



## NOAA Fisheries 2016 Recreational Cobia Season

*Department of Environmental Quality*



# *Overview*

- Federal Magnuson Stevens Act requirements
- History of cobia management
- Details of 2015 recreational cobia harvest
- Additional NOAA Fisheries analyses
- Interjurisdictional Fishery Management Plan options
- Advisory Committee recommendations

# *Federal Magnuson Stevens Act Requirements*

- Magnuson Stevens Act (1976): 2006 reauthorization requirements (all federally-managed species)
- Annual catch limits (“ACL”/quota)
  - Prevent overfishing from occurring
  - Amount of fish in numbers or pounds that can be harvested in a single year
  - Cannot exceed allowable biological catch set by council’s Scientific and Statistical Committee
  - **Required for all species regardless of stock status**
  - Commercial and recreational allocations



# *Federal Magnuson Stevens Act Requirements*



- Accountability measures
  - Constrain harvest to annual catch limit
  - Make adjustments if annual catch limit is exceeded
  - In-season closures, payback provisions (pounds, numbers of fish), season length adjustments

# *Federal Magnuson Stevens Act Requirements*

- Scientific and Statistical Committee
  - Reviews/approves stock assessments for management use
  - Sets overfishing level and allowable biological catch
  - Approves biological stock boundaries
- South Atlantic Fishery Management Council
  - Sets annual catch limits and accountability measures
  - Develops fishery management plans/amendments
- NOAA Fisheries
  - Receives/reviews amendments from council
  - Rulemaking and implementation
  - Collection of catch data, quota monitoring, enforcement
  - Determines if annual catch limits exceeded

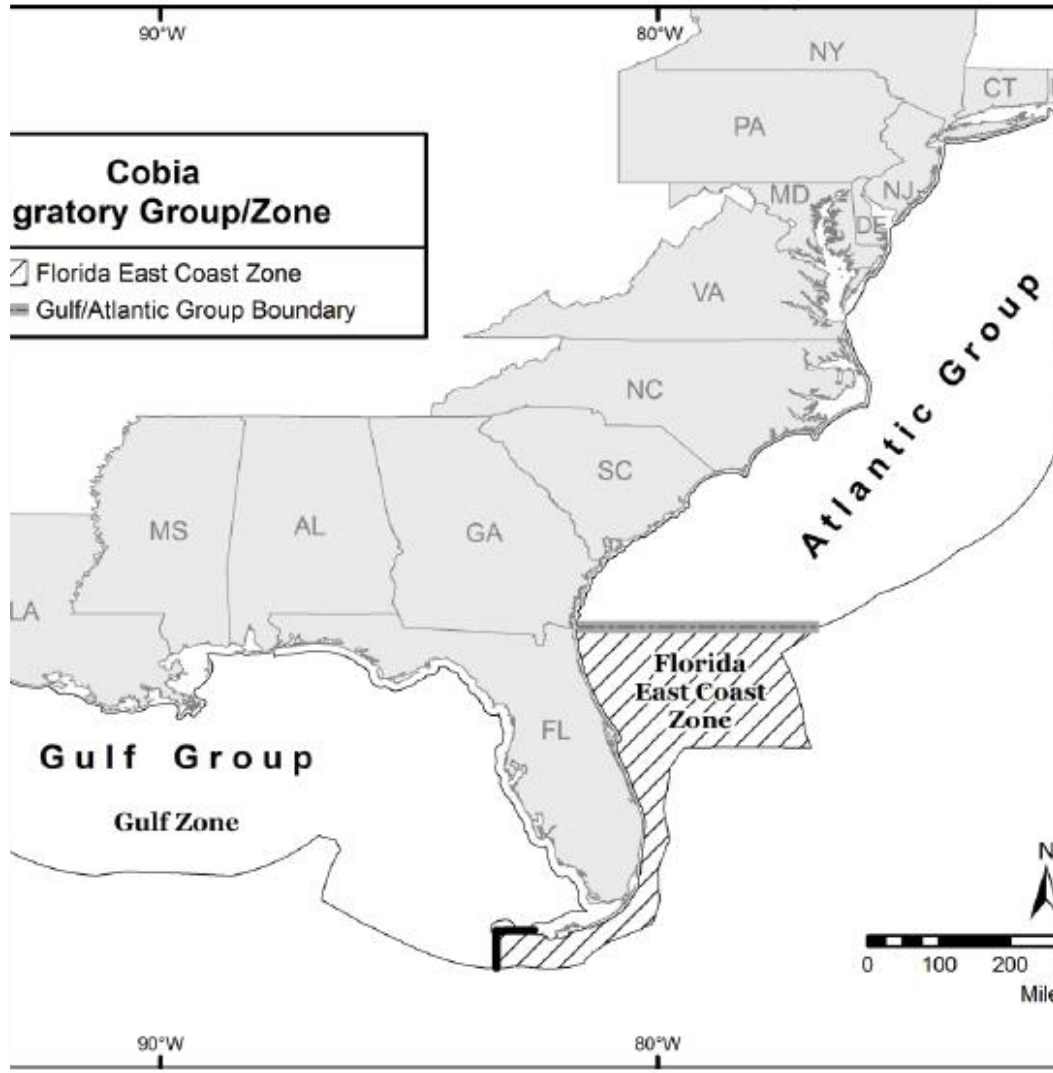
# *History of Cobia Management*

- Coastal Migratory Pelagics Fishery Management Plan; joint plan between South Atlantic and Gulf of Mexico Fishery Management Councils (king and Spanish mackerel, cobia)
  - 1983: 33-inch fork length minimum size limit
  - 1990: two-fish recreational bag limit and commercial possession limit
  - 1997: management unit expanded through Mid-Atlantic Fishery Management Council's jurisdiction (New York)

# *History of Cobia Management*

- Before 2012, cobia managed as a single stock throughout Gulf and Atlantic coasts (no annual catch limits or allocations)
- Amendment 18 implemented 2006 Magnuson Stevens Act requirements (effective January 2012)
  - Separated Gulf and Atlantic stocks at jurisdictional boundary (west of Florida Keys)
  - Atlantic stock: east Florida – New York
  - Atlantic stock annual catch limit: total average landings from 2000-2008 (plus 1.5x standard deviation); prior to stock assessment
  - Allocations: 92 percent recreational, 8 percent commercial

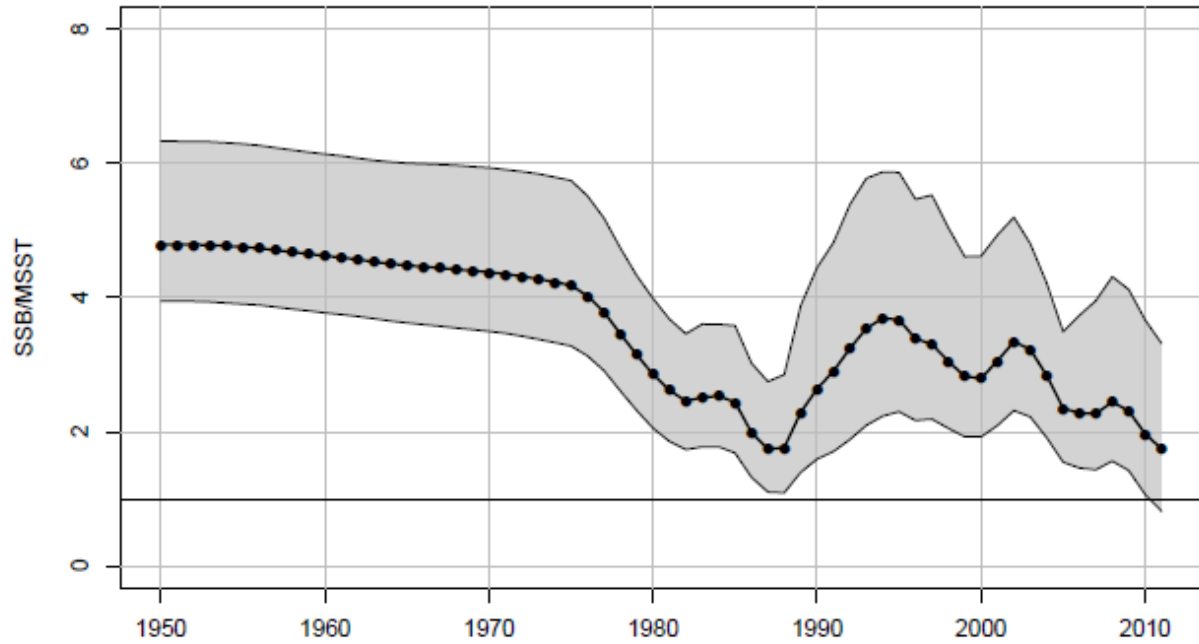
# History of Cobia Management



- 2013 stock assessment set biological boundary between Gulf and Atlantic stocks at Florida/Georgia border
- Gulf stock: Texas – east Florida
- Atlantic stock: Georgia – New York
- Separate assessments for each stock
- Included data through 2011 for each
- Neither stock overfished nor overfishing occurring

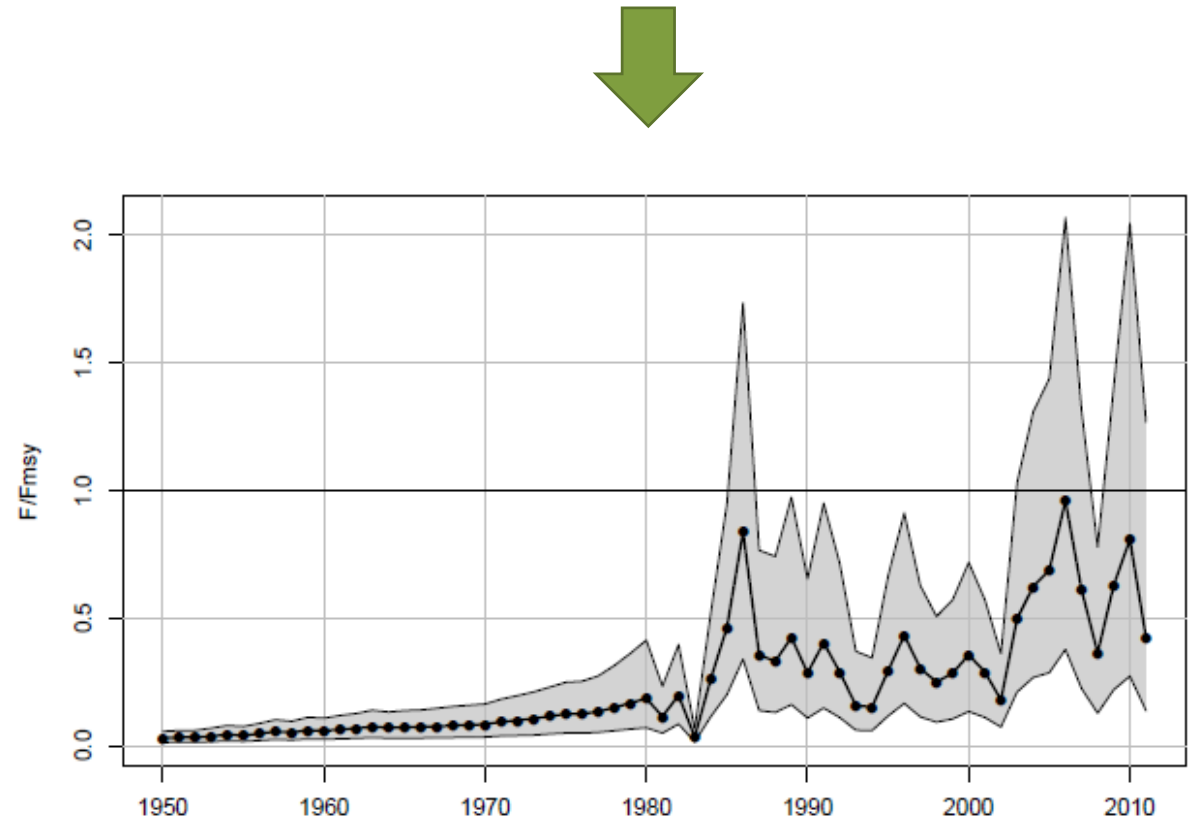


# History of Cobia Management



NOT OVERFISHED: Ratio of spawning fish biomass to minimum stock threshold  $> 1$

NOT OVERFISHING: Ratio of fishing mortality rate (F) to fishing mortality at maximum sustainable yield ( $F_{msy}$ )  $< 1$

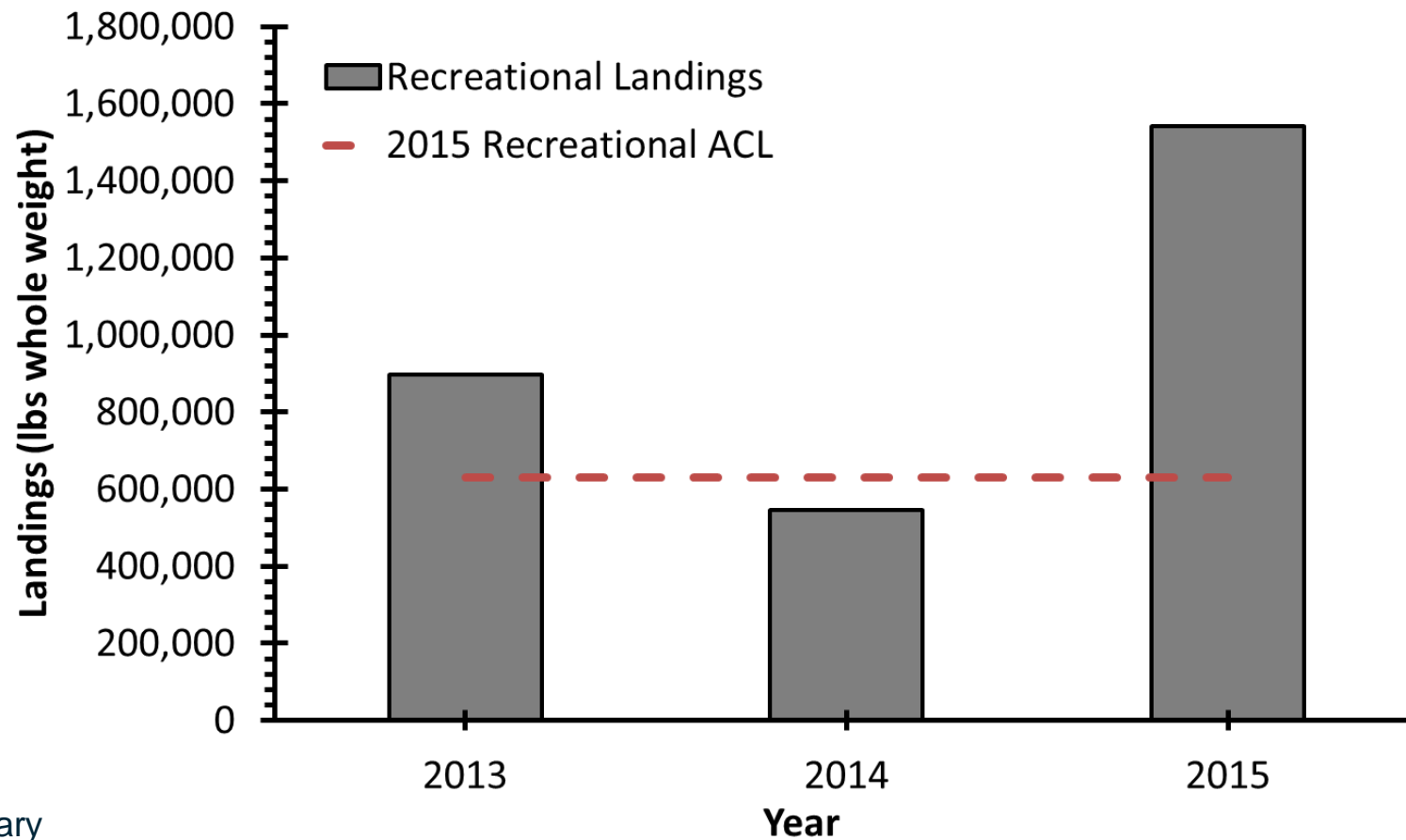


# *History of Cobia Management*

- Amendment 20B modified stock boundary and set new annual catch limits based on 2013 assessment (effective March 2015)
  - Atlantic stock 2015 allowable biological catch and total annual catch limit: 690,000 pounds (recreational = 630,000 pounds; commercial = 60,000 pounds)
  - Gulf stock 2015 allowable biological catch: 2.52 million pounds
  - East Florida allocated 36 percent of Gulf stock allowable biological catch as annual catch limit: 900,000 pounds for 2015 (recreational = 830,000 pounds; commercial = 70,000 pounds)
  - East Florida allocation based on average proportion of total landings 1998-2012

# 2015 Recreational Cobia Season

## Atlantic Cobia Recreational Landings (New York through Georgia)



\* All 2015 data are preliminary

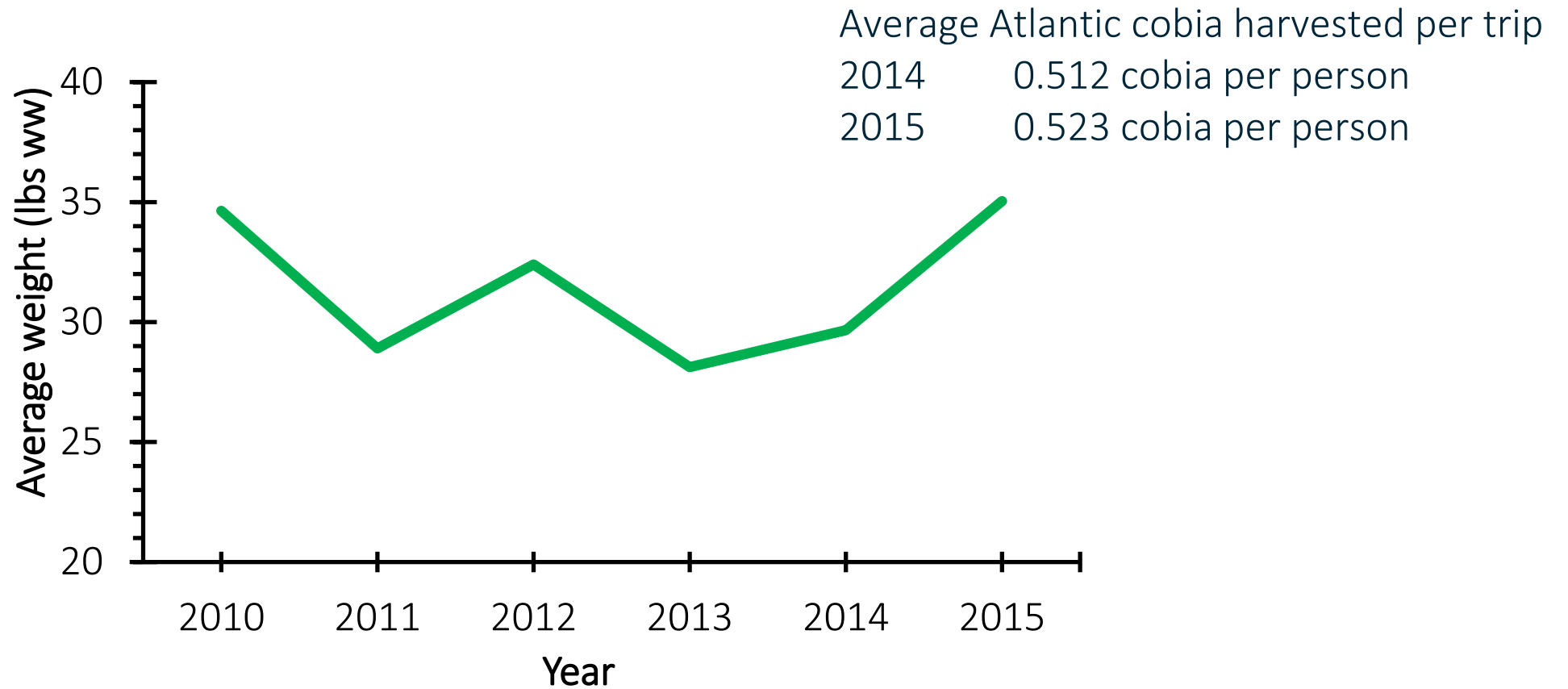
## *2015 Recreational Cobia Season*

### Details of 2015 Atlantic Cobia Recreational Landings by State

| State | Landings (lbs) | % of 2015 Landings | PSE |
|-------|----------------|--------------------|-----|
| VA    | 718,647        | 47                 | 39  |
| NC    | 631,006        | 41                 | 29  |
| SC    | 124,068        | 8                  | 47  |
| GA    | 67,814         | 4                  | 75  |
| Total | 1,541,535      | 100                | NA  |

# 2015 Recreational Cobia Season

Why were the Atlantic Cobia landings so high in 2015?

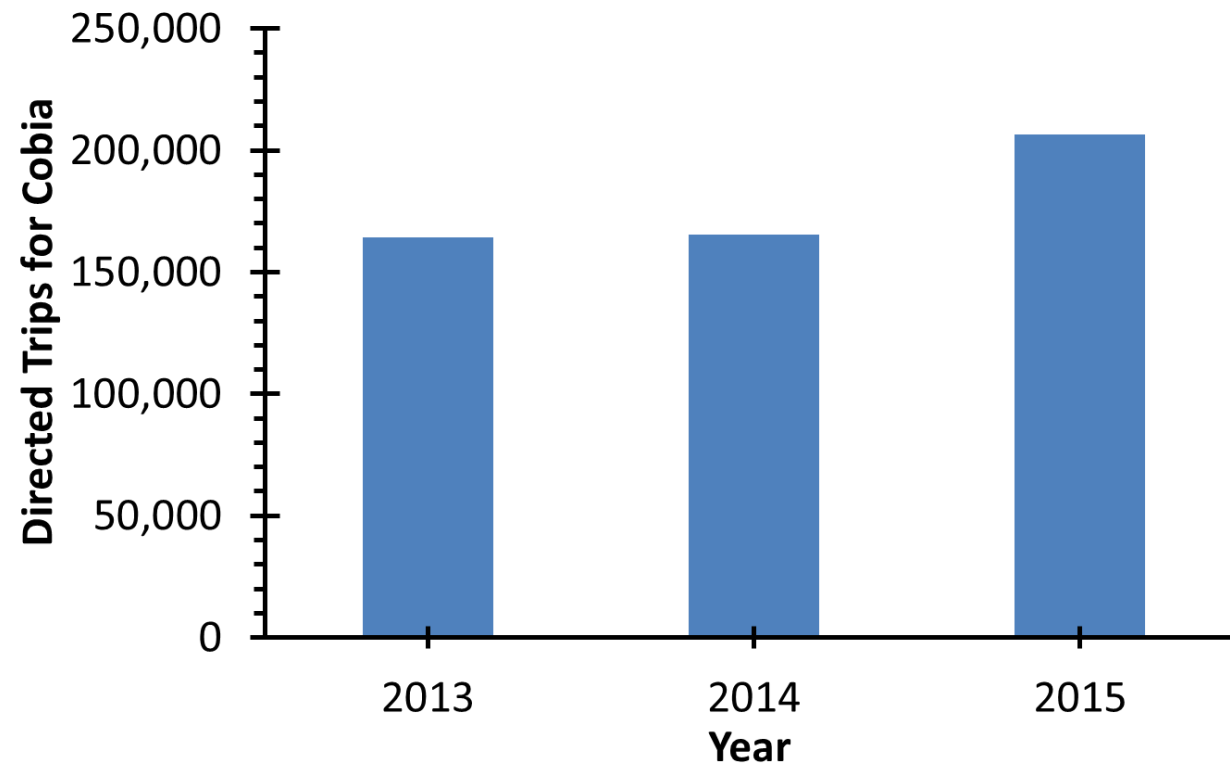


\*All data are from New York through Georgia



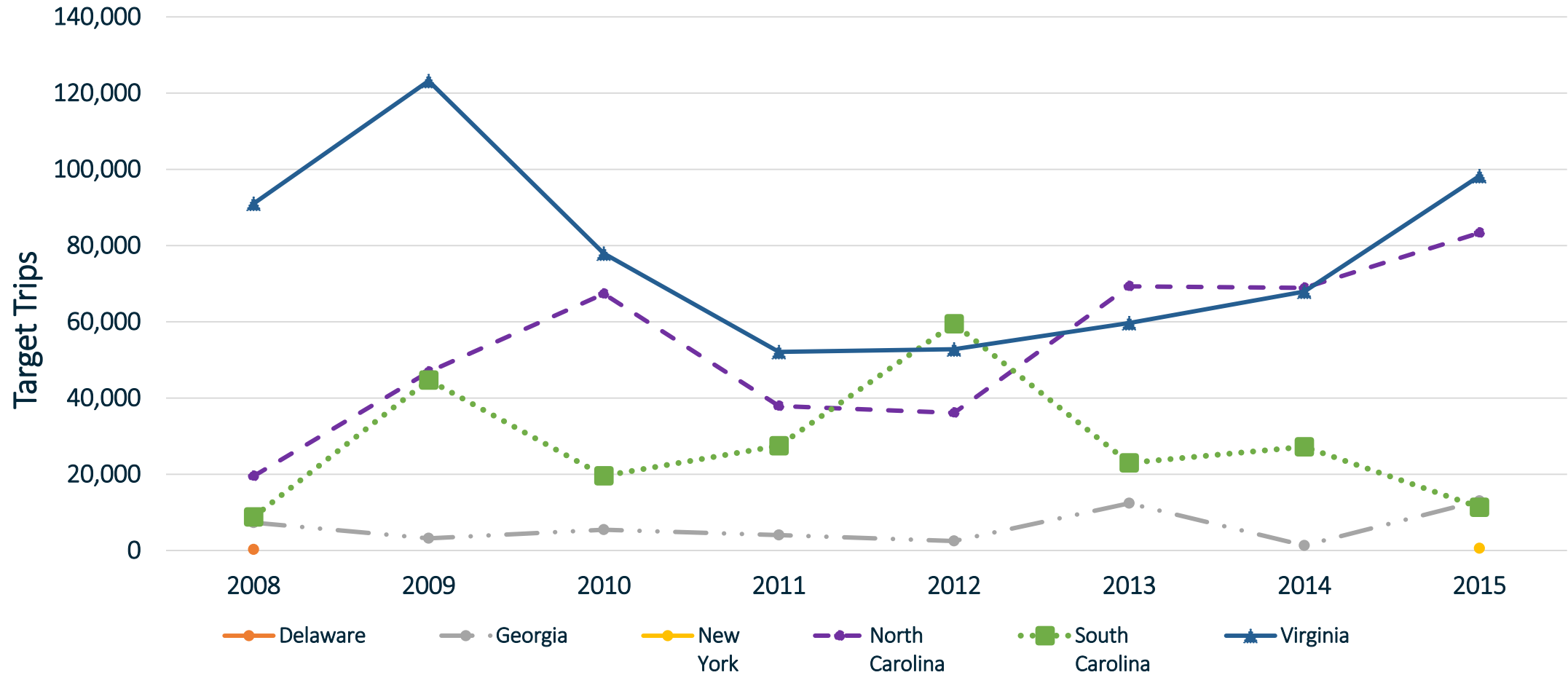
# *2015 Recreational Cobia Season*

## Atlantic Cobia Targeted Fishing Effort (New York through Georgia)



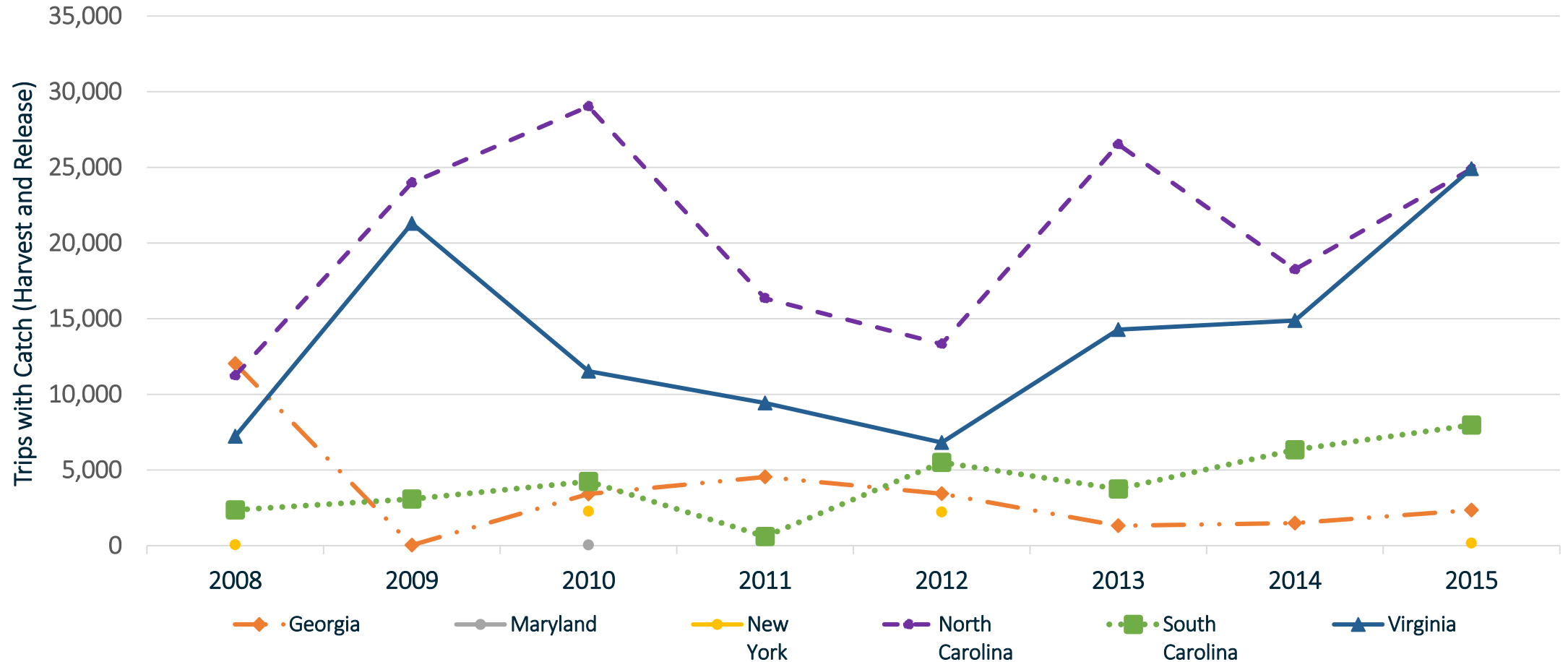
# 2015 Recreational Cobia Season

## Cobia Target Trips, GA-NY (2008-2015)



# 2015 Recreational Cobia Season

Trips with Cobia Catch (Harvest and Release), GA-NY (2008-2015)

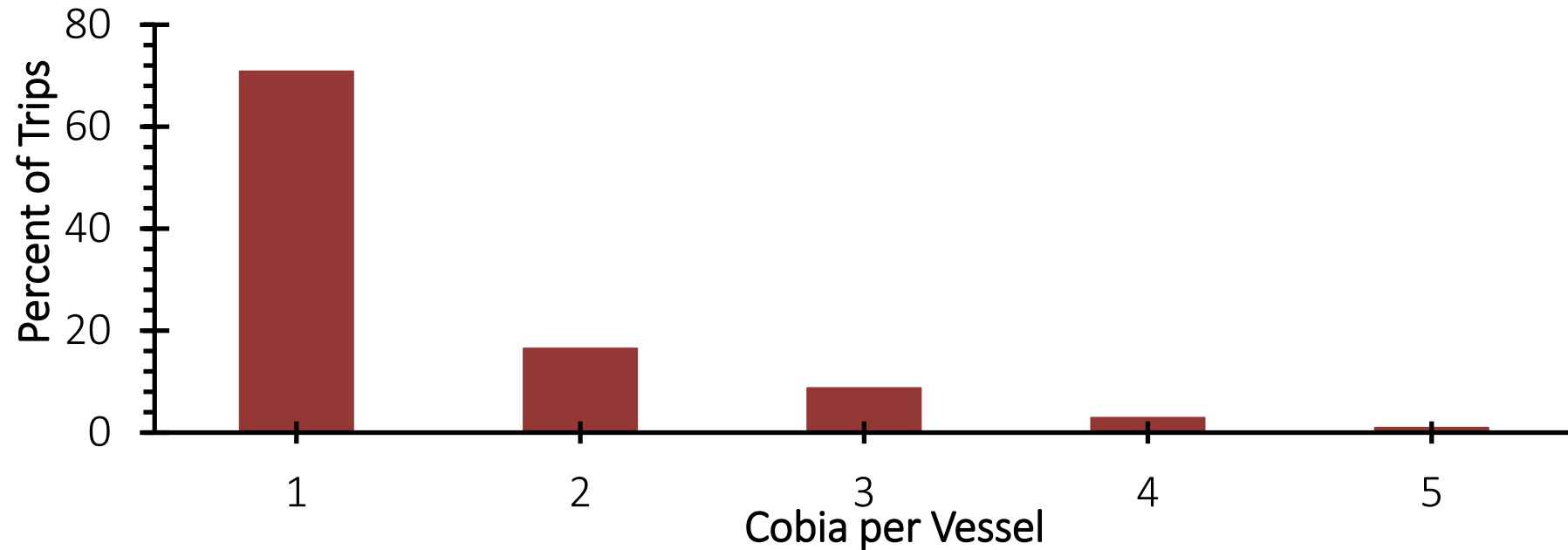


# 2015 Recreational Cobia Season

## Trips with Cobia Harvest, GA-NY (2008-2015)



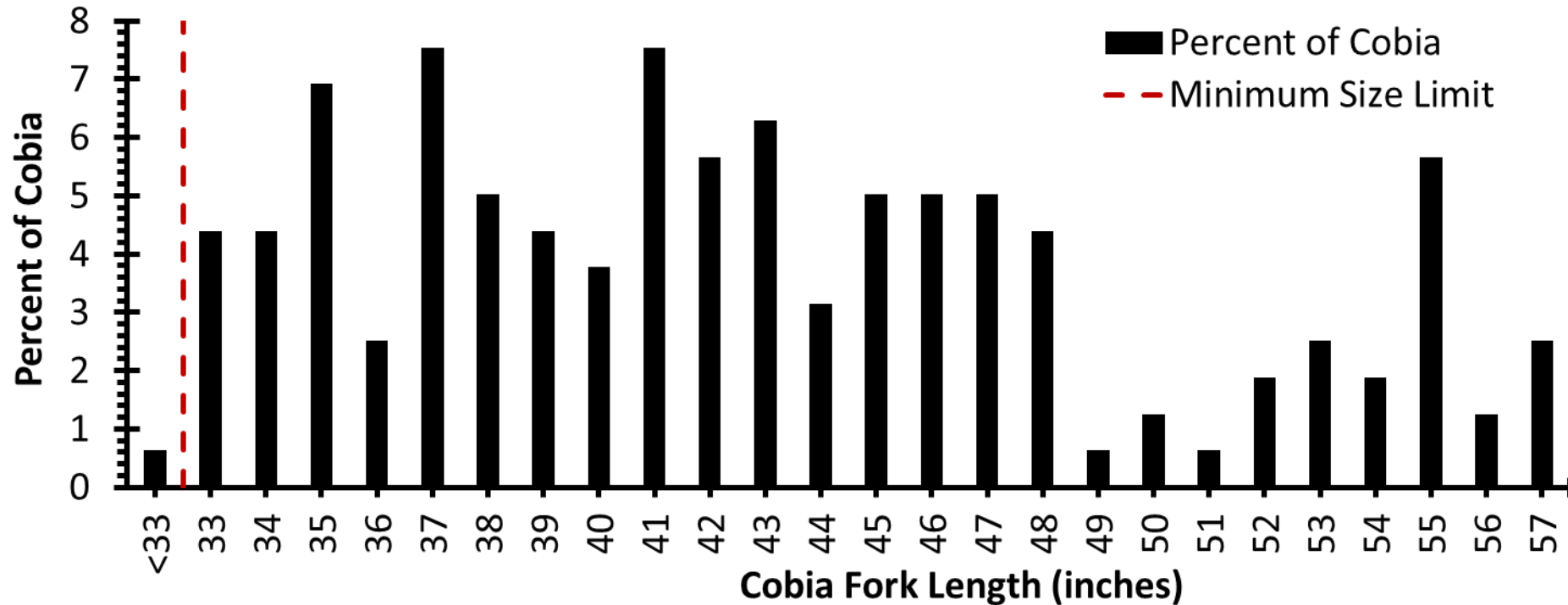
# *2015 Recreational Cobia Season*



Data are from 2015 Atlantic Recreational Cobia Trips (New York through Georgia)



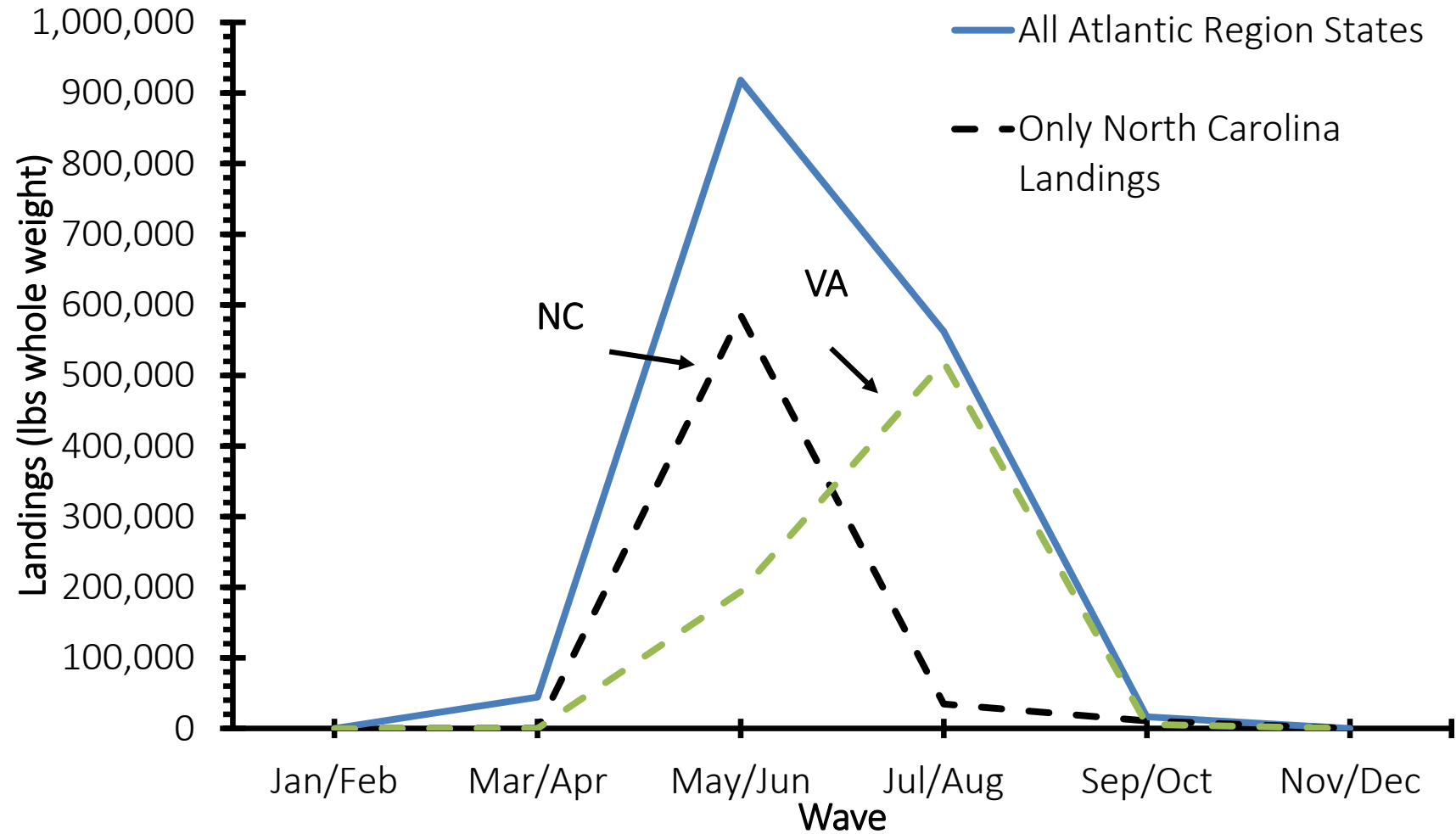
# 2015 Recreational Cobia Season



\*100% of cobia are sexually mature at 31 inches fork length (SEDAR 28)

\*Data are from 2015 Atlantic Recreational Cobia Trips (New York through Georgia)

# 2015 Recreational Cobia Season



\*Data are from 2015 Atlantic Recreational Cobia (New York through Georgia)

## 2015 Recreational Cobia Season

| State | 2013 Landings  |               | 2014 Landings  |               | 2015 Landings  |               |
|-------|----------------|---------------|----------------|---------------|----------------|---------------|
|       | Landings (lbs) | % of Landings | Landings (lbs) | % of Landings | Landings (lbs) | % of Landings |
| VA    | 354,463        | 40            | 214,426        | 39            | 718,647        | 47            |
| NC    | 492,998        | 55            | 277,846        | 51            | 631,006        | 41            |
| SC    | 19,159         | 2             | 32,010         | 6             | 124,068        | 8             |
| GA    | 29,304         | 3             | 20,670         | 4             | 67,814         | 4             |
| Total | 895,925        | 100           | 544,952        | 100           | 1,541,535      | 100           |

\*Data are from 2015 Atlantic Recreational Cobia (New York through Georgia)

## *2015 Recreational Cobia Season*

| <b>Mode</b> | <b>2015 Landings</b> | <b>%</b> |
|-------------|----------------------|----------|
| Shore       | 35,957               | 2        |
| Private     | 1,400,457            | 91       |
| Charter     | 102,948              | 7        |
| Headboat    | 2,172                | <1       |
| Total       | 1,541,535            | 100      |

\*Data are from 2015 Atlantic Recreational Cobia (New York through Georgia)

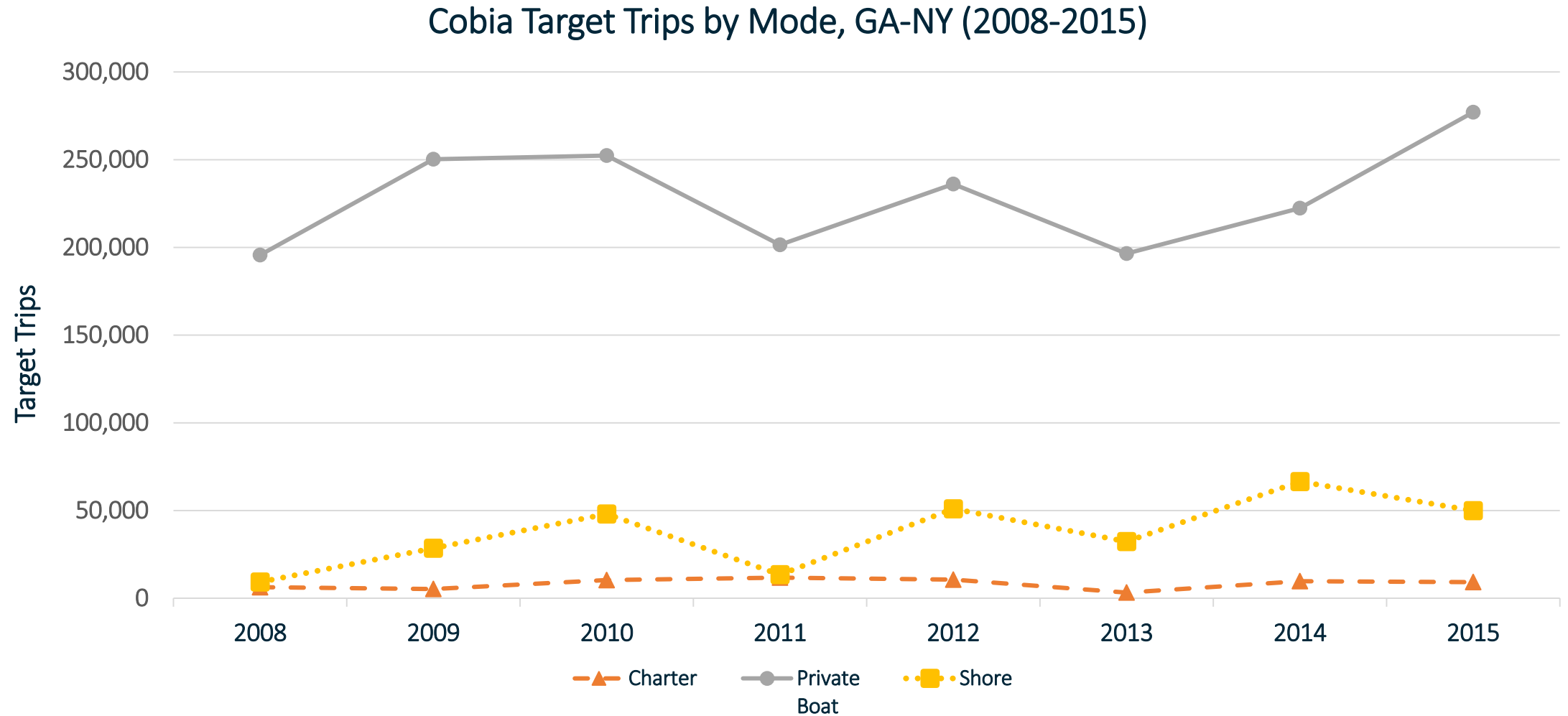
## *2015 Recreational Cobia Season*

North Carolina 2015 Recreational Cobia Landings by Mode

| Mode    | 2015 Landings | %     |
|---------|---------------|-------|
| Shore   | 35,945        | 5.3   |
| Private | 590,934       | 87.4  |
| Charter | 48,981        | 7.3   |
| Total   | 675,860       | 100.0 |

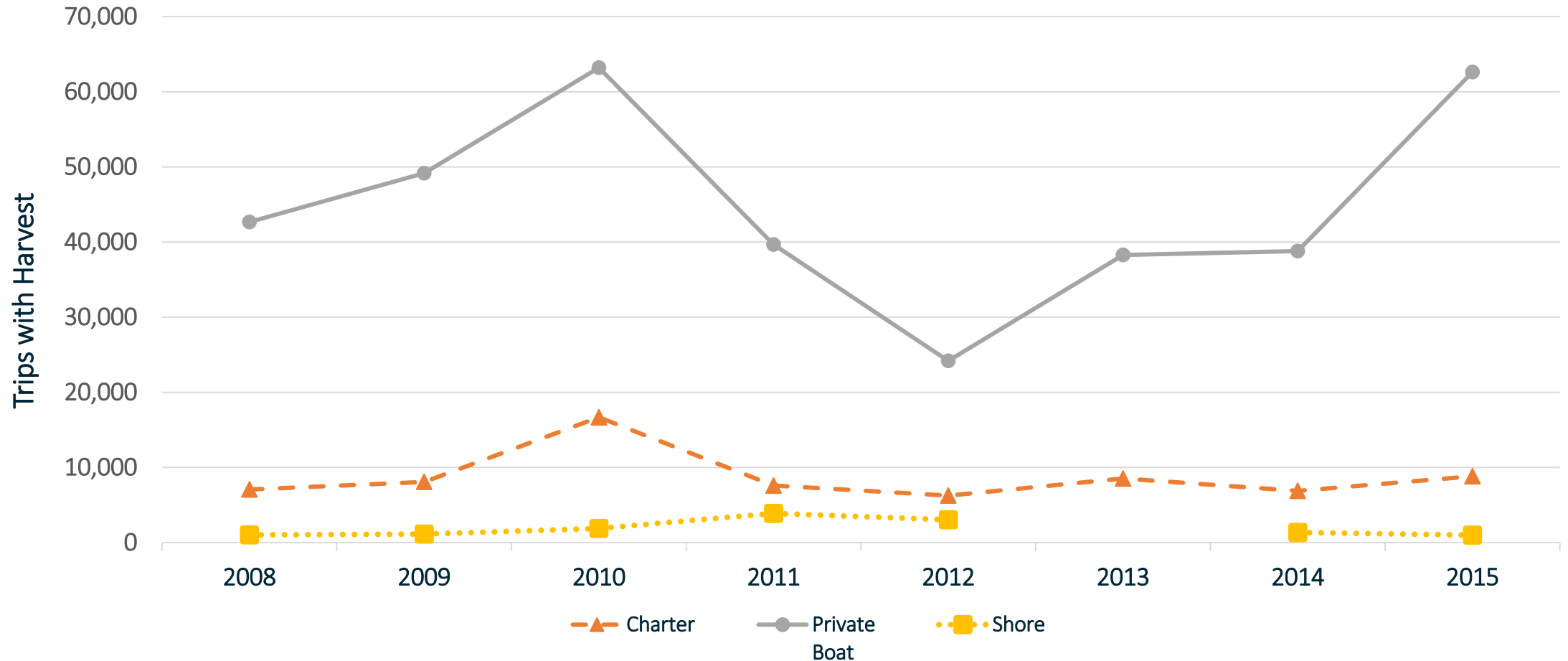


# 2015 Recreational Cobia Season



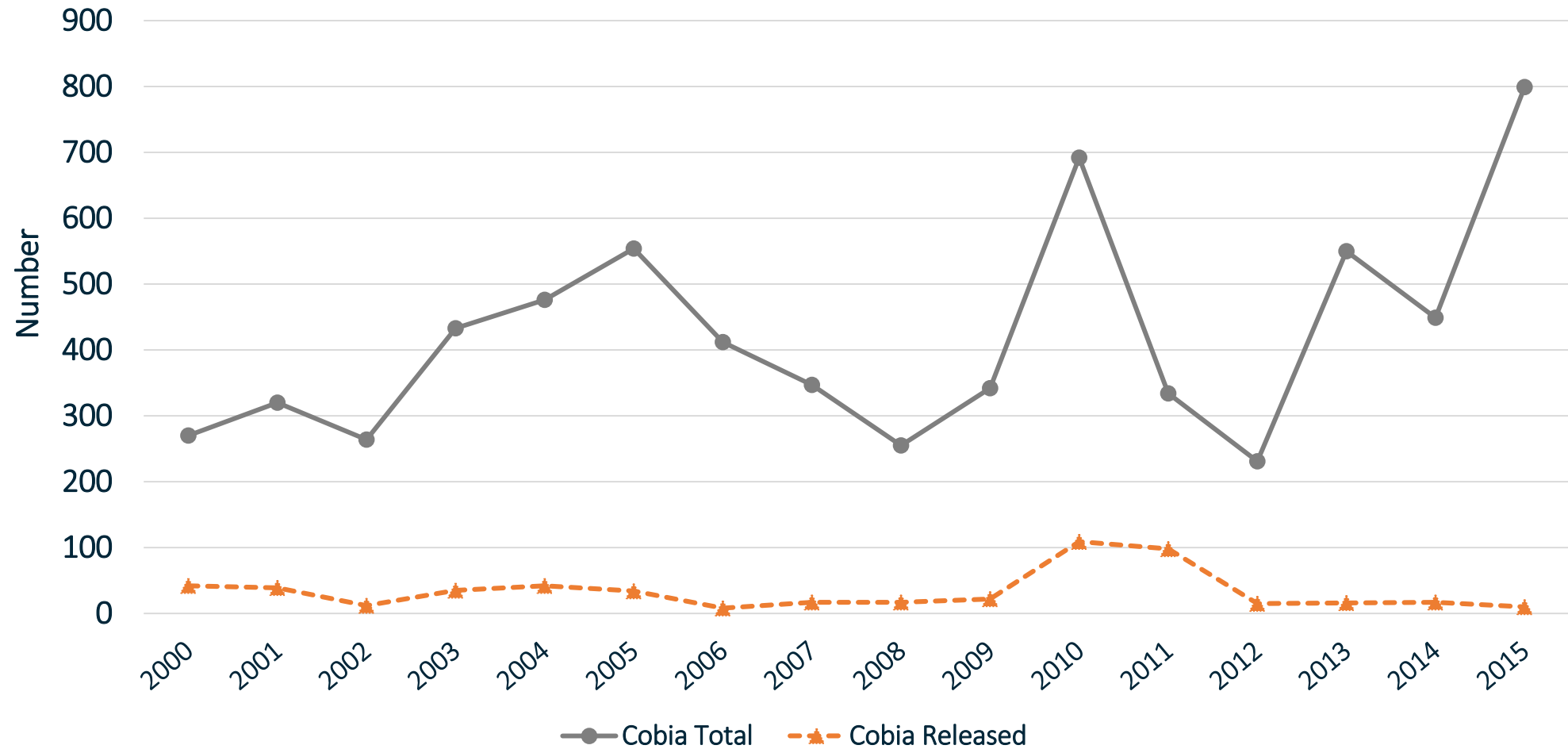
# 2015 Recreational Cobia Season

Trips with Cobia Harvest by Mode, GA-NY (2008-2015)



# 2015 Recreational Cobia Season

## North Carolina Saltwater Fishing Tournament Cobia Citations



## *2015 Recreational Cobia Season*

- Cobia recreational accountability measures:
  - If both recreational and total annual catch limit are exceeded, NOAA Fisheries will shorten the following year's season
  - Season length constrains harvest to the annual catch target (so as to not exceed the annual catch limit)
  - Use three-year running average of harvest to determine if annual catch limit exceeded; if annual catch limit is changed, initial year "re-sets"
  - Annual catch limit changed in 2015; only 2015 landings compared to 2015 annual catch limit
- Commercial accountability measures: Track landings and close in-season

## *2015 Recreational Cobia Season*

- In 2015, both recreational and total annual catch limits exceeded
- Annual catch target for 2016 is 500,000 pounds
- Season closure date dependent on years used to predict 2016 landings

| <b>Landings</b>   | <b>Closure Date</b> | <b>NC 1 fish bag limit<br/>Closure Date</b> |
|-------------------|---------------------|---|
| 2013              | 27-Jun              | 29-Jun                                      |
| 2014              | 14-Aug              | 19-Aug                                      |
| 2015              | 31-May              | 1-Jun                                       |
| Average 2013-2015 | 18-Jun              | 20-Jun                                      |
| Average 2014-2015 | 14-Jun              | 16-Jun                                      |

## *Additional NOAA Fisheries Analyses for 2016*

Motion by Joe Shute to immediately lower the cobia bag limit to one fish, and ask North Carolina's representatives on the South Atlantic Fishery Management Council to seek answers as to whether increasing the size limit for cobia will effect a longer season. Second by Chuck Laughridge.

Motion passes 7-0

## *Additional NOAA Fisheries Analyses for 2016 Season Length (NC – size limit only)*

| <b>Size Limit</b>  |                    | <b>Closure Date</b> |
|--------------------|--------------------|---------------------|
| <b>Fork Length</b> | <b>% Reduction</b> |                     |
| <b>33</b>          | <b>0.0</b>         | <b>20-Jun</b>       |
| <b>34</b>          | <b>2.8</b>         | <b>20-Jun</b>       |
| <b>35</b>          | <b>5.2</b>         | <b>21-Jun</b>       |
| <b>36</b>          | <b>7.2</b>         | <b>21-Jun</b>       |
| <b>37</b>          | <b>8.5</b>         | <b>21-Jun</b>       |
| <b>38</b>          | <b>11.3</b>        | <b>21-Jun</b>       |
| <b>39</b>          | <b>13.9</b>        | <b>22-Jun</b>       |
| <b>40</b>          | <b>15.7</b>        | <b>22-Jun</b>       |
| <b>41</b>          | <b>18.8</b>        | <b>22-Jun</b>       |
| <b>42</b>          | <b>25.1</b>        | <b>23-Jun</b>       |
| <b>43</b>          | <b>30.4</b>        | <b>24-Jun</b>       |
| <b>44</b>          | <b>34.9</b>        | <b>25-Jun</b>       |
| <b>45</b>          | <b>39.1</b>        | <b>26-Jun</b>       |

# *Additional NOAA Fisheries Analyses for 2016 Season Length (NC – vessel limit only)*

| <b>Vessel Limit</b> | <b>% Reduction</b> | <b>Closure Date</b> |
|---------------------|--------------------|---------------------|
| <b>1</b>            | <b>28.3</b>        | <b>24-Jun</b>       |
| <b>2</b>            | <b>27.3</b>        | <b>24-Jun</b>       |
| <b>3</b>            | <b>12.1</b>        | <b>21-Jun</b>       |
| <b>4</b>            | <b>5.1</b>         | <b>21-Jun</b>       |



## *Additional NOAA Fisheries Analyses for 2016 Season Length (NC – combined vessel/size limit)*

| <b>Both Size Limit and Vessel Limit Combined</b> |                     |                    | <b>Closure Date</b> |
|--|---------------------|--------------------|---------------------|
| <b>Fork Length</b>                               | <b>Vessel Limit</b> | <b>% Reduction</b> |                     |
| <b>33</b>  | <b>1</b>            | <b>28.3</b>        | <b>24-Jun</b>       |
| <b>34</b>  | <b>1</b>            | <b>31.1</b>        | <b>24-Jun</b>       |
| <b>35</b>  | <b>1</b>            | <b>33.5</b>        | <b>25-Jun</b>       |
| <b>36</b>  | <b>1</b>            | <b>35.5</b>        | <b>25-Jun</b>       |
| <b>37</b>  | <b>1</b>            | <b>36.8</b>        | <b>26-Jun</b>       |
| <b>40</b>  | <b>1</b>            | <b>44.0</b>        | <b>28-Jun</b>       |
| <b>45</b>  | <b>1</b>            | <b>67.4</b>        | <b>6-Jul</b>        |
| <b>33</b>  | <b>2</b>            | <b>27.3</b>        | <b>24-Jun</b>       |
| <b>34</b>  | <b>2</b>            | <b>30.1</b>        | <b>24-Jun</b>       |
| <b>35</b>  | <b>2</b>            | <b>32.5</b>        | <b>25-Jun</b>       |
| <b>36</b>  | <b>2</b>            | <b>34.5</b>        | <b>25-Jun</b>       |
| <b>37</b>  | <b>2</b>            | <b>35.8</b>        | <b>25-Jun</b>       |
| <b>40</b>  | <b>2</b>            | <b>43.0</b>        | <b>27-Jun</b>       |
| <b>45</b>  | <b>2</b>            | <b>66.4</b>        | <b>6-Jul</b>        |

## *Additional NOAA Fisheries Analyses for 2016 Season Length (NC – combined vessel/size limit)*

| <b>Both Size Limit and Vessel Limit Combined (cont'd)</b> |                     |                    | <b>Closure Date</b> |
|---|---------------------|--------------------|---------------------|
| <b>Fork Length</b>  | <b>Vessel Limit</b> | <b>% Reduction</b> |                     |
| <b>33</b>   | <b>3</b>            | <b>12.1</b>        | <b>21-Jun</b>       |
| <b>34</b>   | <b>3</b>            | <b>14.9</b>        | <b>22-Jun</b>       |
| <b>35</b>   | <b>3</b>            | <b>17.3</b>        | <b>22-Jun</b>       |
| <b>36</b>   | <b>3</b>            | <b>19.3</b>        | <b>22-Jun</b>       |
| <b>37</b>   | <b>3</b>            | <b>20.6</b>        | <b>22-Jun</b>       |
| <b>40</b>   | <b>3</b>            | <b>27.8</b>        | <b>24-Jun</b>       |
| <b>45</b>   | <b>3</b>            | <b>51.2</b>        | <b>30-Jun</b>       |

## *Additional NOAA Fisheries Analyses for 2016 Season Length (NC and VA combined)*

| <b>Both Size Limit and Vessel Limit Combined (NC and VA) *</b> |                     | <b>Closure Date</b> |
|--|---------------------|---------------------|
| <b>Fork Length</b>   | <b>Vessel Limit</b> |                     |
| <b>35</b>  | <b>2</b>            | <b>27-Jun</b>       |
| <b>35</b>  | <b>1</b>            | <b>30-Jun</b>       |
| <b>37</b>  | <b>2</b>            | <b>28-Jun</b>       |
| <b>37</b>  | <b>1</b>            | <b>3-Jul</b>        |
| <b>40</b>  | <b>2</b>            | <b>3-Jul</b>        |
| <b>40</b>  | <b>1</b>            | <b>15-Jul</b>       |
| <b>45</b>  | <b>2</b>            | <b>3-Aug</b>        |
| <b>45</b>  | <b>1</b>            | <b>No Closure</b>   |

\*All analyses assume North Carolina regulation changes implemented May 23 based on timing of state commission meetings.

# *Interjurisdictional Fishery Management Plan Options*

- North Carolina Fishery Management Plan for Interjurisdictional Fisheries purpose: Adopt management measures contained in approved federal fishery management plans as minimum standards
- Federal law mandates complementing required management measures in state waters
- Failing to complement federal mandates requires simple majority vote of N.C. Marine Fisheries Commission
- U.S. Secretary of Commerce has authority to pre-empt management in state waters

# *Interjurisdictional Fishery Management Plan Options*

- Comply with the federal measures in state waters
- Not comply with the federal measures in state waters
- Consider alternative management measures for review by an existing committee
- Appoint a Compliance Advisory Panel to determine whether consistency with the federal measures should be challenged and if so, recommend alternative management actions

# *Interjurisdictional Fishery Management Plan Options*

## Comply with Federal Measures in State Waters

### Pros

- Mitigate future seasonal restrictions in 2017
- Maintains interstate cooperation and future access to fishery

### Cons

- Recreational fishery would close June 20
- Economic impact to charter fleet and associated businesses

# *Interjurisdictional Fishery Management Plan Options*

## **Not Comply with Federal Measures in State Waters**

### **Pros**

- In short term, recreational fishery in state waters would stay open
- No change in economic impact for charter fleet and associated businesses

### **Cons**

- Potential future impacts to fishery off other states and interstate cooperation
- Increased potential for shorter season in 2017

# *Interjurisdictional Fishery Management Plan Options*

## Consider Alternative Management Measures

### Pros

- Faster process than appointing Compliance Advisory Panel
- Potential to mitigate some economic loss from shortened season

### Cons

- Will still have shorter season
- Will still incur negative economic impacts



# *Interjurisdictional Fishery Management Plan Options*

## **Appoint Compliance Advisory Panel**

### **Pros**

- Provides additional input from subject-matter experts to commission for decision-making

### **Cons**

- Time-consuming process that will not be completed prior to June 20 recreational closure in federal waters

# *Public Comment*

## **Broad Concerns**

- Misunderstanding of federal Magnuson Stevens Act requirements to have annual catch limits for all species regardless of stock status
- Mistrust of Marine Recreational Information Program data
- Interest in reconsidering biological stock boundary between Atlantic and Gulf stocks
- Transfer of unused catch from Florida to Atlantic stock
- Interest in request for emergency action

## **Short-term Approaches**

Very few comments received about options for 2016 joint vessel/size limits for North Carolina and Virginia, as calculated by NOAA Fisheries

# *Advisory Committee Recommendations*

## **Southern Advisory Committee**

- Complement federal June 20 season closure in state waters

## **Northern Advisory Committee**

- Maintain current minimum size limit (33 inches) and one fish per person possession limit through June 20, 2016. After June 20, 2016 implement a two fish per vessel possession limit, becoming out of compliance with federal regulations
- Request NOAA Fisheries to reconsider the biological boundary between the Gulf and Atlantic cobia stocks

# *Advisory Committee Recommendations*

## **Finfish Advisory Committee**

- Maintain current minimum size limit (33 inches) and one fish per person possession limit through June 20, 2016. After June 20, 2016 implement a two fish per vessel possession limit, becoming out of compliance with federal regulations
- Request NOAA Fisheries to reconsider the biological boundary between the Gulf and Atlantic cobia stocks
- Come up with ways to collect additional recreational catch data on cobia with a tag system being one option
- Request commercial sector annual catch limit be reduced by same percentage as recreational sector annual catch limit

## *Other Actions*

- South Atlantic Fishery Management Council request to Atlantic States Marine Fisheries Commission to consider complementary management of cobia
  - Discussed May 4, 2016 by Atlantic States Marine Fisheries Commission
  - South Atlantic State Federal board to provide recommendation by annual meeting regarding joint, complementary or sole management
- South Atlantic Fishery Management Council cobia framework action
  - Council directed staff to develop at March 2016 meeting
  - Actions include: modification of accountability measures, bag limits, size limits, vessel limits, fishing year, combination vessel/size limits, combination bag/size limits, commercial trip limits
  - Public hearings in August 2016, final action September 2016

*Questions?*