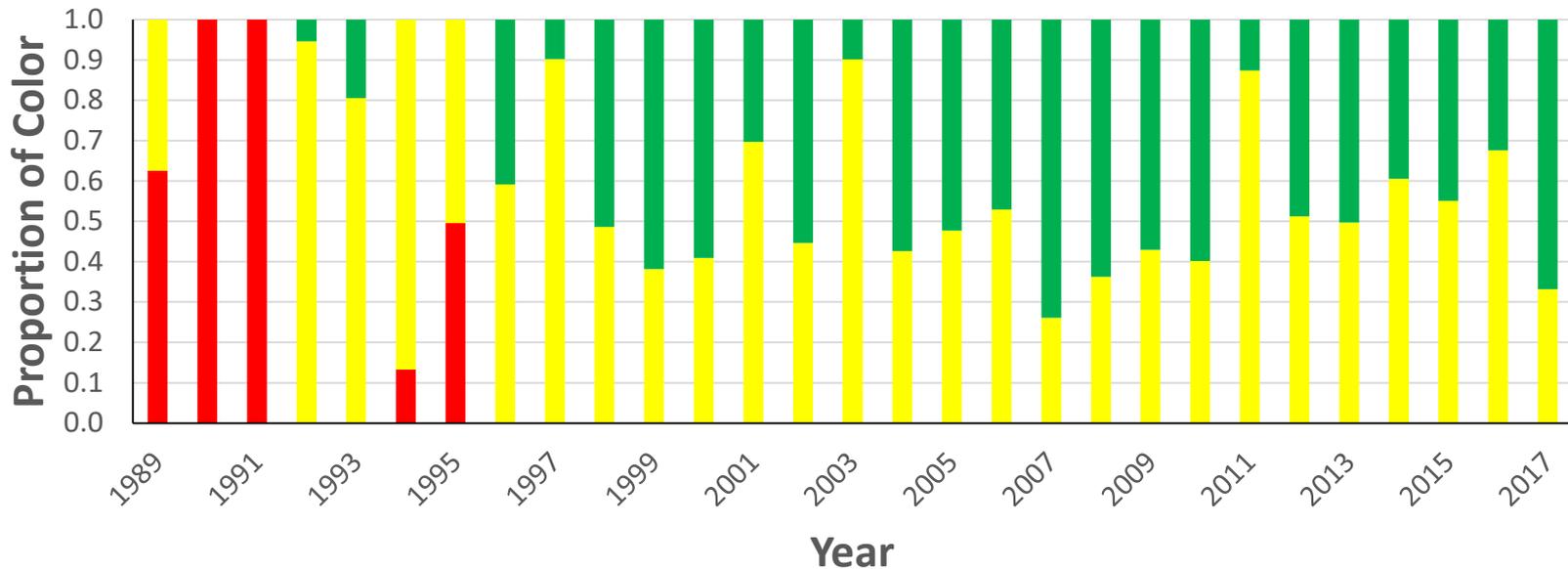


- The juvenile TLA did exceed the 60% threshold in 2018, and would have triggered at the 30% level as it has for the past 5 years.

2018 TLA for Spot discards from southern shrimp trawl fishery



Shrimp fishery discard TLA for spot using 1989-2012 reference period

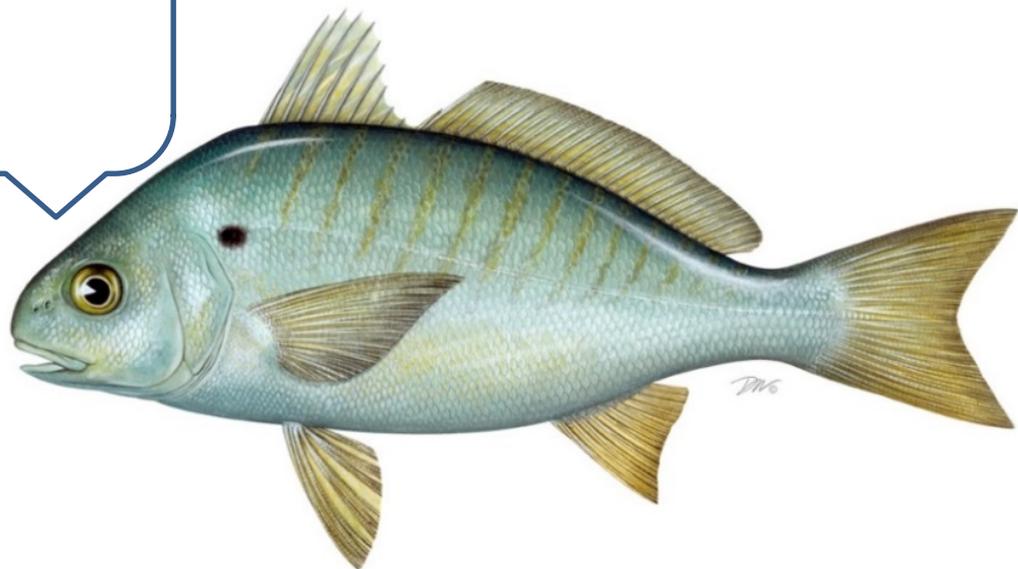
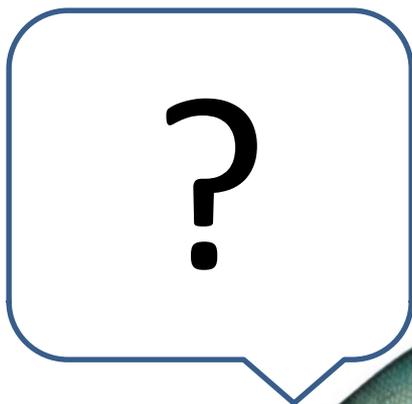


- Shrimp trawl discards for spot were not anywhere near triggering using the 1989-2012 reference period.
 - This was due to the high discard levels in the early time frame of the reference period.

2019 Spot TLA Summary: Current Management

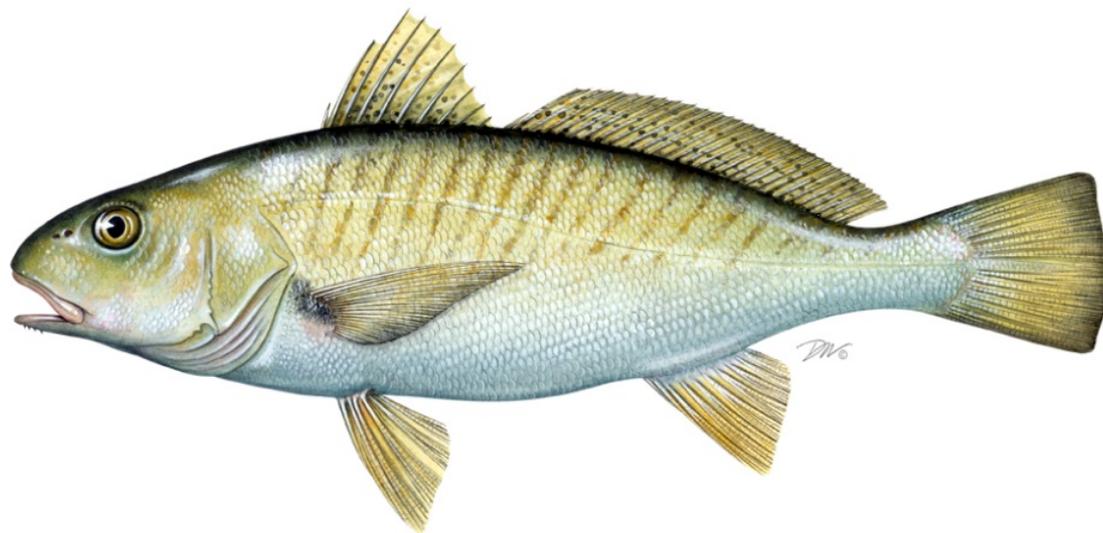


- Under the current TLA management scheme, management concern would not be triggered in 2019 since neither index (Harvest Composite or Adult Composite TLA) exceeded the 30% threshold for two consecutive years.
- The juvenile fish TLA did trigger in 2018, indicating continued poor recruitment in the upper Chesapeake Bay.
- 2018 shrimp fishery data for the TLA is not currently available. Shrimp Fishery TLA will be updated and presented with the regional modified TLA in October 2019.
- Both the juvenile and shrimp fisher TLA's are advisory indices and used only to inform on general trends seen in the overall management triggers.



QUESTIONS

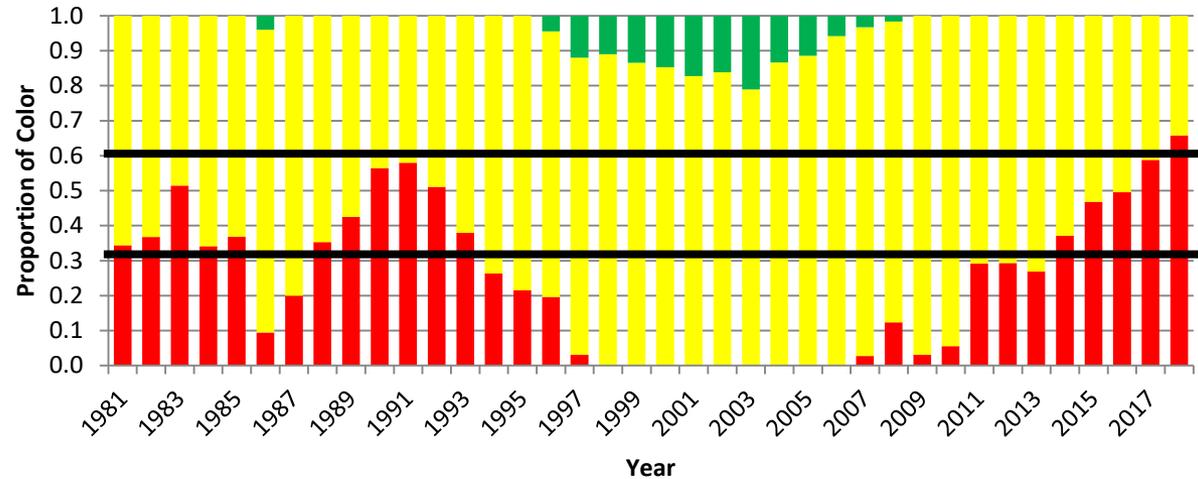
ATLANTIC CROAKER



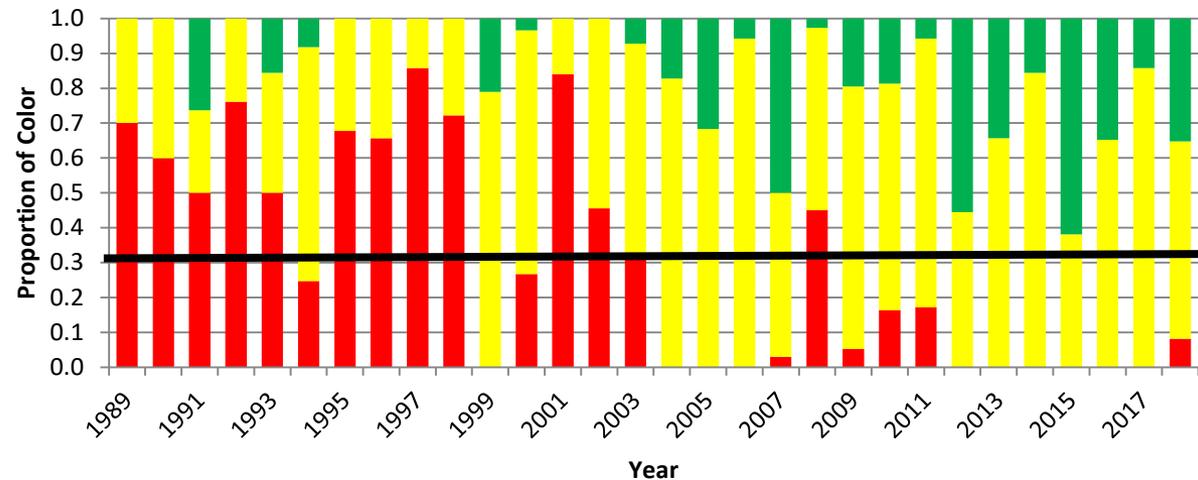
2019 TLA for Atlantic Croaker: Harvest and Adult Composite Indices



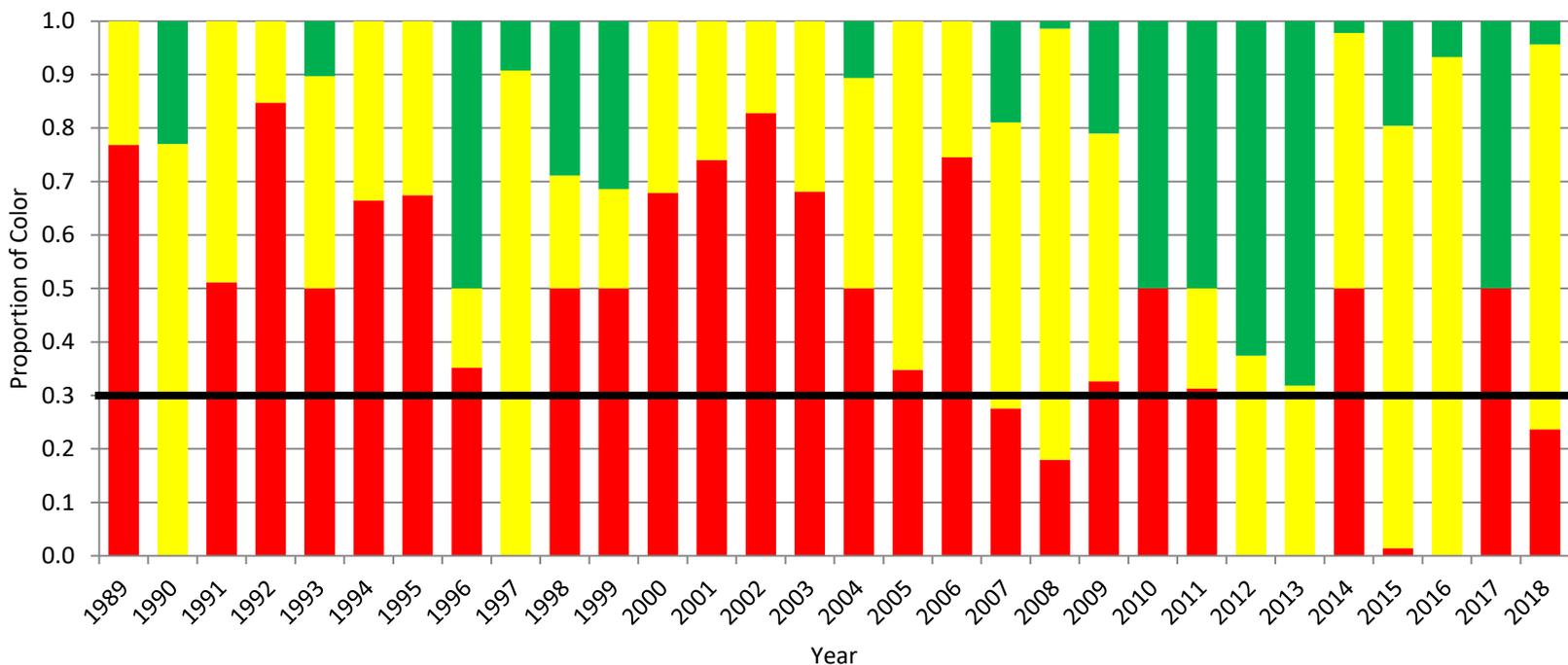
- Harvest composite characteristic triggered at the 30% threshold for the third year in a row. Red proportion in 2018 exceeded the 60% threshold (65.8%).



- Adult composite characteristic has had some declining green proportions in recent years but is still above the long term mean. The adult composite characteristic did not trigger in 2018.

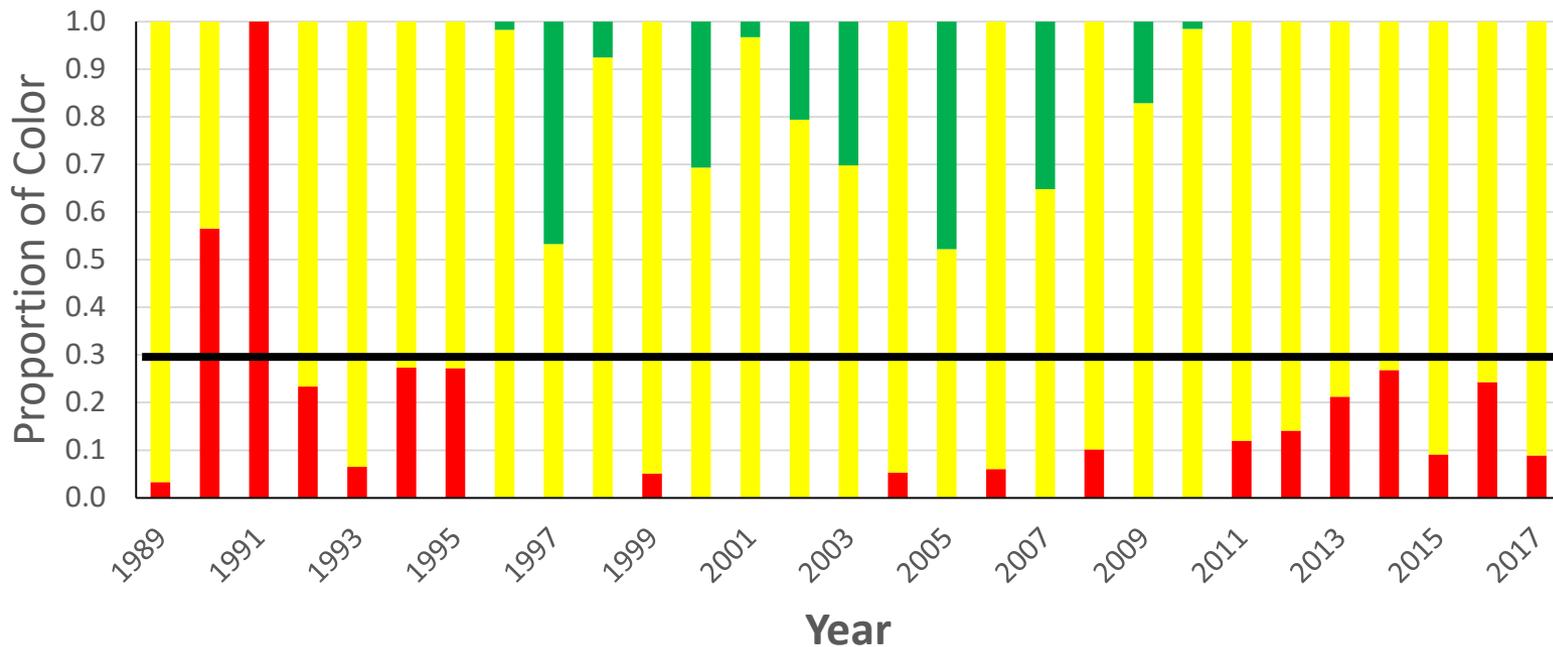


2019 TLA for Atlantic Croaker: Juvenile Composite Index



- The juvenile composite characteristic (NC195 and VIMS) did not trigger in 2018.

Southern shrimp trawl fishery discard TLA for Atlantic croaker using 1996-2008 reference period.



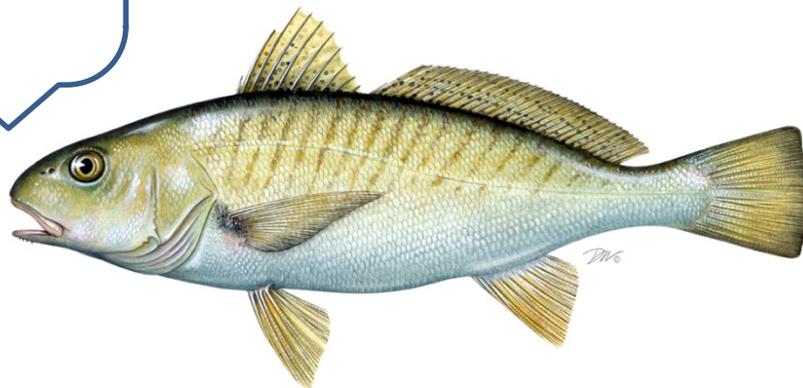
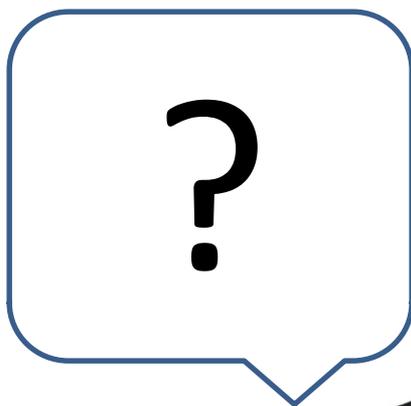
- The southern shrimp trawl fishery TLA did not trigger at the 30% threshold in 2017.

2019 Atlantic Croaker TLA Summary: Current Method



- Under the current TLA management scheme, management concern would not be triggered in 2019 since only one index (Harvest Composite TLA) was triggered at the 30% threshold.
- The juvenile composite TLA did not trigger in 2018, but it has shown a pattern of high variability coastwide which could indicate recruitment issues for juvenile croaker.
- Shrimp Fishery TLA will be updated and presented with the regional modified TLA in October 2019.

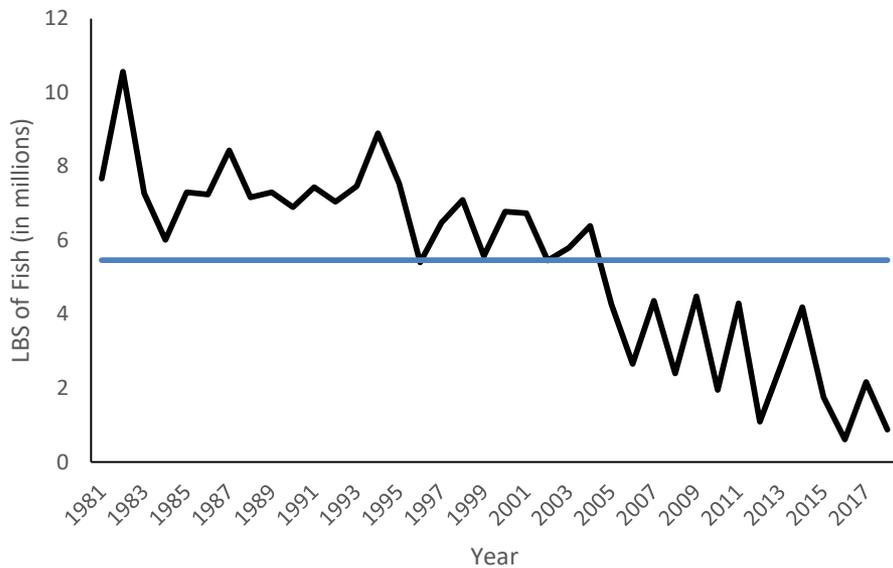
QUESTIONS ?



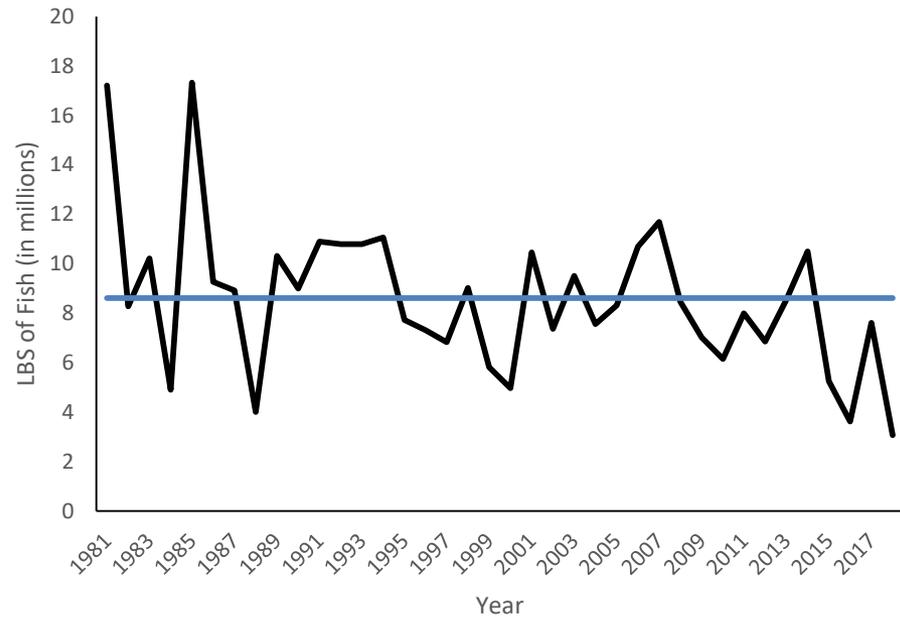
Spot: Supplemental Figures/Data



Atlantic coast commercial Spot landings 1981-2018



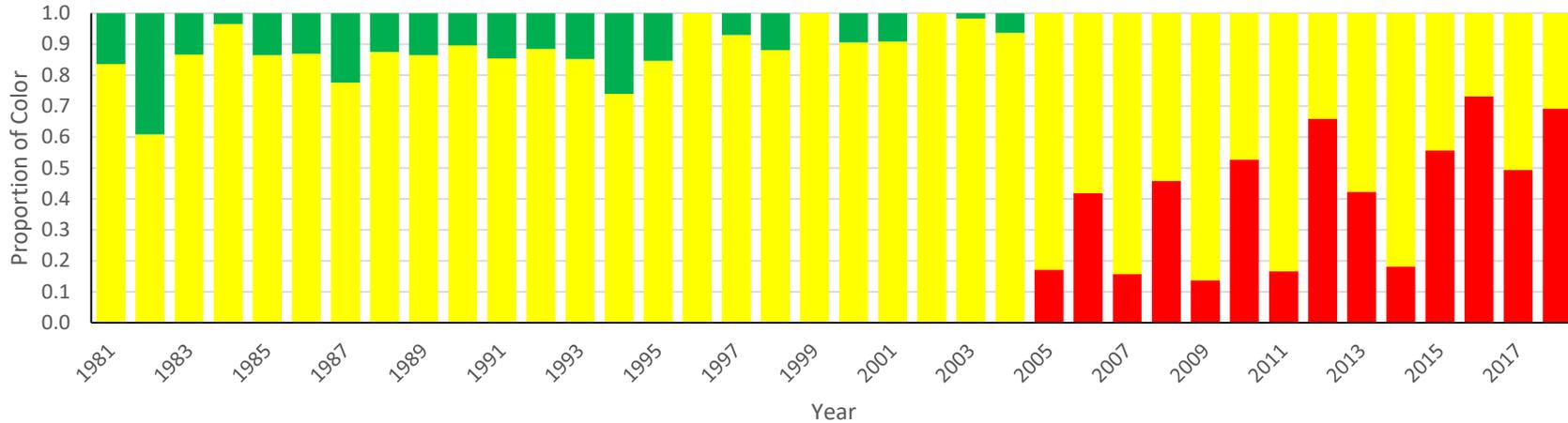
Atlantic coast total recreational Spot harvest. Data: MRIP



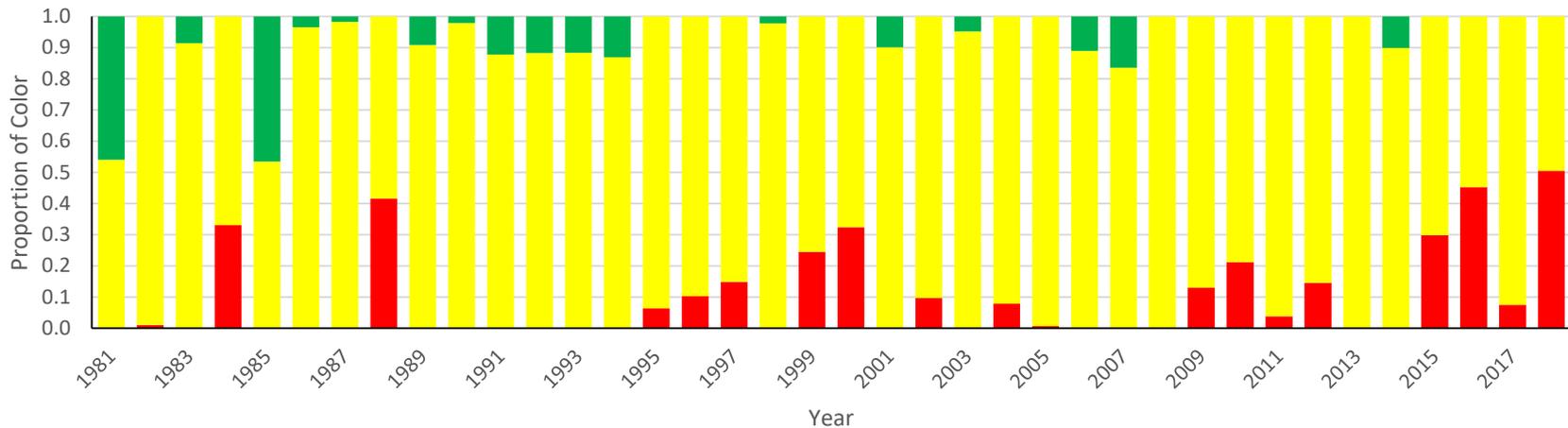
Spot: Supplemental Figures/Data



Atlantic coast TLA for commercially landed spot using 1989-2012 reference period



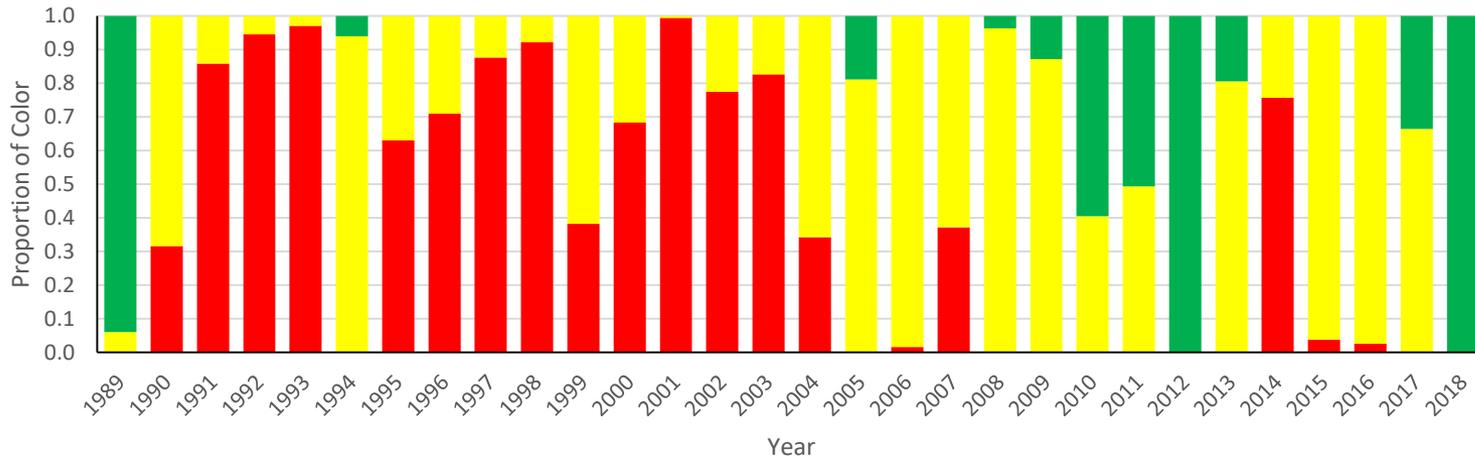
Recreational TLA for spot from Atlantic coast using 1989-2012 reference



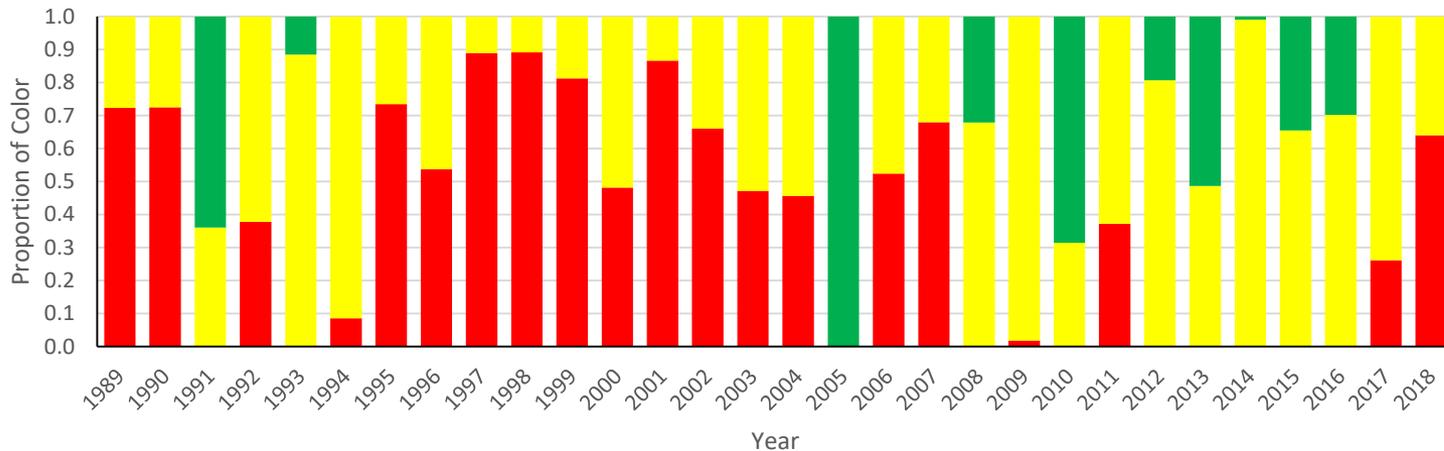
Spot: Supplemental Figures/Data



Annual color proportions for TLA from NMFS survey for spot using 1989-2012 reference



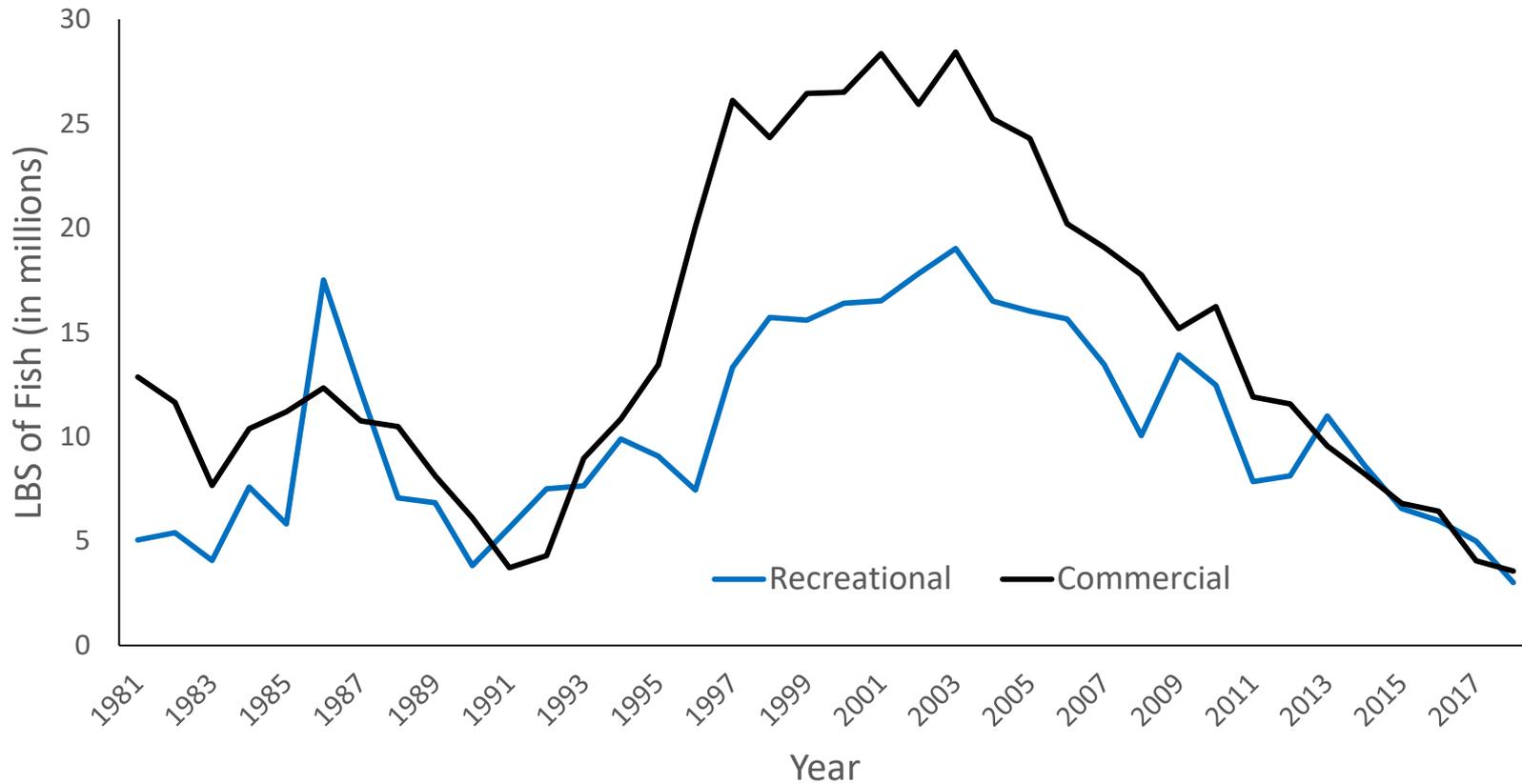
SEAMAP TLA for spot in fall using 1989-2012 reference period



Croaker: Supplemental Figures/Data



Annual landings by category for Atlantic croaker on the east coast of the United States. Data: NMFS



Croaker: Supplemental Figures/Data



Figure 1. Annual TLA color proportions for Atlantic croaker commercial landings for the Atlantic coast of the US using 1996-2008 reference period.

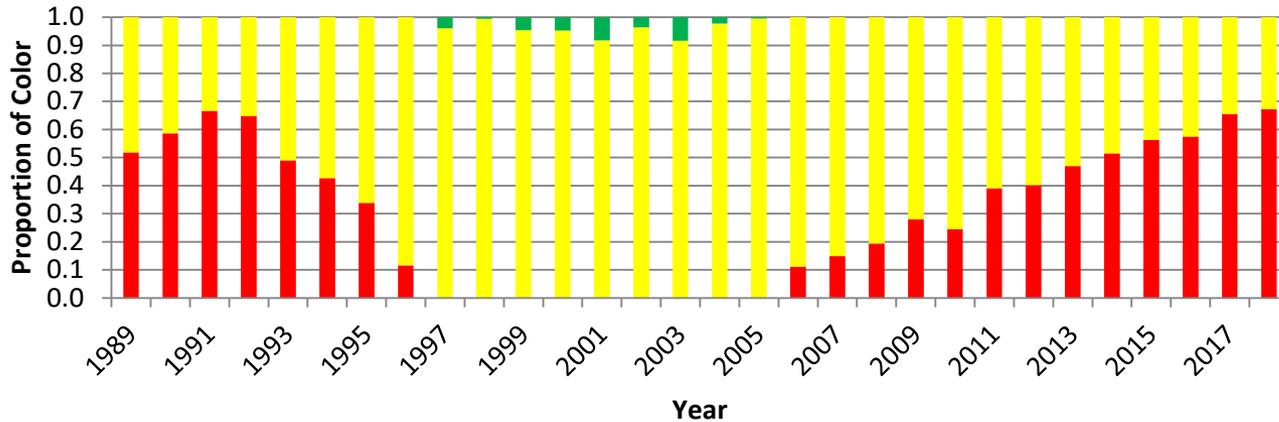
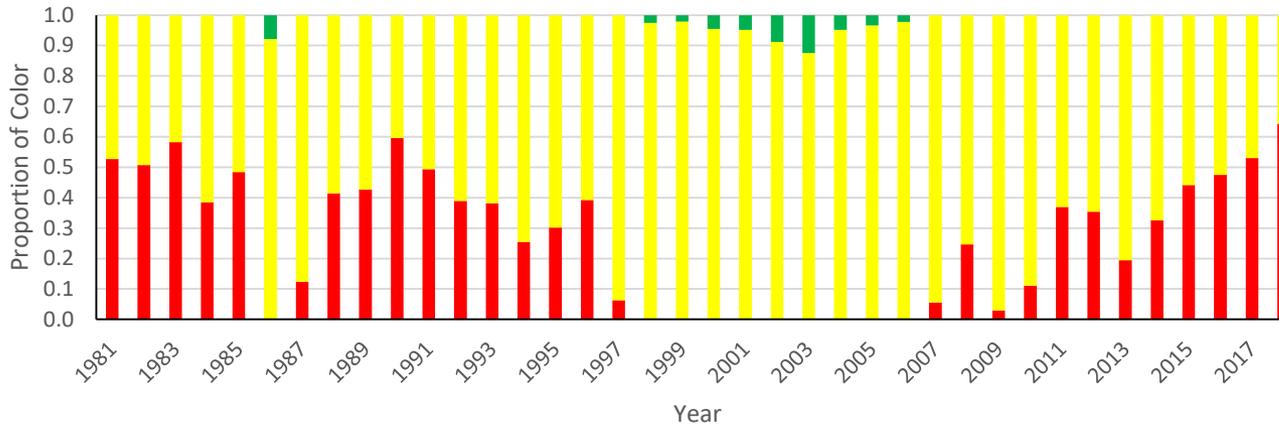


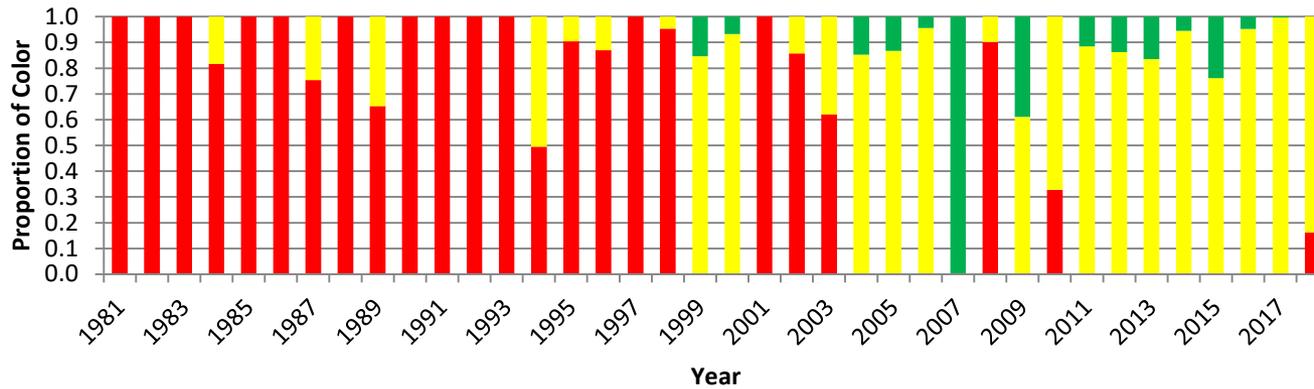
Figure 2. Annual TLA color proportions for Atlantic croaker from Atlantic coast (NJ-FL) recreational harvest of the U.S. based on a 1996-2008 reference period.



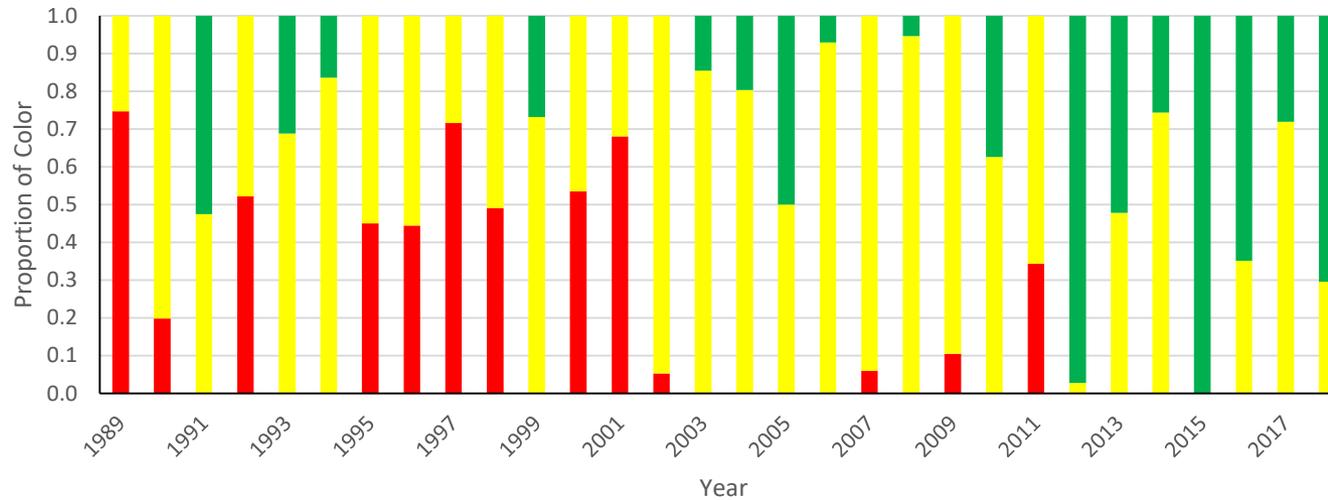
Croaker: Supplemental Figures/Data



Annual TLA color proportions for Atlantic croaker from NMFS ground-fish trawl survey based on 1996-2008 reference period.



Annual TLA color proportions for Atlantic croaker from SEAMAP survey based on 1996-2008 reference period.



Croaker: Supplemental Figures/Data



NCDMF Program 195 annual TLA color proportions for Atlantic croaker using a 1996-2008 reference period.

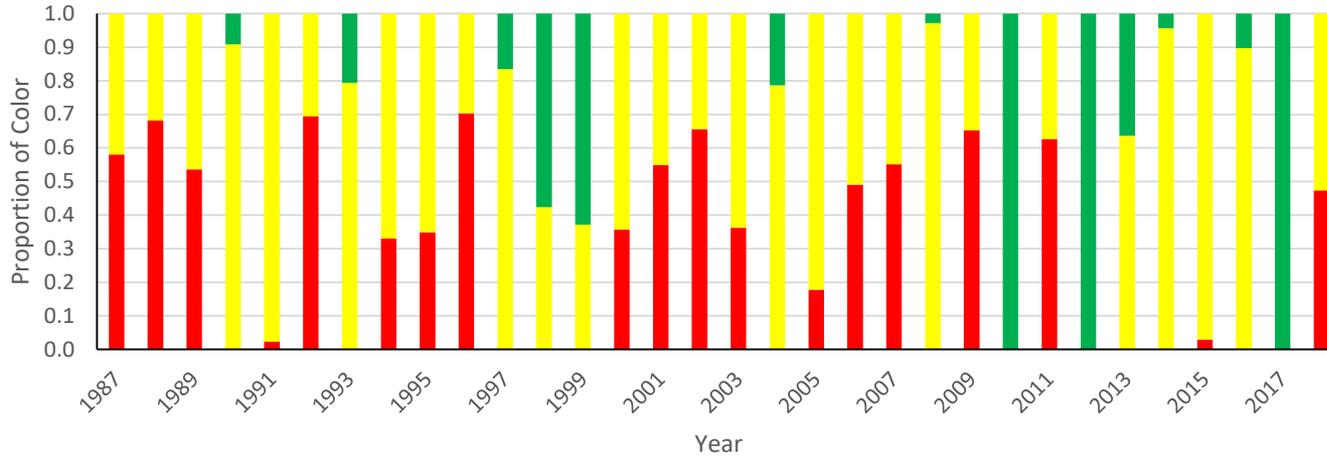


Figure 6. Annual TLA color proportions for Atlantic croaker from VIMS spring trawl survey using 1996-2008 reference period.

