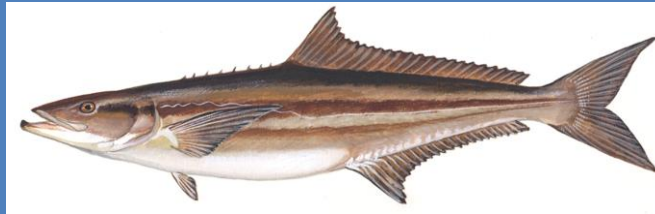


Scoping Summary for Coastal Migratory Pelagics Amendment 31 (Atlantic Cobia Management)



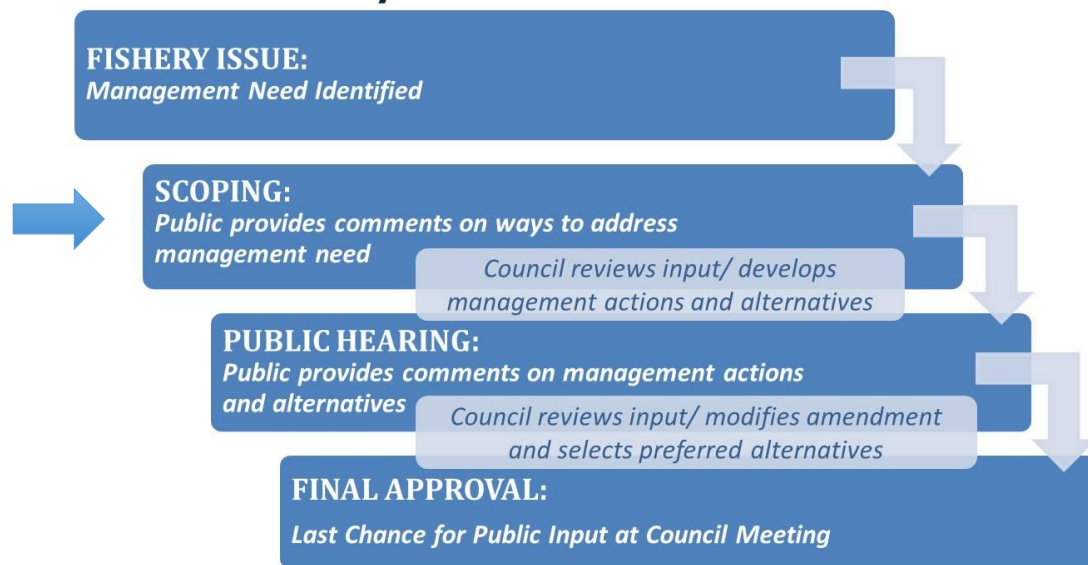
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What is Scoping?

Scoping is the first stage of the process to amend a fishery management plan after an issue has been identified (see steps in the process below). Scoping has two main purposes: (1) to inform you that the Councils may propose new regulations or change existing ones and (2) to allow you the opportunity to comment on the issue or identify other issues that may need the attention of the Councils. You will have more opportunity to provide comments as the amendment is developed; however, **scoping is the first and best opportunity to make suggestions for the Councils to consider *before* an amendment is developed.**

Council Process – *FMP/Plan Amendment*



What issue is being scoped for CMP Amendment 31?

Through the joint Coastal Migratory Pelagics Fishery Management Plan¹, the South Atlantic Fishery Management Council manages Atlantic cobia in federal waters through the Mid-Atlantic region (**Figure 1**). Inshore Atlantic cobia are managed by individual states. In recent years, the proportion of Atlantic cobia caught in state waters has increased, with only a small percentage of landings from federal waters (**Table 1**). However, because Atlantic cobia are included in a federal fishery management plan, there is a federal mandate to set an annual catch limit (ACL) and associated accountability measures² for Atlantic cobia.

¹ The Fishery Management Plan for Coastal Migratory Pelagic Resources in the Gulf of Mexico and Atlantic Region is a joint plan of the South Atlantic Council and the Gulf of Mexico Fishery Management Council. Gulf and Atlantic groups of Spanish mackerel, king mackerel and cobia are included in the management plan. The Atlantic groups are managed through the Mid-Atlantic region.

² ACLs and accountability measures are mandated through the Reauthorized Magnuson-Stevens Fishery Conservation and Management Act (2007).

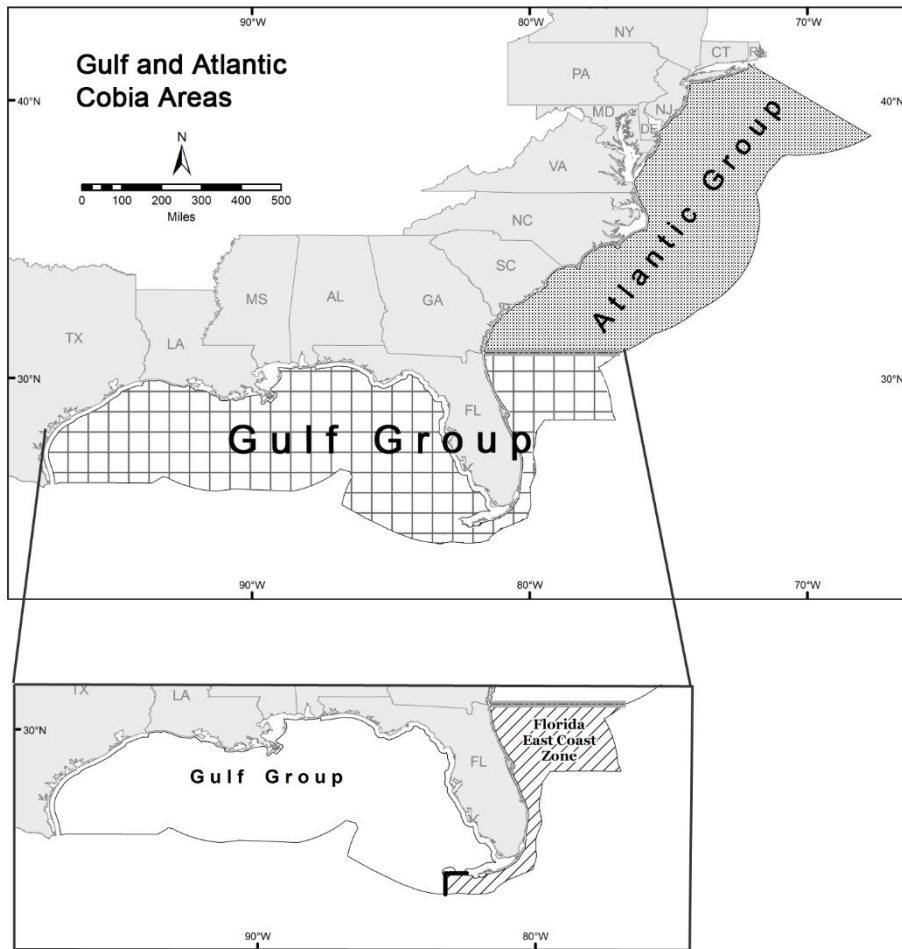


Figure 1. Boundary between Atlantic and Gulf group cobia

Table 1. Landings of Atlantic cobia in state and federal waters from 2012- 2016 (recreational and commercial, in lbs)

	Landings from state waters (% of total landings)	Landings from federal waters (% of total landings)	Unknown ¹
2012	41.6%	57.2%	1.2%
2013	79.1%	19.5%	1.4%
2014	79.1%	17.2%	3.8%
2015	80.2%	18.1%	1.7%
2016 ²	92.3%	7.0%	0.7%

Data source: MRIP and SEFSC ACL Dataset (5/2/17).

¹ Landings that cannot be designated as state or federal waters are from commercial landings.

² Recreational harvest in federal waters closed in 2016 on June 20th, which may have resulted in a relatively lower proportion of landings from federal waters for 2016.

In 2015, Atlantic cobia landings exceeded the ACL and NMFS implemented the accountability measure that results in recreational harvest in federal waters closing on June 20, 2016. The South Atlantic Council began work in March 2016 on an amendment to revise Atlantic cobia management measures to help reduce the rate of harvest (extend the season) and to reduce the likelihood that the ACL would be exceeded in future years³. Additionally, the South Atlantic Council requested that the Atlantic States Marine Fisheries Commission (Commission) consider complementary management for cobia. The Commission is currently developing an interstate management plan for cobia that is expected to be approved in late 2017.

In May 2017, the Commission's South Atlantic State/Federal Fisheries Management Board approved a motion to request that the South Atlantic Council transfer sole management of cobia to the Commission, which would require that Atlantic cobia be removed from the federal fishery management plan. At their June 2017 meeting, the South Atlantic Council directed staff to start work on an amendment to consider an option to remove Atlantic cobia from federal management and an option for complementary management of Atlantic cobia.



Photo credit: SCDNR

The South Atlantic Council would like your input on:

- If Atlantic cobia is managed solely by the Atlantic States Marine Fisheries Commission (i.e., no federal management), how would this affect your access to cobia?
- If the Council decides to keep Atlantic cobia in the federal fishery management plan, how would this affect your access to cobia?
 - How should complementary management work?
 - Should there be different regulations for harvest in state waters and federal waters?

³ CMP Framework Amendment 4 was transmitted for formal review on October 28, 2016. The proposed rule published on February 21, 2017, and the comment period closed March 23, 2017. The final rule is in preparation by NMFS.

What are the potential benefits of removing Atlantic cobia from the federal fishery management plan?

1. *Increased flexibility for the states*

The primary benefit of ASMFC management will be increased flexibility. Removal of Atlantic cobia from the federal fishery management plan will allow the ASMFC to design the interstate plan without constraints of federal requirements, such as the mandate for an annual catch limit (ACL) and accountability measure. It should be noted that the ASMFC will still have the authority to establish harvest limits based on the stock assessment through the interstate management plan.

2. *Reduced regulatory complexity for GA-NY*

If Atlantic cobia is removed from the federal fishery management plan, there would be no required action by the South Atlantic Council for management of Atlantic cobia in federal waters. The ASMFC would determine the harvest limits and management measures for Atlantic cobia (currently harvested north of the GA/FL line), and the measures could be extended into federal waters by the Secretary of Commerce/NOAA.⁴

3. *Opens up alternatives to MRIP data for monitoring recreational harvest*

Under federal mandates, Atlantic cobia recreational harvest is determined using data from the Marine Recreational Information Program (MRIP), along with headboat data and Southeast Fisheries Science Center (SEFSC) calibration. Although there are challenges and concerns about MRIP data for use in a dynamic fishery like cobia, the data have been deemed as the best available information and will continue to be used to monitor recreational landings and to determine if the ACL is met or exceeded.

If Atlantic cobia is removed from the federal fishery management plan, it may be possible for the ASFMC to develop and specify alternative means to track recreational landings of cobia. Several states have mandatory and voluntary reporting for private recreational anglers, and this information could be evaluated and used for monitoring in addition to or in place of MRIP estimates.

⁴ See the Atlantic Coastal Fisheries Cooperative Management Act, 1993

What are the potential challenges of removing Atlantic cobia from the federal fishery management plan?

1. Possible negative effects on stock without federal mandates

The most recent stock assessment determined that Atlantic cobia are not overfished and overfishing is not occurring. Although cobia is a pulse fishery and landings may vary greatly year to year, the requirements for ACLs and the accountability measures to keep landings under the ACLs are intended to minimize long-term negative effects on the stock and allow for sustainable harvest of cobia. It is possible that recent years of high landings are normal and part of a long-term cycle for cobia fishery conditions that may be followed by several years of low landings, with no severe effects on the stock. It is also possible that the high-level landings and the increased popularity of recreational cobia fishing may have negative effects on the stock in the near future, similar to the decrease in local abundance of cobia in southern South Carolina after several years of significant harvest during spawning activity. The ASMFC may choose to incorporate harvest limits into the interstate plan regardless, but there will no mandate for limits and accountability measures if Atlantic cobia is removed from the federal FMP.

2. Gulf Cobia and Florida East Coast

ASMFC request for sole management of cobia does not include Gulf cobia, only Atlantic (GA-NY) cobia. If Atlantic cobia are removed from the federal FMP, the Councils would continue federal management of cobia harvest off the Florida east coast because these fish are part of the Gulf cobia stock. This may result in some complexity of management, along with some concerns about fairness or equity among fishermen.

The next stock assessment for Gulf and Atlantic cobia is expected to begin in the next few years. The assessment will incorporate genetic and tagging data that has been generated since the last stock assessment (with data through 2011), which could result in a revised stock boundary between the Gulf and Atlantic groups. This may result in additional complexity for management.

3. Essential Fish Habitat

Removing Atlantic cobia from the CMP FMP would remove the EFH designations associated with cobia. There are other species that should cover these designations but removal of Atlantic cobia would weaken any rationale against activities that would alter habitat.

4. Stock Assessment Responsibility

Removing Atlantic cobia from the CMP FMP would remove cobia as a priority species for the South Atlantic Council. However, NMFS is charged with providing assessment support to the ASMFC similar to the way NMFS is responsible for the Councils' stock assessment support. Cobia would most likely become an ASMFC priority species similar to the way menhaden is currently a priority species.

What management measures are being considered in the ASMFC interstate plan for Atlantic cobia?

At their upcoming August 2017 meeting, the South Atlantic State/Federal Fisheries Management Board of the ASMFC will review the draft interstate plan for cobia and approve for public comment. The draft plan includes harvest limits (recreational bag and vessel limits, minimum size limit, commercial possession limit) along with a potential system for state-by-state annual quotas. If Atlantic cobia is maintained in the federal fishery management plan, a quota allocation to each state by ASMFC would be based on the ACL established by the South Atlantic Council. If Atlantic cobia is removed from the federal fishery management plan, the ASMFC may choose to base quotas on a different overall harvest limit. Any management measures by the ASMFC will still be dependent on the most recent stock assessment and the best available science.

The draft interstate plan reviewed by the South Atlantic State/Federal Fisheries Management Board in August 2017 is available on the ASMFC website: <http://www.asmfc.org/files/Meetings/2017SummerMeeting/SouthAtlanticBoardSupplemental.pdf>. The Board approved the draft plan for public comment.

Proposed Timing of CMP Amendment 31

Process Steps	Dates
Scoping	August 2017
Review scoping comments and approve actions(s)/alternatives	September 2017
Review analysis of alternatives and approve for public hearings	December 2017
Public hearings	January/February 2018
Review public comments, and approve for formal review	March 2018
Gulf Council approve for formal review	April 2018
Implementation	Late 2018

Opportunities to provide public comment in-person include the scoping webinar, Council meetings, and public hearings. There will also be opportunities to submit written comments via the online comment form throughout the process.

Scoping Webinar

Staff presentation and Q&A followed by an opportunity to provide your comments on the record

**** We will have two sessions, each starting with the staff presentation****

6pm AND 7pm EST

August 15, 2017

Registration required:

<https://register.gotowebinar.com/register/5062501562968484098>

Scoping summary, presentation and video available at:

<http://www.safmc.net/meetings/public-hearing-and-scoping-meeting-schedule>

Submitting Written Comments:

Note: The Council requests that written comments be submitted using the online public comment form, available at:

<https://safmc.wufoo.com/forms/rhycpicg0oq0tr7/>

Comments by mail:

Gregg Waugh, Executive Director, South Atlantic Fishery Management Council
4055 Faber Place Drive, Suite 201
North Charleston, SC 29405

Comments by fax:

843/769-4520

Comments received by 5:00 PM on August 18, 2017, will be included in the Scoping Comment Overview under the Mackerel/Cobia Committee for the September 2017 Council Meeting Briefing Book and included in the administrative record.

Comments received between August 19 and September 14, 2017, at 12:00 PM will still be available for the Council members and public to view on the SAFMC website and included in the administrative record, but will not be included in the Scoping Comment Overview for the Briefing Book.

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