



 **Cobia**  
Draft Rule  
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Florida Fish and Wildlife Conservation Commission  
Division of Marine Fisheries Management

Version 1

This presentation provides a summary of stakeholder feedback on the cobia fishery in the Gulf of Mexico. This presentation also summarizes proposed draft rules to amend the Florida Fish and Wildlife Conservation Commission's (FWC) cobia regulations in 68B-19, Florida Administrative Code (FAC).

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Photo courtesy of Sure Lure Charters.

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## Background

- FWC staff have heard a variety of concerns related to cobia in recent years
- Panhandle stakeholders have requested management changes
- 2013 Gulf-wide federal stock assessment
  - Not overfished or undergoing overfishing
- Upcoming assessments
  - Atlantic federal – late 2018
  - Gulf federal – 2019
- At the April 2017 Commission meeting, staff were directed to reach out to cobia anglers in the Panhandle



Photo courtesy of Robert Sperry

In recent years, FWC staff have heard a variety of concerns related to the status of cobia in the Gulf of Mexico, particularly from the Panhandle. Based on these concerns, stakeholders have requested that the Commission make management changes to conserve this valuable fishery in Florida's Gulf coast waters.

The 2013 federal stock assessment that evaluated cobia Gulf-wide did not indicate that the stock was overfished or undergoing overfishing. Both Atlantic and Gulf cobia are expected to be assessed in the next few years. An Atlantic federal assessment is scheduled for late 2018 while the next Gulf federal assessment is not scheduled until 2019. However, anglers in northwest Florida have requested that FWC take immediate action to conserve Gulf cobia until the next stock assessment can be completed.

At the April 2017 Commission meeting, staff were directed to reach out to cobia anglers in the Panhandle and gather feedback on what, if any, management changes they would like to see for cobia.

## Stocks

- Migratory species
- Boundary between Gulf and Atlantic stocks currently defined at the Georgia/Florida line
  - **2018:** Stock ID workshop will reassess this boundary



Cobia are a migratory species found along the U.S. Atlantic and Gulf coasts. Some information indicates that not all cobia make long-distance migrations throughout the entire region of these migratory groups, but instead make inshore-offshore migrations within an area of the coast. However, since cobia generally exhibit region-wide migratory behavior, they are managed as a migratory species at the federal level.

Cobia stocks in state and federal waters of the U.S. are divided into the Atlantic Migratory Group and Gulf Migratory Group. The boundary line between the two stocks is currently defined at the Georgia/Florida line. A stock ID workshop is scheduled for 2018 to re-evaluate the location of this stock boundary.

Cobia is managed in state waters by FWC and managed jointly in federal waters by the Gulf of Mexico and South Atlantic Fishery Management Councils.

## Current Regulations

### Florida state waters

- **Recreational:** 33-inch FL minimum size, 1 fish/person/day with a max of 6 fish/vessel/day
- **Commercial:** 33-inch FL minimum size, 2 fish/person/day with a max of 6 fish/vessel/day

### Federal waters

- **Recreational and Commercial**
  - 33 inch FL minimum size
  - 2 fish/person/day
  - *No vessel limit*



Photo courtesy of Trey Wheeler

Currently, in Florida state waters, cobia regulations include a 33-inch (fork length) minimum size limit for all harvesters. Recreational harvesters are limited to one cobia per person per day with a daily maximum of six cobia per vessel, whichever is more restrictive. Commercial harvesters are also limited to six cobia per vessel per day but are allowed two cobia per person daily.

In both the Gulf and Atlantic federal waters off of Florida, all recreational and commercial harvesters must abide by a 33-inch (fork length) minimum size limit and a bag limit of two fish per harvester per day. There is no vessel limit for cobia in federal waters off of Florida.

## Biology – Gulf of Mexico

- Grow rapidly during first 2 years
  - Females grow faster and live longer than males
- Females begin maturing around age 2 (34-37 inches)
  - Most females mature by age 3 (39-41 inches)
- Lifespan
  - Females: 11 years
  - Males: 9 years
- Spawn April – September
  - Peak May – July



Gulf cobia are one of the fastest growing fish targeted by anglers, especially in the first two years of life. Females generally grow faster and live longer than males.

Females begin to mature around age two, which corresponds to a size of about 34-37 inches (fork length). Most females are mature by age three, approximately 39-41 inches (fork length).

Female cobia can live for about 11 years while males can live to about nine years.

Cobia are batch spawners which means that individual cobia spawn more than once during the spawning period. In the Gulf, spawning occurs between April and September, peaking from May through July. Although definitive spawning locations are unknown, evidence suggests spawning may occur in both shallow coastal waters and offshore.

## Fishery – Gulf of Mexico

- Historically variable year to year
  - Data does not show any significant trends
- Recreational fishery responsible for majority of harvest
- Majority of the recreational harvest off Florida is from state waters
- Few recreational trips harvest more than 2 fish



Photo courtesy of Ezster Keresztes



Historically, both the recreational and commercial cobia fisheries in the Gulf of Mexico have varied year to year. Based on the available data, there are no significant positive or negative trends in harvest rates. Annually, the recreational harvest accounts for the vast majority of total harvest, averaging 89% over the last 10 years. Additionally, most of the recreational harvest off Florida is from state waters and few recreational trips harvest more than two cobia per vessel (though the current vessel limit is six fish).

In recent years, commercial trips in Gulf state waters have landed an average of approximately 80 pounds of cobia per trip.

## Public Feedback

- 5 public workshops were held along the Gulf coast, in addition to an online webinar
- Extensive comments also received online and via phone

### Panhandle

- Consensus that the local fishery has been poor in recent years
- Strong support for increasing the size limit and reducing the vessel limit
- Some areas: strong support for a harvest closure or prohibiting commercial sale

### Big Bend and Florida's central Gulf coast

- Most report the fishery has been very good in recent years
- Some support for a reduced vessel limit
- Limited support for increasing the size limit and only if research suggests it is necessary



Staff held five public in-person workshops around the Gulf coast, along with an online webinar. Stakeholders were also able to provide comments both online and via phone. Many stakeholder opinions differed between the Panhandle and the Big Bend/central Gulf coast region.

For the purposes of this topic, the Panhandle includes the area between Escambia and Franklin County. In this area, stakeholders agreed that the cobia fishery has been poor in recent years; however, there was not a consensus on the underlying cause. Many stakeholders believed that the cause was a significant decline in the stock. Others believed that changes in weather patterns and recent warmer spring water temperatures have influenced cobia migration patterns and that the cobia have simply not come nearshore in large numbers in the past few years. Despite differing opinions on the reason for the poor fishery in recent years, stakeholders Panhandle-wide strongly supported increasing the minimum size limit and reducing the vessel limit. In some areas of the Panhandle, stakeholders strongly supported a harvest closure of one to four years or prohibiting the commercial sale of cobia. The majority of the stakeholders would like Florida to take the lead on management changes for this fishery and encourage other Gulf states and the Gulf Council to follow suit.

The Big Bend and central Gulf coast includes Wakulla through Collier County for the purposes of cobia feedback. In contrast, most stakeholders from the Big Bend and West Central region reported the fishery has been very good in recent years. Even though the fishery has been strong in this area, some anglers in this region still support a reduced vessel limit. However, there was only limited support for increasing the minimum size limit, and only if research suggests that it is necessary.

## Proposed Draft Rules

### 68B-19.002 Definitions

- Define state waters of the Gulf of Mexico as state waters north of the Monroe – Collier county line for the purpose of FWC's cobia regulations

### 68B-19.003 Size Limit; Landed in Whole Condition Requirement

- In state waters of the Gulf of Mexico, increase the minimum size limit for recreational and commercial harvest to 38 inches fork length

### 68B-19.004 Bag and Vessel Limits

- In state waters of the Gulf of Mexico
  - Reduce the commercial trip limit to 1 cobia per person per day
  - Reduce the vessel limit for recreational and commercial harvesters to 2 cobia per vessel per day



Based on the feedback received, staff propose that FWC take the lead on cobia management in the Gulf by implementing additional conservation measures until a Gulf-wide assessment can be completed and can determine if more restrictive measures are necessary.

The proposed draft rules would modify 68B-19.002 to define state waters of the Gulf of Mexico for the purpose of FWC's cobia regulations as state waters north of the Monroe – Collier county line. The proposed draft rules would also modify 68B-19.003, FAC, to increase the minimum size limit for recreational and commercial harvest to 38 inches fork length Gulf state waters. The proposed draft rules would also modify 68B-19.004, FAC, to reduce the commercial trip limit to one cobia per person per day and reduce the vessel limit for recreational and commercial harvesters to two cobia per vessel per day in state waters of the Gulf.

## Regulatory Considerations

- More conservative regulations could be a stop-gap measure until next assessment

**Size limit:** Majority of females not mature at the current size limit (33")

**Bag/vessel limit:** Florida limits already more strict than in federal waters and most Gulf states

**Commercial harvest/sale:** Commercial harvest is allowed in federal waters

### Closure

- Strong support for a closure in some areas
- Closure is not supported along the majority of the Gulf coast
- Seasonal closure outside of the peak harvest season may be a compromise

### Management region

- Stakeholder concerns primarily limited to the Panhandle
- Gulf Migratory Group extends throughout the Gulf and all of Florida



There are a number of points to consider when deciding whether to modify current regulations. First of all, implementing more conservative regulations for this fishery could potentially serve as a stop-gap measure until the upcoming assessment is complete.

In regard to size limit, the majority of female cobia are not mature at the current 33 inch minimum size limit. It is expected that the majority of females would be mature and potentially have had an opportunity to spawn if the size limit were raised to 38 inches.

Florida's recreational bag limit (one per person per day) is already more strict than federal waters and all other Gulf states, and Florida state waters are the only place in the Gulf where harvest of cobia is further limited by a vessel limit. However, despite this fact, many stakeholders are willing to adhere to stricter regulations in order to further conserve this fishery. Staff's proposal would result in the same bag and vessel limits for both recreational and commercial harvesters in state waters of the Gulf.

The stakeholder request to prohibit commercial sale of cobia is complicated by the fact that commercial harvest is allowed in federal waters. Florida has traditionally allowed fish that are legally harvested in federal waters to be transported through state waters and sold.

Although stakeholders in some isolated areas strongly support a temporary closure, this idea is not supported along the majority of the Gulf coast. If the Commission wishes to pursue a closure, a closed season outside of the peak harvest season may be a possible compromise. This type of closure could maintain valuable fishing opportunities in the spring and early summer while providing additional protections for cobia the rest of the year.

Finally, although stakeholder concerns about this fishery have been primarily limited to the Panhandle, the Gulf stock extends throughout the Gulf and all of Florida, including the Atlantic coast of Florida. Staff believe implementing stricter regulations throughout the Gulf would strike a balance between increased conservation of this fishery in the Gulf and continuing to allow the current Atlantic fishery to operate.

## Update on Atlantic Cobia

### Atlantic Migratory Group (Georgia through New York)

- Harvest in federal waters closed early in recent years
  - Overfishing limit exceeded in 2016
  - Recreational harvest closed Jan. 24, 2017, to prevent quota overage
- South Atlantic Council considering co-management with or full transfer of management to Atlantic States Marine Fisheries Commission
  - Intent is to prevent future quota closures

### Florida's Atlantic coast fishery

- Fishing pressure reportedly increasing
- Fishery practices are diversifying
- Feedback on fishery status has been variable



This slide provides an update on the Atlantic coast cobia fishery. The Atlantic migratory group of cobia includes cobia in waters off Georgia through New York and is managed in federal waters by the South Atlantic Council. NOAA Fisheries closed harvest of cobia early in federal waters of the Atlantic migratory group because the quota has been exceeded or was expected to be met in recent years. In 2016, the recreational and commercial fisheries were closed early and harvest exceeded the migratory group's overfishing limit. NOAA Fisheries closed the recreational fishery early in federal waters again in 2017 after only a 23-day season, to prevent a quota overage this year. The recreational fishery will not reopen in federal waters until January 1, 2018.

Federal management changes by the South Atlantic Council to prevent quota overages in 2016 were unsuccessful, largely because significant harvest occurs in state waters off VA and NC. To address this, South Atlantic Council requested the Atlantic States Marine Fisheries Commission (ASMFC) consider complementary management for cobia in state waters. ASMFC responded by requesting the South Atlantic Council transfer management of Atlantic migratory group cobia to them. At their June 2017 meeting, the South Atlantic Council voted to consider cooperative management of the Atlantic migratory group with the ASMFC or full transfer of management. Either option will require a significant amount of time to implement. Management changes for Atlantic migratory group cobia will only affect Florida if the 2018 stock ID workshop determines the boundary between the Atlantic and Gulf migratory groups is south of the Florida/Georgia line.

Fishing pressure for cobia on Florida's Atlantic coast has reportedly been increasing in recent years. Some anglers attribute this to an overall increase in the coastal population while others believe it is related to a shift in effort from offshore to inshore fisheries. Another thing that has been seen recently on the Atlantic coast is that fishing practices for cobia are diversifying with anglers finding new ways to successfully target cobia. In general, feedback on the status of Florida's Atlantic cobia fishery has been variable in recent years. Staff does not recommend any additional actions for cobia on the Atlantic coast of Florida at this time.

## Staff Recommendation

### Approve the proposed draft rules that would provide additional conservation measures for cobia in Florida's Gulf state waters

- Increase the minimum size limit from 33 to 38 inches fork length
- Reduce the commercial trip limit from 2 to 1 cobia per person per day
- Reduce the recreational and commercial vessel limit from 6 to 2 cobia per vessel per day
- Apply these changes to state waters north of the Monroe – Collier county line

*If approved and directed, return for a final public hearing at the September 2017 Commission meeting*



Photo courtesy of Justin Wallheiser

Staff recommends providing additional conservation measures for cobia in Florida's Gulf state waters until the completion of the upcoming stock assessment by approving the proposed draft rules to increase the minimum size limit for cobia to 38 inches fork length, reduce the commercial trip limit to one cobia per person per day, and reduce the vessel limit to two cobia per vessel per day for both recreational and commercial harvesters. Further, staff recommends these changes apply to Gulf state waters north of the Monroe – Collier county line.

If approved and directed, staff will return for a final public hearing at the September 2017 Commission meeting.